

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



Brian Holtzclaw, Mayor • Stephanie Vignal, Mayor Pro Tem • Mark Bond
Mike Todd • Vince Cavaleri • 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. **Due to the COVID-19 pandemic City Council Meetings will be held virtually and via audio meeting format until further notice.**

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.

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 residency 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. 2020 - 864

Next Resolution No. 2020 - 589

September 8, 2020
City Council Meeting
6:00 PM

Regular City Council Virtual Meeting

A.

Tue, Sep 8, 2020 6:00 PM - 8:30 PM (PDT)

Please join my meeting from your computer, tablet or smartphone.
<https://global.gotomeeting.com/join/185430949>

You can also dial in using your phone.
United States: +1 (408) 650-3123

Access Code: 185-430-949

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

AUDIENCE COMMUNICATION

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

NEW BUSINESS

- C. City Manager Review

STUDY SESSION

- D. City Council Position #3 Vacancy Advertisement and Timeline
- E. Governance Manual Update

CONSENT AGENDA

- F. Approval of Checks #62267 through #62444 and ACH Wire Transfers in the Amount of \$1,831,121.95.
(Audit Committee: Mayor Pro Tem Vignal and Councilmember Bond)
- G. Payroll and Benefit ACH Payments in the Amount of \$672,816.86
(Audit Committee: Mayor Pro Tem Vignal and Councilmember Bond)
- H. City Council Meeting Minutes of Special Meeting August 25, 2020 & September 1, 2020

REPORTS

- I. Mayor/Council
- J. City Manager
 - Heron Park Grand Opening Update
- K. Staff
 - Report, etc.

AUDIENCE COMMUNICATION

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

ADJOURNMENT



Agenda Item # _____

Meeting Date: September 8, 2020

CITY COUNCIL AGENDA SUMMARY

City of Mill Creek, Washington

**AGENDA ITEM: CITY COUNCIL POSITION #3 VACANCY
PROPOSED SCHEDULE**

KEY FACTS AND INFORMATION SUMMARY:

Past 2019 Schedule

On December 12, 2018, the City Council began taking applications from those interested in filling the vacancy.

On January 31, 2019 Applications were due by 5:00 p.m. (The City received seven applications.)

On February 5, 2019, the Initial Interview Process was conducted.

- Six applicants were given fifteen-minute interviews that included two minutes for an opening statement for vacant City Council Position No. 2
- Council recessed into Executive Session for 30 minutes to evaluate the qualifications of a candidate for appointment to elected officer per RCW 42.30.110(1)(h).
- Council reconvened into Regular Session and began Nominations for Finalists. A vote was taken.
- Oath of Office for newly appointed Councilmember was administered by the City Clerk.

2020 Proposed Schedules:

Option 1

September 9, 2020 – Advertise and publish Candidate Application

September 24, 2020 – Applications due by 5:00 p.m.

September 29, 2020 - City Council Interviews & Appointment at a Special City Council Meeting

Option 2

September 9, 2020 – Advertise and publish the Candidate Application

October 1, 2020 – Applications due by 5:00 p.m.

October 6, 2020 – City Council Interviews & Appointment at a Regular City Council Meeting

ATTACHMENTS:

- Draft Council Candidate Recruitment Brochure for Position No. 3 – Supplemental questions included in brochure.

Respectfully Submitted:

Michael G. Ciaravino

Michael G. Ciaravino
City Manager



Accepting Applications for Mill Creek City Council Position #3



The City of Mill Creek is accepting letters of interest from persons desiring an appointment to fill a vacancy on the Mill Creek City Council (Position #3).

About the City Council

The City operates under the Council-Manager form of government. See a presentation about this form of government at:

www.cityofmillcreek.com/Council-manager-govt

The Council consists of seven council members elected at large to four-year terms. Every two years, the City Council elects a Mayor and Mayor Pro Tem from its members. The Mayor serves as the chair of the Council.

The Council appoints a City Manager to carry out the policies and priorities that the Council adopts. The City Manager is the Chief Executive Officer of the City.

The City Council establishes policies through the adoption of ordinances and resolutions, and develops strategies and objectives to achieve the City's vision and mission. Through its legislative actions, the Council establishes priorities for the City Manager and staff.

The Council meets on the first, second and fourth Tuesday of each month at 6 p.m. Presently, Council meetings are being held virtually due to the COVID-19 pandemic.

Mill Creek City Council Position #3

Term of Appointment

This appointment shall be for a term commencing on the date of appointment until certification of the next election in **November 2021.**

Minimum Requirements

To be considered, applicants must meet the following minimum requirements:

- The applicant must have been a resident of the City of Mill Creek for at least one year immediately prior to the time of application ([RCW 35A.13.020](#); [RCW 35A.12.030](#)).
- The applicant must be registered to vote within the City of Mill Creek at the time of application ([RCW 35A.13.020](#); [RCW 35A.12.030](#)).

Application Materials

Applications are public record and will be posted on the City website prior to interviews taking place.

Each applicant must submit the following to be considered:

- A signed letter of interest that sets forth:
 - o Name
 - o Address
 - o Phone

- o Place of Employment
- o Educational Background
- o Years Lived in City
- o Whether applicant is a registered voter in the City of Mill Creek
- o Statement of interest addressing the following:
 - Summarize your involvement with this or previous communities. Include activities on City boards, with City events, local community groups, civic organizations, youth organizations, etc.
 - What do you like most about living in the City of Mill Creek?
 - Why are you interested in being appointed to the City Council?

- Written responses to the following supplemental questions.

- o The City of Mill Creek operates under a Council-Manager form of government. In this form of government, the role of a councilmember is to provide policy direction, establish goals and priorities, determine spending parameters through the biennial budget process and provide governance





oversight. What background or experience do you feel you would bring to the City Council that would make you a good City Councilmember?

- o How would you describe your communication and working style?
- o How would your communication and working style enhance and foster a positive and collaborative working relationship among the Council and between the Council and the City Manager?
- o Please review the Guiding Principles on page 4 and describe:
 - How, as a member of the City Council, would you provide leadership and/or model the STAR values as set forth in the Guiding Principles?
 - What ideas do you have that would help the City achieve the goals set forth in the Guiding Principles?
 - Whether you would seek to change/add/remove any goals to the Guiding Principles? Why or Why not?
- o Do you feel you have sufficient time available to: attend Council meetings, retreats, regular meetings with the City Manager and review written materials provided to Councilmembers in order to adequately prepare for such meetings?

Compensation and Benefits

Councilmembers receive a monthly stipend of \$500 for their service.

The City has a Social Security Replacement Plan (the Municipal Employees Benefits Trust, which means employees of the City of Mill Creek, including Councilmembers, do not contribute to or earn Social Security credit while employed with the City.

Application Process

Applicants must submit their complete application to the City Manager of the City of Mill Creek at citymanager@cityofmillcreek.com. Application materials must be **received by 5:00 p.m. on Thursday, February 1, 2018**. Faxes and postmarks will not be accepted. Applicants are responsible for verifying the City has received applications submitted by electronic mail.

The Mill Creek City Council will begin interviewing applicants at approximately 6:00 p.m. on Tuesday, .## Depending on the number of applicants, additional interviews may be conducted.

Questions regarding the application process should be submitted in writing or via electronic mail to the City Manager at Mill Creek City Hall South, 15728 Main Street, Mill Creek, WA 98012 or at citymanager@cityofmillcreek.com. Only written questions will be accepted. Questions and responses will be posted on the [City's website](#) for the benefit of all applicants.

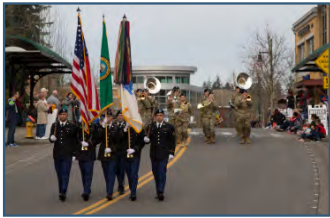
City of Mill Creek Guiding Principles

VISION

Mill Creek will be a City where everyone works together to foster an exceptional community experience -- a place where people are safe, the natural beauty is preserved, neighborhoods flourish, businesses thrive and recreational opportunities abound.

MISSION

Mill Creek's mission is to set the standard of excellence for local government. Through dynamic and innovative strategies, we provide outstanding public services in a fiscally responsible manner to promote a safe, active and vibrant City.



STAR VALUES

Service

Through continuous improvement, innovation, creativity, professional competence and hard work, we enthusiastically provide outstanding service to all customers, internal and external.

Teamwork

In order to support our shared goals and successes, we teach, learn from, collaborate and cooperate with others, while being flexible, adaptable and inclusive.

Accountability

We are responsible for our actions and decisions, and always portray honesty, integrity, transparency and leadership in our contributions.

Respect

We take pride in our work and accomplishments, and in the work and accomplishments of others. We support an environment that honors the value and dignity of all individuals.

GOALS

Fiscal Responsibility

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

Community Preservation

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

Civic Pride

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

Customer Service

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

Recreational Opportunities

To facilitate diverse recreational opportunities for people of all ages.

Public Safety

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

Economic Prosperity

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

Leadership

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

Long Term Planning

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



Agenda Item # _____

Meeting Date: September 8, 2020

CITY COUNCIL AGENDA SUMMARY

City of Mill Creek, Washington

AGENDA ITEM: Update of the City of Mill Creek Governance Manual

PROPOSED MOTION: Motion for the City Manager to direct staff to initiate a review of the Mill Creek Governance Manual and to prepare a memorandum with the input of City Council with outlining potential topics to be covered in the Governance Manual, a new Resolution and/or a new Ordinance.

KEY FACTS AND INFORMATION SUMMARY:

On July 5, 2011, Council adopted Resolution No. 2011-473, the *Manual of City Governance Policies, Procedures and Guidelines* (hereinafter referred to as the “Governance Manual”). The Governance Manual represented an effort to bring together in a single document rules governing the election of council leadership, procedures for council meetings, rules and statutes covering the duties of the council and the duties of the city manager operating in the council-manager form of government, and procedures governing the relationship between Council and city staff.

There have been no updates to the Governance Manual since its adoption almost a 10 years ago. Mayor Holtzclaw, Deputy Mayor Vignal and other Councilmembers have expressed interest in reviewing the Governance Manual and the governance documents of other cities to determine whether it would be prudent to either amend the Governance Manual or adopt other ordinances to ensure transparency, high ethical standards and better communication in council meeting and throughout city government.

Potential Topics for Review

We have provided Council with links to other ordinances that might be resources for considering changes in Mill Creek’s Manual. Many cities in Snohomish and King Counties have adopted ethics ordinances. These ordinances typically address the following subjects:

- Conflicts of Interest
- Gifts
- Confidential Information
- Post-city employment
- Procedures for making, investigating, and adjudicating complaints

While the current Governance Manual provides information regarding state conflict of interest laws, there is no procedure currently in place for addressing, investigating, and adjudicating claims of ethical violations.

City Council Agenda Summary

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Also, Councilmembers have expressed interest in reviewing the best practices for parliamentary procedures used to govern council meetings and in reviewing procedures for councilmember interaction with staff and organizations representing council staff.

Next Steps

Staff is seeking direction from the Council regarding whether to commence a review of the Governance Manual, what should be included in the scope of that review, and the role Council would like to play in the process. Specifically, staff would like to know whether the Council would prefer staff to develop several alternatives for Council consideration or alternatively, whether Council would like to have several councilmembers serve on a task force to work with staff in developing a scope and returning to Council with a specific work plan.

CITY MANAGER RECOMMENDATION:

Motion for the City Manager to direct staff to initiate a review of the Mill Creek Governance Manual and to prepare a memorandum with the input of City Council with outlining potential topics to be covered in the Governance Manual, a new Resolution and/or a new Ordinance.

ATTACHMENTS:

Attachment A_January 24, 2012 Full Packet Code of Conduct
Attachment B_Resolution 8928

Links to the Lynnwood and Edmonds code provisions:

<http://www.codepublishing.com/WA/Lynnwood/#!/lynnwood02/Lynnwood0294.html>
<http://www.codepublishing.com/WA/Edmonds/html/Edmonds03/Edmonds0370.html>

Links on Parliamentary Procedure:

<http://mrsc.org/Home/Explore-Topics/Governance/Legislative-Organization-Meetings-and-Process/Parliamentary-Procedure.aspx>
<http://www.robertsrules.com/>
<http://mrsc.org/getmedia/56d9c19d-5a82-467e-aa2a-d40a43cdfb25/m58pubmeetguide.aspx>

Links to Snoqualmie and Kirkland

<https://www.codepublishing.com/WA/Snoqualmie/html/Snoqualmie02/Snoqualmie0280.html#2.80.030>
<https://www.kirklandwa.gov/Assets/City+Council/Council+PDFs/City+Council+Policies+and+Procedures.pdf>

Respectfully Submitted:

Michael G. Ciaravino

Michael G. Ciaravino
City Manager



CITY COUNCIL AGENDA

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

**Mike Todd, Mayor • Kathy Nielsen, Mayor Pro Tem • Terry Ryan •
Donna Michelson • Bart Masterson • Mark Harmsworth • Mark Bond**

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 City Clerk at (425) 921-5732 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.

Times listed on the agenda are approximate only. Discussions may sometimes cause remaining agenda items to be considered before or after their scheduled time. Citizens are welcome and encouraged to attend all sessions (except for Executive Sessions) of the meeting.

Next Ordinance No. 2012-744

Next Resolution No. 2012-479

**January 24, 2012
City Council Meeting
6:00 p.m.**

6:00 p.m. CALL TO ORDER:

6:01 p.m. FLAG SALUTE:

6:02 p.m. ROLL CALL:

6:05 p.m. AUDIENCE COMMUNICATION:

Public comment on items on or not on the agenda

6:15 p.m. STUDY SESSION:

- A. Council Code of Conduct
(Timothy W. Burns, City Manager)
(Estimated Length of Discussion: 6:15 p.m. to 6:25 p.m.)
- B. Open Public Meetings Act and Conflict Refresher
(Shane Moloney, City Attorney)
(Estimated Length of Discussion: 6:25 p.m. to 6:55 p.m.)
- C. Status of Medical Marijuana Moratorium and Work Plan
(Shane Moloney, City Attorney)
(Estimated Length of Discussion: 6:55 p.m. to 7:25 p.m.)

6:15 p.m. STUDY SESSION:

- D. Police Department Quarterly Report
(*Bob Crannell, Police Chief*)
(*Estimated Length of Discussion: 7:25 p.m. to 7:45 p.m.*)

7:45 p.m. BUSINESS SESSION:

7:45 p.m. CONSENT AGENDA:

- A. Approval of Checks #47635 through #47724 in the Amount of \$351,545.60.
(*Audit Committee: Councilmember Ryan and Councilmember Harmsworth*)
- B. Payroll and Benefit ACH Payments in the Amount of \$177,094.94 for January 20, 2012
(*Audit Committee: Councilmember Ryan and Councilmember Harmsworth*)
- C. Regular City Council Meeting Minutes of January 3, 2012

7:50 p.m. ACTION ITEMS:

- A. Appoint a Member to the Design Review Board with a Mid-Term Expiring August 31, 2012
(*Council Committee: Mayor Todd, Councilmember Bond and Councilmember Masterson*)
- B. Authorize the City Manager to Sign a Letter of Endorsement Appointing Bothell Mayor Mark Lamb to the Snohomish Health District Board of Health
(*Timothy W. Burns, City Manager*)

8:00 p.m. REPORTS:

Mayor
Councilmembers
Boards and Commissions
1. Art/Beautification Advisory Board - 12/14/11
2. Library Board - 8/1/11
City Attorney
Staff Reports:
City Manager
Finance Director.
Director of Community Development
Director of Public Works
Police Chief

8:25 p.m. AUDIENCE COMMUNICATION:

Public comment on items on or not on the agenda

8:30 p.m. ADJOURNMENT

MILL CREEK CITY COUNCIL
AGENDA SUMMARY

Date on Council Agenda: January 24, 2012

Subject: STATEMENT OF VALUES/RULES OF CONDUCT

Budget Impact: None

Contact Person/Department: Timothy Burns, City Manager

SUMMARY/BACKGROUND:

Historically, the Council "Code of Conduct" is considered in January when a new Council is seated. The current Statement of Values/Rules of Conduct is attached for consideration. Once approved, each councilmember will affix their signature to the document.

STAFF RECOMMENDATION:

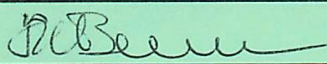
- Endorse Statement of Values/Rules of Conduct and affix signatures

COUNCIL PROCESS/ACTION:

- Council discussion
- Motion to approve, amend, or deny Council Code of Conduct
- If approved, Councilmembers affix their signatures

ATTACHMENTS:

- Current Statement of Values/Rules of Conduct

City Manager Approval:  Date: 1/19/2012

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January, 2012

STATEMENT OF VALUES/RULES OF CONDUCT

The Mill Creek City Council is dedicated to providing quality leadership that will protect, preserve, and enhance the quality of life for its citizens.

The City Council hopes to provide excellence in public service by respecting and protecting individual rights, acting with integrity, and fostering public trust. To improve the Council's effectiveness and performance, Councilmembers will focus on the following areas which incorporate the values of respect, honesty, and trust.

1. **Image:** Recognize that the City Council represents the image of the community in its actions; strive to maintain a professional image, high standards of conduct, and respect for others.
2. **Accountability:** Be accountable to others and to yourself; be effective stewards of the public trust and resources; and follow-through on commitments.
3. **Communication:** Communicate with our citizens, City staff and fellow Councilmembers in an open, clear, honest and constructive manner; be a good listener; clarify when needed; be receptive to feedback; and expect and demonstrate courtesy and respect in all interactions.
4. **Planning:** See the big picture; think and plan for the long-term; consider all needs in the jurisdiction; and help define a vision for the future.
5. **Decision-Making:** Become well informed on issues by reading background materials and seeking additional information if necessary; consider competing needs; consider alternative decisions; seek solutions that honor a variety of community values; and be willing to make difficult decisions.
6. **Teamwork:** Encourage a spirit of cooperation in dealing with the challenges facing our community; recognize the need to work together and support each other to achieve success; recognize different personalities and work styles; and remain flexible with each other to accomplish goals.
7. **Personal Development:** Take responsibility seriously and work hard; devote time and effort to personal and professional excellence.
8. **Ethics:** Uphold the public trust; be committed to the premise of good government and service to the public; and be dedicated to the highest ideals of honor and integrity in order to merit the respect and confidence of the public.

To implement these values, the City Council shall adopt the following rules of conduct to be practiced when representing the City:

1. Be prepared for meetings by familiarity with the materials and having notified City staff and/or the Mayor of concerns or problems in advance of the meeting, when possible.

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2. The Mayor will open a matter for discussion. Councilmembers may debate the merits of the issues with the intent to inform fellow members of opinions and concerns in a concise manner. All Councilmembers shall listen to all points of view, be respectful and professional, and vote based on the objective information presented, including public input.
3. The study session will be utilized as a forum for studying complex issues, reviewing plans and priorities, and for informal communications between the Council and City staff.
4. The City Council represents the diversity of opinions and personalities within the community. Councilmembers should recognize and respect the principles of the majority rule.
5. The City Council shall manage through the City Manager; however, Councilmembers may communicate with City staff members with inquiries related to their respective departments.
6. During the time of Council discussion and public input, Councilmembers shall refrain from non-recognized conversation.

Dated this _____ day of _____, 2012.

Terry Ryan, Position #1

Donna Michelson, Position #2

Kathy Nielsen, Position #3

Bart Masterson, Position #4

Mark Harmsworth, Position #5

Mike Todd, Position #6

Mark Bond, Position #7

P:\data\executive\city\council forms\code of conduct_values.doc

MILL CREEK CITY COUNCIL

AGENDA SUMMARY

Date on Council Agenda: January 24, 2012

Subject: OPMA AND CONFLICT REFERSHER

Budget Impact: None

Contact Person/Department: Shane Moloney, City Attorney

SUMMARY/BACKGROUND:

OPMA REFRESHER

All Council meetings are regulated by the Open Public Meetings Act (OPMA). Many requirements of OPMA are administrative and compliance is monitored and ensured by staff. However, it is critical that Council remains aware of the OPMA's requirements.

Any councilmember that knowingly violates the OPMA could be subject to a \$100 fine and actions taken could be held to be null and void. Moreover, a person alleging a violation of the OPMA in court could be awarded attorneys' fees and costs in some circumstances. At the Council meeting, the City Attorney will lead a discussion about the OPMA to refresh the Council's awareness of its requirements.

At its most basic level, the OPMA requires all council meetings to be noticed and open to the public. But the most often overlooked aspect of the OPMA is that the definition of a "meeting" is so broad that a meeting takes place any time a quorum (4 or more) of councilmembers discuss, deliberate, consider, or review city business. A meeting occurs when a majority of councilmembers discuss city business, even when there is no vote or decision made on the subject that is discussed. This can include "serial meetings" where there is not a majority of councilmembers physically present but the discussions are forwarded or passed on by email, telephone or otherwise to effectively create a discussion of city business between a majority of councilmembers.

There are limited exceptions to the OPMA's requirement that meetings be open to the public. For example, meetings regarding labor negotiations are not subject to the OMPA. The OPMA also allows the Council to hold executive sessions during a noticed public meeting. Executive sessions are not open to the public, but are only allowed in relatively limited circumstances.

For an in-depth discussion of the OPMA, see the attached MRSC publication entitled [The Open Public Meetings Act - How it Applies to Washington Cities, Counties, and Special Purpose Districts.](#)

Staff is considering using the attached executive session checklist developed by municipal attorneys to document compliance with the OPMA when executive sessions are held. The checklist provides a good quick reference of the basics for considering whether a subject may be discussed within an executive session.

CONFLICTS REFRESHER

The conflict of interest doctrines that apply to Councilmember actions often require legal analysis of the

Agenda Summary
January 24, 2012
Page 2

specific factual circumstances involved. The City Attorney will provide a broad overview conflict of interest doctrines that apply to the council at the January 24th council meeting. The purpose of the overview is not to answer questions about any specific circumstances, but rather to alert the council as to the general types of conflicts to be aware of. When such situations arise, each councilmember should feel free to contact the City Attorney with questions you may have about potential conflicts that could affect you.

In general, conflicts of interest can occur when the council is responsible for making decisions that benefit any individual councilmember or when a councilmember holds a position outside the council that is incompatible with the councilmember's duty to the City.

The basic statutory prohibition against conflicts of interest is found in RCW 42.23.030. That section prohibits councilmembers from having a beneficial (financial) interest, directly or indirectly, in any city contract. This is a broad prohibition that prohibits the conflicting interest even if the conflicted councilmember does not vote on or explicitly approve the contract in which he/she has an interest. The primary exception to this prohibition is when the interest is only a "remote interest." A "remote interest" is defined to mean:

1. That of a nonsalaried officer of a nonprofit corporation;
2. That of an employee or agent of a contracting party where the compensation of such employee or agent consists entirely of fixed wages or salary;
3. That of a landlord or tenant of a contracting party; or
4. That of a holder of less than one percent of the shares of a corporation or cooperative which is a contracting party.

Where a councilmember has a "remote interest" in a contract, he/she must disclose the extent of his or her interest prior to the formation of the contract, and that person may not vote to authorize, approve or ratify the contract. The remote interest exception does not apply if the councilmember having the remote interest influences or attempts to influence any other councilmember to enter into the contract.

The penalty for violation of the prohibitions contained in Chapter 42.23 RCW is that a contract made in violation of the chapter is void, and any officer violating its provisions is liable to the municipality for a penalty in the amount of \$500 and may be subject to forfeiture of office.

RCW 42.23.070 also prohibits: (1) a councilmember from using his or her position to obtain special privileges; (2) accepting compensation or a gift from a source other than the City for a matter related to the councilmember's services as a City councilmember; (3) engaging in a business or professional activity that the officer might reasonably expect would induce him or her to disclose confidential information gained by virtue of his or her official position; and (4) disclosing confidential information or using such information for personal gain.

Agenda Summary
January 24, 2012
Page 3

The Council should also be aware of the appearance of fairness doctrine when it is making quasi-judicial decisions -- such as decisions regarding land use applications or code enforcement. It does not apply to purely legislative decisions. The doctrine works to disqualify from the quasi-judicial decision-making process those decision-makers who have prejudged the issues, who have a bias in favor of one side in the proceeding, who have a conflict of interest, or who cannot otherwise be impartial. Also, it prohibits "ex parte" communications between a decision-maker and a proponent or opponent of the matter being decided.

If a decision-maker's participation in a quasi-judicial decision violates the appearance of fairness doctrine and that participation was challenged in a timely manner, a court can invalidate the decision. A new hearing and decision will then need to be made without the disqualified decision-maker.

Unlike contractual conflicts, where the conflict cannot be mitigated by a councilmember recusing him/herself from voting on the contract, the appearance of fairness doctrine can be complied with by having the conflicted councilmember recuse him/herself from the decision making process. If a councilmember does not have conflict in sitting as a non-biased decision maker, but has had "ex parte" communications about the matter, the councilmember must fully disclose the extent of those communications on the record and allow the interested parties an opportunity to object to that councilmember from deciding the matter.

STAFF RECOMMENDATION:

- Hold study session regarding OPMA requirements and conflict of interest doctrines

COUNCIL PROCESS/ACTION:

- Presentation by Shane Moloney, City Attorney

ATTACHMENTS:

- The Open Public Meetings Act - How it Applies to Washington Cities, Counties, and Special Purpose Districts
- Executive Session Checklist

City Manager Approval:  Date: 1/19/2012

REPORT NUMBER 60

May 2008

Municipal Research and Services Center

The Open Public Meetings Act

How it Applies to Washington Cities, Counties, and Special Purpose Districts

The Open Public Meetings Act

**How it Applies to Washington Cities, Counties,
and Special Purpose Districts**

\$10 City/County • \$20 Other

REPORT NUMBER 60

May 2008

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Municipal Research and Services Center
2601 Fourth Avenue, Suite 800
Seattle, WA 98121-1280
www.mrsc.org
mrsc@mrsc.org
206.625.1300



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Foreword

This is the second revision of our original September 1997 publication on the Open Public Meetings Act. Issues involving public meetings of governing bodies of cities, towns, counties, and special purpose districts continue to figure prominently in inquiries to MRSC legal consultants. This publication is intended for use by city, town, county, and special purpose district officials and is intended to provide general guidance in understanding the policies and principles underlying this important law.

As new legislation is enacted or court decisions are issued that affect the Open Public Meetings Act, revisions to this publication may be made to the online version at <http://mrsc.org/Publications/opma08.pdf>. To insure you are viewing the most up-to-date version of this publication, see the online version.

Special acknowledgment is given to Bob Meinig, Legal Consultant, who prepared this publication. Thanks are also due to Pam James, Legal Consultant, for her editing, and to Holly Stewart, Desktop Publishing Specialist, for designing the publication.

Richard Yukubousky
Executive Director

Introduction

In 1971, the state legislature enacted the Open Public Meetings Act (the “Act”) to make the conduct of government more accessible and open to the public. The Act begins with a strongly worded statement of purpose:¹

The legislature finds and declares that all public commissions, boards, councils, committees, subcommittees, departments, divisions, offices, and all other public agencies of this state and subdivisions thereof exist to aid in the conduct of the people's business. It is the intent of this chapter that their actions be taken openly and that their deliberations be conducted openly.

The people of this state do not yield their sovereignty to the agencies which serve them. The people, in delegating authority, do not give their public servants the right to decide what is good for the people to know and what is not good for them to know. The people insist on remaining informed so that they may retain control over the instruments they have created.²

Codified in chapter 42.30 RCW, the Act applies to all city and town councils,³ to all county councils and boards of county commissioners, and to the governing bodies of special purpose districts, as well as to many subordinate city, county, and special purpose district commissions, boards, and committees. It requires, basically, that all “meetings” of such bodies be open to the public and that all “action” taken by such bodies be done at meetings that are open to the public. The terms “meetings” and “action” are defined broadly in the Act and, consequently, the Act can have daily significance for cities, counties, and special purpose districts even when no formal meetings are being conducted.

¹RCW 42.30.010

²Throughout this publication, indented quotations in italics are statutory language.

³For convenience, the term “city council” will in this publication also refer to town councils and to city commissions under the commission form of government. There is currently only one city in the state, Shelton, that is governed by the commission form of government.

This publication comprehensively reviews the Act as it applies to Washington cities, towns, counties, and special purpose districts.⁴ It also provides answers to selected questions that have been asked of MRSC staff concerning application of the Act. However, we find that new questions constantly arise concerning the Act. So, if you have questions that are not addressed by this publication, do not hesitate to contact your legal counsel or MRSC legal staff.

⁴There is no single uniform definition of a special purpose district in state law. In general, a special purpose district is any unit of local government other than a city, town, or county that is authorized by law to perform a single function or a limited number of functions, such as water-sewer districts, irrigation districts, fire districts, school districts, port districts, hospital districts, park and recreation districts, transportation districts, diking and drainage districts, flood control districts, weed districts, mosquito control districts, metropolitan municipal corporations, etc.

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Who Is Subject to the Act?

The basic mandate of the Open Public Meetings Act is as follows:

All meetings of the governing body of a public agency shall be open and public and all persons shall be permitted to attend any meeting of the governing body of a public agency, except as otherwise provided in this chapter.⁵

The Act applies to “meetings” of a “governing body” of a “public agency.” A “public agency” includes a city, county, and special purpose district.⁶ A “governing body” is defined in the Act as follows:

“Governing body” means the multimember board, commission, committee, council, or other policy or rule-making body of a public agency, or any committee thereof when the committee acts on behalf of the governing body, conducts hearings, or takes testimony or public comment.

The legislative bodies of cities and counties⁷ clearly are governing bodies under this definition, as are the boards or commissions that govern special purpose districts. However, they are not the only governing bodies to which the Act applies. The Act also applies to any “subagency” of a city, county, or special purpose district,⁸ because the definition of “public agency” includes:

Any subagency of a public agency which is created by or pursuant to statute, ordinance, or other legislative act, including but not limited to planning commissions, library or park boards, commissions, and agencies.⁹

Under this definition, the subagency must be created by some legislative act of the governing body, such as an ordinance or resolution. A group established by a mayor to advise him or her

⁵RCW 42.30.030.

⁶RCW 42.30.020(1)(b).

⁷The legislative bodies of cities are the city councils or city commissions, and the legislative bodies of counties are the boards of county commissioners or county councils.

⁸Most special purpose district governing bodies do not have the authority to create such subagencies.

⁹RCW 42.30.020(1)(c).

could not, for example, be a subagency, because a mayor does not act legislatively. However, a legislative act alone does not create a subagency. According to the attorney general's office, a board or a commission or other body is not a subagency governed by the Act

unless it possesses some aspect of policy or rulemaking authority. In other words, its "advice," while not binding upon the agency with which it relates . . . , must nevertheless be legally a necessary antecedent to that agency's action.¹⁰

If a board or commission (or whatever it may be termed) established by legislative action is merely advisory and its advice is not necessary for the city, county, or district to act, the Act generally does not apply to it.

Given the above definitions, the following are governing bodies within city and county government that *are subject* to the Act:

- City council or commission
- County council or board of commissioners
- Planning commission
- Civil service commission
- Board of adjustment

Other boards or commissions will need to be evaluated individually to determine whether the Act applies to them. For example, the definition of a subagency identifies library boards, but, in some cities (particularly those without their own libraries), library boards function as purely advisory bodies, without any policymaking or rulemaking authority. That type of a library board would not be subject to the Act. In cities where library boards function under statutory authority¹¹ and possess policymaking and rulemaking authority, those boards must follow the requirements of the Act.

Most special purpose districts have only one "governing body" under the meaning of that term in the Act.

In some circumstances, the Act applies to a committee of a governing body. As a practical matter, city or county legislative bodies are usually the only governing bodies with committees to which the Act may apply. A committee of a city or county legislative body will be subject to the Act in the following circumstances:

¹⁰AGO 1971 No. 33, at 9. The attorney general's office bases its conclusion on this issue on the language "or other policy or rulemaking body of a public agency" in the definition of "governing body" in RCW 42.30.020(2), quoted above. See also AGLO 1972 No. 48.

¹¹RCW 27.12.210.

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- when it acts on behalf of the legislative body¹²
- when it conducts hearings, or
- when it takes testimony or public comment.

When a committee is not doing any of the above, it is not subject to the Act.¹³

Keep in mind that it is usually good public policy to open the meetings of city, county, and special district governing bodies to the public, even if it is uncertain or doubtful that the Act applies to them. Secrecy is rarely warranted, and the Act's procedural requirements are not onerous. This approach would be consistent with the Act's basic intent that the actions of governmental bodies "be taken openly and that their deliberations be conducted openly."¹⁴

Further Questions

May four councilmembers-elect of a seven-member council meet before taking their oaths of office without procedurally complying with the Act?

Yes. Councilmembers-elect are not yet members of the governing body and cannot take "action" within the meaning of the Act, and so they are not subject to the Act.¹⁵

Must a committee of the governing body be composed solely of members of the governing body for it to be subject to the Act under the circumstances identified in RCW 42.30.020(2)?

This statute defines a "governing body" to include a "committee thereof when the committee acts on behalf of the governing body, conducts hearings, or takes testimony or public comment." (Emphasis added.) Does a "committee thereof" include only members of the governing body? This question has not been addressed by the courts. However, the attorney general's office has opined that a "committee thereof" may include individuals who are not members of the governing body when they are appointed by the governing body.¹⁶

¹²According to the attorney general's office, a committee acts on behalf of the governing body "when it exercises actual or de facto decisionmaking power." AGO 1986 No. 16, at 12. However, in an informal letter to the Central Kitsap School District Board, dated March 21, 2008, the open government ombudsman for the attorney general's office takes a more expansive view than this prior formal opinion regarding when a committee is subject to the Act.

¹³While the definition of "governing body" speaks of "when" a committee acts so as to come within that definition, the courts have not been clear about whether a committee is subject to the Act for all of its meetings when it is only at some that it is acting in that manner. See *Clark v. City of Lakewood*, 259 F.3d 996 (9th Cir. 2001).

¹⁴RCW 42.30.010.

¹⁵*Wood v. Battle Ground School Dist.*, 107 Wn. App. 550, 561 (2001).

¹⁶AGO 1986 No. 16.

What Is a "Meeting"?

There must be a "meeting" of a governing body for the Act to apply. Sometimes it is very clear that a "meeting" is being held that must be open to the public, but other times it isn't. To determine whether a governing body is having a "meeting" that must be open, it is necessary to look at the Act's definitions. The Act defines "meeting" as follows: "'Meeting' means meetings at which action is taken."¹⁷ "Action," as referred to in that definition of "meeting," is defined as follows:

"Action" means the transaction of the official business of a public agency by a governing body including but not limited to receipt of public testimony, deliberations, discussions, considerations, reviews, evaluations, and final actions. "Final action" means a collective positive or negative decision, or an actual vote by a majority of the members of a governing body when sitting as a body or entity, upon a motion, proposal, resolution, order, or ordinance.¹⁸

Since a governing body can transact business when a quorum (majority) of its members are present,¹⁹ it is conducting a meeting subject to the requirements of the Open Public Meetings Act whenever a majority of its members meet together and deal in any way with city, county, or special purpose district business, as the case may be. This includes simply discussing some matter having to do with agency business. Because members of a governing body may discuss the business of that body by telephone or e-mail, it is not necessary that the members be in the physical presence of each other for there to be a meeting subject to the Act.²⁰ See the "Further Questions" at the end of this section. Also, it is not necessary that a governing body take "final action"²¹ for a meeting subject to the Act to occur.

¹⁷RCW 42.30.020(4).

¹⁸RCW 42.30.020(3).

¹⁹See, e.g., RCW 35A.12.120; 35.23.270; 35.27.280; 36.32.010.

²⁰*Wood v. Battle Ground School Dist.*, 107 Wn. App. 550, 562 (2001).

²¹RCW 42.30.020(3) defines "final action" as "a collective positive or negative decision, or an actual vote by a majority of the members of a governing body when sitting as a body or entity, upon a motion, proposal, resolution, order, or ordinance."

Note that it does not matter if the meeting is called a “workshop,” a “study session,” or a “retreat”; it is still a meeting subject to the Open Public Meetings Act if a quorum is addressing the business of the city, county, or special purpose district. If a governing body just meets socially or travels together, it is not having a meeting subject to the Act as long as the members do not discuss agency business or otherwise take “action.”²²

Further Questions

If a majority or more of the members of a governing body discuss city, county, or district business by telephone or e-mail, are they having a meeting subject to the Act?

Since the members of a governing body can discuss city, county, or district business together by telephone or by e-mail so as to be taking “action” within the above definition, the governing body can conduct a meeting subject to the Act even when the members are not in the physical presence of one another.²³ This type of meeting could take many forms, such as a conference call among a majority or more of the governing body, a telephone “tree” involving a series of telephone calls, or an exchange of e-mails. Since the public could not, as a practical matter, attend this type of “meeting,” it would be held in violation of the Act.²⁴

Given the increasingly prevalent use of e-mail and the nature of that technology, members of city councils, boards of county commissioners, and special district governing bodies must be careful when communicating with each other by e-mail so as not to violate the Act. However, such bodies will not be considered to be holding a meeting if one member e-mails the other members merely for the purpose of providing relevant information to them. As long as the other members only “passively receive” the information and a discussion regarding that information is not then commenced by e-mail amongst a quorum, there is no Open Public Meetings Act issue.²⁵

May one or more members of a governing body “attend” a meeting by telephone?

Although no courts in this state have addressed this question, it probably would be permissible for a member of a governing body to “attend” a meeting by telephone, with the permission of the body, *if* that member's voice could be heard by all present, including

²²RCW 42.30.070; *In re Recall of Roberts*, 115 Wn.2d 551, 554 (1990).

²³*Wood v. Battle Ground School Dist.*, 107 Wn. App. 550, 562-63 (2001).

²⁴Though, at least one local government in this state has held an online meeting of its governing body, providing notice under the Act and giving the public the opportunity to “attend.”

²⁵*Id.* at 564-65.

the public, and if that member could hear all that is stated at the meeting. Some sort of speaker phone equipment would be necessary for this to occur. If a governing body decides to allow participation by telephone, it is advisable to authorize such in its rules, including under what circumstances it will be allowed.

May a quorum of a city or county legislative body attend, as members of the audience, a citizens' group meeting?

Yes, provided that the members attending the meeting do not discuss, as a group, city or county or district business, as the case may be, or otherwise take "action" within the meaning of the Act.²⁶ That possibility could in most circumstances be avoided by not sitting as a group.

May an entire county council attend a private dinner in honor of the out-going county official without complying with the Open Public Meetings Act?

Again, the issue comes down to whether the council will be dealing with county business. It can be argued that honoring the county official is itself county business. On the other hand, it could be argued that honoring an individual who is leaving county employment does not involve the functioning of the county. This is a gray area where caution should be exercised.

Must the public be allowed to attend the annual city council retreat?

Yes. A retreat attended by a quorum of the council where issues of city business are addressed constitutes a meeting.

²⁶See AGO 2006 No. 6.

What Procedural Requirements Apply to Meetings?

The Act establishes some basic procedural requirements that apply to all meetings of a governing body, whether they are regular or special meetings. *All meetings of a governing body are, under the Open Public Meetings Act, either regular or special meetings.* It does not matter if it is called a “study session” or a “workshop” or a “retreat,” it is either a regular or special meeting.

What is a regular meeting?

A regular meeting is one that is held according to a schedule adopted by ordinance, resolution, order, or rule, as may be appropriate for the governing body.²⁷

What is a special meeting?

A special meeting is any meeting that is not a regular meeting. In other words, special meetings are not held according to a fixed schedule. Under the Act, special meetings have specific notice requirements, as discussed below. Also, governing bodies may be subject to specific limitations about what may be done at a special meeting.²⁸

What procedural requirements apply to all meetings of a governing body?

The following requirements and prohibitions apply to both regular and special meetings of a governing body:

²⁷See RCW 42.30.060, .070, .080. Also, state law, though not the Open Public Meetings Act, may require the governing body of a city, county, or special district to meet with a certain regularity, such as monthly. For example, second class and code city councils, town councils, and the board of directors of any school district must meet at least once a month. RCW 35.23.181; RCW 35.27.270; RCW 35A.12.110; RCW 28A.343.380.

²⁸For example, second class city councils may not pass an ordinance or approve a contract or a bill for the payment of money at a special meeting. RCW 35.23.181. Town councils may not pass a resolution or order for the payment of money at a special meeting. RCW 35.27.270. Many special purpose districts are subject to requirements that certain actions can be taken only at a regular meeting, i.e., not at a special meeting. See, e.g., RCW 54.16.100 (appointment and removal of public utility district manager); RCW 85.05.410 (setting compensation of board of diking district commissioners). The councils of first class and code cities and county legislative bodies have no specific limitations on actions that may be taken at a special meeting, other than those imposed by the Open Public Meetings Act.

- All meetings must be open to the public.²⁹
- A member of the public may not be required as a condition of attendance to register his or her name or other information, or complete a questionnaire, or be required to fulfill any other condition to be allowed to attend.³⁰

- The governing body may require the removal of members of the public who disrupt the orderly conduct of a meeting. If order cannot be restored by removal of individuals, the governing body may order the meeting room cleared and may continue in session or it may adjourn and reconvene the meeting at another location, subject to the limitations in RCW 42.30.050.³¹

- Votes may not be taken by secret ballot.³²

- Meetings may be adjourned or continued subject to the procedures in RCW 42.30.090, as discussed below.

- The governing body may meet in executive (closed) session, but only for one of the reasons specified in and in accordance with the procedures identified in RCW 42.30.110.³³ See discussion on executive sessions.

Although the Act gives the public the right to attend meetings, the public has no statutory right to speak at meetings. However, as a practical and policy matter, city, county, and special district governing bodies generally provide the public some opportunity to speak at meetings.

The Open Public Meetings Act does not require that a city or county legislative body or special district governing body hold its meetings within the city or in a particular place in the county or district. However, other statutes provide that the councils of code cities, second class cities, and towns may take final actions on ordinances and resolutions only at a meeting within the city or

²⁹RCW 42.30.030.

³⁰RCW 42.30.040.

³¹That statute provides in relevant part as follows

In such a session, final disposition may be taken only on matters appearing on the agenda. Representatives of the press or other news media, except those participating in the disturbance, shall be allowed to attend any session held pursuant to this section. Nothing in this section shall prohibit the governing body from establishing a procedure for readmitting an individual or individuals not responsible for disturbing the orderly conduct of the meeting.

³²RCW 42.30.060(2). Any vote taken by secret ballot is null and void.

³³But, see footnote 44.

town.³⁴ Also, county legislative bodies must hold their regular meetings at the county seat,³⁵ but may hold special meetings in the county outside of the county seat if there are agenda items that “are of unique interest or concern” to the residents of the area of the county in which the meetings are held.³⁶ Some special purpose district governing bodies, such as first class school district boards of directors,³⁷ are specifically required to hold their regular meetings within the district, while others, such as irrigation districts,³⁸ are specifically required to hold meetings in the county where the district is located. Where the statutes are silent as to where meetings must be held for a particular type of district, they should be held, if possible, within the district or, at the very least, within the county in which the district is located.

What procedural requirements apply specifically to regular meetings?

- The date and time of regular meetings must be established by ordinance, resolution, order, or rule, as may be required for the particular governing body.³⁹
- If the regular meeting date falls on a holiday, the meeting must be held on the next business day.⁴⁰

What procedural requirements apply specifically to special meetings?

The procedural requirements that apply to special meetings deal primarily with the notice that must be provided. These requirements, contained in RCW 42.30.080, are as follows:

³⁴RCW 35.23.181; 35.27.270; 35A.12.110. Although meetings need not necessarily be held within a city, when a governing body decides to hold one outside the city, it should not site the meeting at a place so far from the city as to effectively prevent the public from attending.

³⁵RCW 36.32.080.

³⁶RCW 36.32.090.

³⁷RCW 28A.330.070.

³⁸RCW 87.03.115.

³⁹The Act does not directly address designating (in the ordinance, resolution, order, or rule designating the date and time of regular meetings) the place at which regular meetings will be held. RCW 42.30.070. However, the statutes governing the particular classes of cities, except those governing first class cities, require designation of the site of regular council meetings. RCW 35A.12.110; 35.23.181; 35.27.270. The county statutes and those relating to special purpose districts do not address designating the site of regular meetings. However, counties, first class cities, and special purpose districts should, of course, also designate the site of regular meetings along with the designation of the date and time of those meetings.

⁴⁰RCW 42.30.070.

- A special meeting may be called by the presiding officer or by a majority of the members of the governing body.⁴¹
- Written notice must be delivered personally, by mail, by fax, or by e-mail at least 24 hours before the time of the special meeting to:
 - each member of the governing body, and to
 - each local newspaper of general circulation and each local radio or television station that has on file with the governing body a written request to be notified of that special meeting or of all special meetings.⁴²
- The notice must specify:
 - the time and place of the special meeting, and
 - the business to be transacted at the special meeting.
- The governing body may take final action *only* concerning matters identified in the notice of the meeting.⁴³
- Written notice to a member or members of the governing body is not required when:
 - a member files at or prior to the meeting a written waiver of notice or provides a waiver by telegram, fax, or e-mail; or
 - the member is present at the meeting at the time it convenes.

⁴¹There is a conflict between the provision in RCW 42.30.080 authorizing a majority of the members of a governing body to call a special meeting and the provision for code cities in RCW 35A.12.110 authorizing three members of the city council to call a special meeting. This conflict occurs only with respect to a code city with a seven-member council, because three members is less than a majority. Since RCW 42.30.140 provides that the provisions of the Act will control in case of a conflict between it and another statute, four members of a seven-member code city council, not three, are needed to call a special meeting.

⁴²Note that the Act does not require any notice directly to the public. Also, there may be no media with a request on file to be notified of special meetings. This does not mean, however, that the governing body need not notify the public in some way about an upcoming meeting. Statutes relating to each class of city require that cities

establish a procedure for notifying the public of upcoming hearings and the preliminary agenda for the forthcoming council meeting. Such procedure may include, but not be limited to, written notification to the city's official newspaper, publication of a notice in the official newspaper, posting of upcoming council meeting agendas, or such other processes as the city determines will satisfy the intent of this requirement.

RCW 35A.12.160; 35.22.288; 35.23.221; 35.27.300. There are no similar statutes that apply to counties or special purpose districts. Nevertheless, counties and special districts should have procedures for notifying the public of their meetings.

⁴³This does not prevent a governing body from discussing or otherwise taking less than final action with respect to a matter not identified in the notice.

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- Special meeting notice requirements may be dispensed with when a special meeting is called to deal with an emergency involving injury or damage to persons or property or the likelihood of such injury or damage, when the time requirements of the notice would make notice impractical and increase the likelihood of such injury or damage.⁴⁴ An emergency meeting must, nevertheless, be open to the public.⁴⁵

What procedural requirements apply to adjournments of regular or special meetings?

A regular or special meeting may be adjourned to a specified time and place, where it will be continued. There are a number of circumstances under which a meeting might be adjourned. A meeting may be adjourned and continued to a later date because the governing body did not complete its business. The Act, in RCW 42.30.090, addresses two other circumstances under which a meeting may be adjourned and continued at a later date:

- When the governing body does not achieve a quorum. In that circumstance, less than a quorum may adjourn a meeting to a specified time and place; or
- When all members are absent from a *regular meeting* or an *adjourned regular meeting*. In that instance, the clerk of the governing body may adjourn the meeting to a stated time and place, with notice provided as required for a special meeting, unless notice is waived as provided for special meetings. However, the resulting meeting is still considered a regular meeting.

Notice of an adjourned meeting is to be provided as follows:

- An order or notice of adjournment, specifying the time and place of the meeting to be continued, must be “conspicuously posted” immediately following adjournment on or near the door of the place where the meeting was held.
- Notice of a regular meeting adjourned by the clerk when all members of the governing body are absent must be provided in the same manner as for special meetings.
- If the notice or order of an adjourned meeting fails to state the hour at which the adjourned meeting is to be held, it must be held at the hour specified for regular meetings by ordinance, resolution, or other rule.

⁴⁴The type of emergency contemplated here is a severe one that “involves or threatens physical damage” and requires urgent or immediate action. *Mead Sch. Dist. No. 354 v. Mead Educ. Ass’n*, 85 Wn.2d 140, 144-45 (1975).

⁴⁵*Teaford v. Howard*, 104 Wn.2d 580, 593 (1985)

If the governing body is holding a hearing, the hearing may be continued at a later date by following the same procedures for adjournment of meetings.⁴⁶

Further Questions

Must a city, county, or special purpose district provide published notice of a special meeting?

No, not under the Open Public Meetings Act. While notice must be provided to media that have on file a request to be notified of special meetings, this is not equivalent to a publishing requirement. Of course, if the governing body has adopted a requirement of published notice for special meetings, that requirement must be followed.

May notice to the media of a special meeting be provided by fax or e-mail?

Yes. Legislation passed in 2005 amended RCW 42.30.080 to allow notice by fax or e-mail.

May a governing body prohibit a member of the public from tape recording or videotaping a meeting?

No, there is no legal basis for prohibiting the audio or videotaping of a meeting, unless the taping disrupts the meeting. If the governing body enacted such a rule, it essentially would be conditioning attendance at a meeting on not recording the meeting. This would be contrary to RCW 42.30.040, which prohibits a governing body from imposing any condition on attending a public meeting.⁴⁷

How can a majority of the governing body agree outside of a formal meeting to call a special meeting without violating the Act?

Since a majority of the governing body, under RCW 42.30.080, may call a special meeting "at any time," it would indeed be an anomaly if, in calling for that meeting, the majority would be considered to have violated the Act. In our opinion, the only way to give effect to this statutory provision is to allow a majority to communicate as a group in some way (e.g., by phone, e-mail, in person, or through the clerk's office) to decide whether to have a special meeting, when to have it, and what matters it will deal with. The members could not discuss anything else, such as the substance of the matters to be discussed at the special meeting.

⁴⁶RCW 42.30.100.

⁴⁷See AGO 1998 No. 15.

When May a Governing Body Hold an Executive Session?

What is an executive session?

“Executive session” is not expressly defined in the Open Public Meetings Act, but the term is commonly understood to mean that part of a regular or special meeting of a governing body that is closed to the public. A governing body may hold an executive session only for specified purposes, which are identified in RCW 42.23.110(1)(a)-(k),⁴⁸ and only during a regular or special meeting. Nothing, however, prevents a governing body from holding a meeting, which complies with the Act's procedural requirements, for the sole purpose of having an executive session.

A governing body should always follow the basic rule that it may not take final action in an executive session. However, there may be circumstances, as discussed below, where the governing body will need to reach a consensus concerning the matter being considered in closed session. Nevertheless, as discussed below, recent case law casts doubt on the authority of a governing body to reach a consensus regarding *any* matter in executive session.

Who may attend an executive session?

Attendance at an executive session need not be limited to the members of the governing body. Persons other than the members of the governing body may attend the executive session at the invitation of that body.⁴⁹ Those invited should have some relationship to the matter being addressed in the closed session, or they should be attending to otherwise provide assistance to the governing body. For example, staff of the governing body or of the governmental entity may

⁴⁸There is at least one statute outside of the Open Public Meetings Act that authorizes an executive session for a purpose not identified in RCW 42.30.110(1)(a)-(k). RCW 70.44.062 authorizes the board of commissioners of a public hospital district to meet in executive session “concerning the granting, denial, revocation, restriction, or other consideration of the status of the clinical or staff privileges of a physician or other health care provider” or “to review the report or the activities of a quality improvement committee.”

⁴⁹When the governing body is meeting in executive session to discuss litigation or potential litigation, legal counsel *must* be present and take part in the discussion. RCW 42.30.110(1)(i).

be needed to present information or to take notes or minutes. However, minutes are not required to be taken at an executive session.⁵⁰

What procedures must be followed to hold an executive session?

Before a governing body may convene in executive session, the presiding officer must publicly announce the executive session to those attending the meeting by stating two things:

- the purpose of the executive session, and
- the time when the executive session will end.

The announced purpose of the executive session must be one of the statutorily-identified purposes for which an executive session may be held. The announcement must contain enough detail to identify the purpose as falling within one of those identified in RCW 42.30.110(1).

If the executive session is not over at the stated time, it may be extended only if the presiding officer announces to the public at the meeting place that it will be extended to a stated time. If the governing body concludes the executive session *before* the time that was stated it would conclude, it should not reconvene in open session until the time stated. Otherwise, the public may, in effect, be excluded from that part of the open meeting that occurs between the close of the executive session and the time that was announced for the conclusion of the executive session.

What are the allowed purposes for holding an executive session?

An executive session may be held only for one or more of the purposes identified in RCW 42.30.110(1). The purposes addressed below are those which have practical application to cities, counties, and special purpose districts. A governing body of a city, county, or special district may meet in executive session for the following reasons:

- *To consider matters affecting national security;*

Until the events of September 11, 2001, this provision had little, if any, practical application to cities, counties, or special districts. However, since the events of September 11, 2001, it has become clear that local security issues may in some instances have national security implications. So, discussions by city, county, or district governing bodies of security matters relating to possible terrorist activity should come within the ambit of this executive session provision. This would include discussions of vulnerability or response assessments relating to criminal terrorist activity.

⁵⁰See RCW 42.32.030.

- *To consider the selection of a site or the acquisition of real estate by lease or purchase when public knowledge regarding such consideration would cause a likelihood of increased price;*⁵¹

This provision has two elements:

- the governing body must be considering either purchasing or leasing real property; and
- public knowledge of the governing body's consideration would likely cause an increase in the price of the real property.

The consideration of the purchase of real property under this provision can involve condemnation of the property, including the amount of compensation to be offered for the property.⁵²

Since this provision recognizes that the process of purchasing or leasing real property or selecting real property to purchase or lease may justify an executive session, it implies that the governing body may need to reach some consensus in closed session as to the price to be offered or the particular property to be selected.⁵³ However, the state supreme court has emphasized that “only the action explicitly specified by [an] exception may take place in executive session.”⁵⁴ Taken literally, this limitation would preclude a governing body in executive session from actually selecting a piece of property to acquire or setting a price at which it would be willing to purchase property, because such action would be beyond mere “consideration.” Yet, the purpose of allowing this type of consideration in an executive session would be seemingly defeated by requiring a vote in open session to select the property or to decide how much to pay for it, where public knowledge of these matters would likely increase its price. While this issue awaits judicial or legislative resolution, city and county legislative bodies and special district governing bodies should exercise caution.

⁵¹RCW 42.30.110(1)(b).

⁵²*Port of Seattle v. Rio*, 16 Wn. App. 718, 724 (1977).

⁵³See *Port of Seattle v. Rio*, 16 Wn. App. at 723-25.

⁵⁴*Miller v. Tacoma*, 138 Wn.2d 318, 327 (1999). See also, *Feature Realty, Inc. v. Spokane*, 331 F.3d 1082 (9th Cir. 2003).

- *To consider the minimum price at which real estate will be offered for sale or lease when public knowledge regarding such consideration would cause a likelihood of decreased price. However, final action selling or leasing public property shall be taken in a meeting open to the public;*⁵⁵

This subsection, the reverse of the previous one, also has two elements:

- the governing body must be considering the minimum price at which real property belonging to the city or county will be offered for sale or lease; and
- public knowledge of the governing body's consideration will likely cause a decrease in the price of the property.

The requirement here of taking final action selling or leasing the property in open session may seem unnecessary, since all final actions must be taken in a meeting open to the public. However, its probable purpose is to indicate that, although the decision to sell or lease the property must be made in open session, the governing body may decide in executive session the minimum price at which it will do so. However, see the discussion regarding the previous provision for meeting in executive session and taking any action in executive session that is not expressly authorized.

If there would be no likelihood of a change in price if these real property matters are considered in open session, then a governing body should not meet in executive session to consider them.

- *To review negotiations on the performance of publicly bid contracts when public knowledge regarding such consideration would cause a likelihood of increased costs;*⁵⁶

This subsection indicates that when a city, county, or special district and a contractor performing a publicly bid contract are negotiating over contract performance, the governing body may “review” those negotiations in executive session if public knowledge of the review would likely cause an increase in contract costs. MRSC is not aware of an executive session being held under this provision. It is not clear what circumstances would result in a governing body meeting in executive session under this provision.

⁵⁵RCW 42.30.110(1)(c).

⁵⁶RCW 42.30.110(1)(d).

- *To receive and evaluate complaints or charges brought against a public officer or employee. However, upon the request of such officer or employee, a public hearing or a meeting open to the public shall be conducted upon such complaint or charge;*⁵⁷

For purposes of meeting in executive session under this provision, a “charge” or “complaint” must have been brought against a city, county, or special district officer or employee. The complaint or charge could come from within the city, county, or district or from the public, and it need not be a formal charge or complaint. The bringing of the complaint or charge triggers the opportunity of the officer or employee to request that the discussion be held in open session.⁵⁸

As a general rule, city governing bodies that are subject to the Act do not deal with individual personnel matters.⁵⁹ For example, the city council should not be involved in individual personnel decisions, as these are within the purview of the administrative branch under the authority of the mayor or city manager.⁶⁰ This provision for holding an executive session should not be used as a justification for becoming involved in personnel matters which a governing body may have no authority to address.

- *To evaluate the qualifications of an applicant for public employment or to review the performance of a public employee. However, subject to RCW 42.30.140(4), discussion by a governing body of salaries, wages, and other conditions of employment to be generally applied within the agency shall occur in a meeting open to the public, and when a governing body elects to take final action hiring, setting the salary of an individual employee or class of employees, or discharging or disciplining an employee, that action shall be taken in a meeting open to the public;*⁶¹

There are two different purposes under this provision for which a governing body may meet in executive session. For both purposes, the references to “public employment” and to “public employee” include within their scope public offices and

⁵⁷RCW 42.30.110(1)(f).

⁵⁸Another possible interpretation of this provision is that the officer or employee subject to the complaint or charge may request that the complaint or charge be heard by the governing body in open session, *in addition to* rather than instead of a discussion of the complaint or charge in executive session. This provision, however, has not been addressed by the courts.

⁵⁹A civil service commission is an obvious exception. It, however, addresses personnel actions taken against a covered officer or employee, and it does so in the context of a formal hearing. Another exception is where the governing body may be considering a complaint against one of its members. Also, when a city council has confirmation authority over a mayoral appointment, it may discuss the appointment that is subject to confirmation in executive session.

⁶⁰An exception is where the council, in a council-manager city, may be considering a complaint or charge against the city manager.

⁶¹RCW 42.30.110(1)(g).

public officials. This means that a governing body may evaluate in executive sessions persons who apply for appointive office positions, such as city manager, as well as those who apply for employee positions.⁶²

The first purpose involves evaluating the qualifications of applicants for public employment. This could include personal interviews with an applicant, discussions concerning an applicant's qualifications for a position, and discussions concerning salaries, wages, and other conditions of employment personal to the applicant.

This authority to "evaluate" applicants in closed session allows a governing body to discuss the qualifications of applicants, not to choose which one to hire (to the extent the governing body has any hiring authority). Although this subsection expressly mandates that "final action hiring" an applicant for employment be taken in open session, this does not mean that a governing body may take preliminary votes in executive session that eliminate candidates from consideration.⁶³

The second part of this provision concerns reviewing the performance of a public employee. Typically this is done where the governing body is considering a promotion or a salary or wage increase for an individual employee or where it may be considering disciplinary action.⁶⁴

The result of a governing body's closed session review of the performance of an employee may be that the body will take some action either beneficial or adverse to the officer or employee. That action, whether raising a salary of or disciplining an officer or employee, must be made in open session.

Any discussion involving salaries, wages, or conditions of employment to be "generally applied" in the city, county, or district must take place in open session. However, discussions that involve collective bargaining negotiations or strategies are not subject to the Open Public Meetings Act and may be held in closed session without being subject to the procedural requirements for an executive session.⁶⁵

⁶²The courts have, for various purposes, distinguished between a public "office" and a public "employment." See, e.g., *Oceanographic Comm'n v. O'Brien*, 74 Wn.2d 904, 910-12 (1968); *State ex rel. Hamblen v. Yelle*, 29 Wn.2d 68, 79-80 (1947); *State ex rel. Brown v. Blew*, 20 Wn.2d 47, 50-52 (1944). A test used to distinguish between the two is set out in *Blew*, 20 Wn.2d at 51.

⁶³*Miller v. Tacoma*, 138 Wn.2d 318, 329-31 (1999).

⁶⁴In general, a city council has little or no authority regarding discipline of public officers or employees. An exception would be a city manager over which the council has removal authority. RCW 35A.13.130; 35.18.120.

⁶⁵See RCW 42.30.140(4).

- *To evaluate the qualifications of a candidate for appointment to elective office. However, any interview of such candidate and final action appointing a candidate to elective office shall be in a meeting open to the public,⁶⁶*

This provision applies to a city, county, or district governing body only when it is filling a vacant elective position. Under this provision, the governing body may meet in executive session to evaluate the qualifications of applicants for the vacant position. However, any interviews with the candidates must be held in open session. As with all other appointments, the vote to fill the position must also be in open session.

- *To discuss with legal counsel representing the agency matters relating to agency enforcement actions, or to discuss with legal counsel representing the agency litigation or potential litigation to which the agency, the governing body, or a member acting in an official capacity is, or is likely to become, a party, when public knowledge regarding the discussion is likely to result in an adverse legal or financial consequence to the agency.*

This subsection (1)(i) does not permit a governing body to hold an executive session solely because an attorney representing the agency is present.⁶⁷

For purposes of this subsection (1)(i), "potential litigation" means matters protected by RPC 1.6⁶⁸ or RCW 5.60.060(2)(a)⁶⁹ concerning:

(A) Litigation that has been specifically threatened to which the agency, the governing body, or a member acting in an official capacity is, or is likely to become, a party;

(B) Litigation that the agency reasonably believes may be commenced by or against the agency, the governing body, or a member acting in an official capacity; or

(C) Litigation or legal risks of a proposed action or current practice that the agency has identified when public discussion of the litigation or legal risks is likely to result in an adverse legal or financial consequence to the agency;

⁶⁶RCW 42.30.110(1)(h).

⁶⁷RCW 42.30.110(1)(i).

⁶⁸RPC 1.6 is part of the Rules of Professional Conduct for attorneys, and it deals specifically with client confidentiality, generally prohibiting disclosure of client confidences except in certain specific situations.

⁶⁹RCW 5.60.060(2)(a) provides that an attorney may not be compelled to be a witness at trial and reveal client confidences.

Three basic requirements must be met before this provision can be used by a governing body to meet in closed session:⁷⁰

- The attorney or special legal counsel representing the city, county, or special district must attend the executive session to discuss the enforcement action or the litigation or potential litigation;
- The discussion with legal counsel must concern either an enforcement action or litigation or potential litigation to which the city, county, district, a governing body, or one of its members is or is likely to become a party; and
- Public knowledge of the discussion would likely result in adverse legal or financial consequence to the city, county, or district.

The potential litigation issue. Until this section was amended in 2001 to define “potential litigation,” the scope of this provision was unclear and subject to a range of interpretations. The 2001 legislature expanded the meaning of that term to authorize governing bodies to discuss in executive session the legal risks of a proposed or existing practice or action, when discussing those risks in open session would likely have an adverse effect on the agency’s financial or legal position. This allows a governing body to freely consider the legal implications of a proposed decision or an existing practice without the attendant concern that some future litigation position might be jeopardized.

The probability of adverse consequence to the city or county. It is probable that public knowledge of most governing body discussions of existing litigation would result in adverse legal or financial consequence to the city, county, or district. Knowledge by one party of the communications between the opposing party and its attorney concerning a lawsuit will almost certainly give the former an advantage over the latter. The same probably can be said of most discussions that qualify as involving potential litigation.

The state supreme court has held that a governing body is not required to determine beforehand whether public knowledge of the discussion with legal counsel would likely have adverse consequences; it is sufficient if the agency, from an objective standard, should know that the discussion is not benign and that public knowledge of it will likely result in adverse consequences.⁷¹

⁷⁰This provision for holding an executive session is based on the legislative recognition that the attorney-client privilege between a public agency governing body and its legal counsel can co-exist with the Open Public Meetings Act. See *Final Legislative Report, Forty-Ninth Legislature, 1985 Regular and 1st Special Sessions*, at 270-71; see also *Recall of Lakewood City Council*, 144 Wn.2d 583, 586-87 (2001); *Port of Seattle v. Rio*, 16 Wn. App.718, 724-25 (1977); AGO 1971 No. 33, at 20-23. However, that privilege is not necessarily as broad as it may be between a private party and legal counsel.

⁷¹*Recall of Lakewood City Council*, 144 Wn.2d 583, 586-87 (2001).

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Again, no final action in executive session. The purpose of this executive session provision is to allow the governing body to discuss litigation or enforcement matters with legal counsel; the governing body is not authorized to take final action regarding such matters in an executive session. And, recent case law emphasizes that, in order for any action to take place legally in executive session, authority must be “explicitly specified” in an exemption under RCW 42.30.110(1), though that case law did not address this exemption.⁷² The only action that is specifically authorized in this exemption is discussion.

However, since a basic purpose of shielding these discussions from public view is to protect the secrecy of strategic moves concerning litigation, the scope of a governing body's authority in executive session should be interpreted to afford that protection. So, for example, while this provision does not authorize a governing body to approve a settlement agreement in executive session, it should provide authority for that body to authorize its legal counsel to settle a case for no higher than a certain amount. An interpretation supporting the council's authority to take such action appears warranted, *but* such an interpretation may not be supported by the strict language in recent case law.

Further Questions

May an executive session be called to discuss “personnel matters”?

No, this would not be a legally sufficient reason to hold an executive session. The purpose for holding an executive session must be within those specifically identified in RCW 42.30.110(1). Although there are personnel issues that may be addressed in an executive session under this statute, such as complaints or charges against an employee or an employee's performance, “personnel matters” is too broad a purpose and could include purposes not authorized by the statute.

May a city council meet in executive session to ask the mayor to resign?

No. Although the council could meet in executive session to discuss complaints or charges against the mayor, the council should take the action of asking for the mayor's resignation in open session. (Of course, a mayor is not legally bound by the council's wishes.)

⁷²*Miller v. Tacoma*, 138 Wn.2d 318, 327 (1999). See also, *Feature Realty, Inc. v. Spokane*, 331 F.3d 1082 (9th Cir. 2003).

May the board of a special purpose district meet in executive session at a special meeting if the notice of the special meeting did not identify that an executive session would be held?

Yes. The prohibition in RCW 42.30.080 on taking final disposition on any matter not identified in the special meeting notice does not apply to holding an executive session, because that does not involve final disposition on any matter. The board is already prohibited from taking final action in an executive session. Nevertheless, from a policy standpoint, the notice should identify the executive session if the board knows at the time of giving the notice that it will be meeting in executive session at the special meeting.

If three members of a seven-member city council interview candidates for a council vacancy, must those interviews be open to the public?

Yes. Although they do not represent a quorum of the council, the three councilmembers would be acting on behalf of the entire council in conducting these interviews. As such, they would be considered a "governing body" subject to the Act. Since interviews by a governing body of candidates for appointment to elective office must occur in an open meeting (RCW 42.30.110(1)(h)), this three-member committee may not meet in executive session for the purpose of interviewing the candidates.

What Meetings Are Exempt from the Act?

RCW 42.30.140 sets out four situations where a governing body may meet and not be subject to any requirements of the Open Public Meetings Act. That statute provides that the Act does not apply to:

- *The proceedings concerned with the formal issuance of an order granting, suspending, revoking, or denying any license, permit, or certificate to engage in any business, occupation, or profession or to any disciplinary proceedings involving a member of such business, occupation, or profession, or to receive a license for a sports activity or to operate any mechanical device or motor vehicle where a license or registration is necessary;*

This provision, for the most part, has little, if any, application to any city, county, or special district governing body. One type of proceeding where it has been used is where a city provides for a hearing before revoking a business license.⁷³

- *That portion of a meeting of a quasi-judicial body which relates to a quasi-judicial matter between named parties as distinguished from a matter having general effect on the public or on a class or group;*

This exception applies when a governing body is acting in a quasi-judicial capacity.⁷⁴ Typically, a city or county governing body is acting in a quasi-judicial capacity in certain land use actions such as site-specific rezones, conditional use applications, variances, and preliminary plat applications. Other examples include the civil service commission when it is considering an appeal of a disciplinary decision and the LEOFF disability board when it is considering an application for disability benefits.

⁷³See *Cohen v. Everett City Council*, 85 Wn.2d 385, 386 (1975).

⁷⁴The courts have employed a four-part test to determine whether a matter qualifies under the quasi-judicial action exemption from the Open Public Meetings Act (RCW 42.30.140(2)): (1) whether the action is one a court could have been charged to determine; (2) whether it is one historically performed by courts; (3) whether it involves the application of existing law to past or present facts for purposes of enforcing or declaring liability; and (4) whether it resembles the ordinary business of courts more than that of legislators or administrators. *Raynes v. Leavenworth*, 118 Wn.2d 237, 244 (1992). See also, RCW 42.36.010 (definition of quasi-judicial land use actions, for purposes of the appearance of fairness doctrine); *The Appearance of Fairness Doctrine in Washington State*, MRSC Report No. 32 (January 1995), at 6-8 (discussion of quasi-judicial land use actions).

However, where a public hearing is required for a quasi-judicial matter, only the deliberations by the body considering the matter can be in closed session.

- *Matters governed by chapter 34.05 RCW, the Administrative Procedures Act;*

This exception has no application to cities, counties, or special purpose districts.

- *Collective bargaining sessions with employee organizations, including contract negotiations, grievance meetings, and discussions relating to the interpretation or application of a labor agreement; or (b) that portion of a meeting during which the governing body is planning or adopting the strategy or position to be taken by the governing body during the course of any collective bargaining, professional negotiations, or grievance or mediation proceedings, or reviewing the proposals made in the negotiations or proceedings while in progress.*

The language of this exception is basically self-explanatory.⁷⁵ However, the term “professional negotiations” must be interpreted in the context of collective bargaining; it should not be interpreted to apply generally to negotiations for professional services.

Further Questions

Does the Open Public Meetings Act require that a civil service commission hearing regarding a police officer's appeal of disciplinary action be open to the public?

No, because such a hearing would fall under the exception from the Act in RCW 42.30.140(2) for quasi-judicial matters. However, since RCW 41.12.090 requires that such a hearing be public, the Act's exemption does not apply. The commission may nevertheless deliberate in private.

Must the city council give any notice under the Act when it is meeting to discuss the strategy to be taken during collective bargaining with an employee union?

No. Under RCW 42.30.140(4), this meeting is exempt from the Open Public Meetings Act. The council may therefore meet without notifying anyone. Of course, each of the councilmembers should be notified.

⁷⁵City, county, and special district governing bodies should be aware that this exemption from the Act does not protect from public disclosure documents that are introduced at such a meeting. *ACLU of WA v. City of Seattle*, 121 Wn. App. 544 (2004).

What Are the Penalties for Violating the Act?

The only avenue provided by the Open Public Meetings Act to enforce its provisions or to impose a penalty for a violation of its provisions is by an action in superior court. "Any person" may bring that action in superior court. If a superior court determines that a violation has occurred, liability may be imposed as follows:

- *Individual liability.* Members of a governing body who attend a meeting where action is taken in violation of the Act are subject to a \$100 penalty *if* they attend with knowledge that the meeting is in violation of the Act.⁷⁶ Violation of the Act is not a criminal offense. The penalty is assessed by the superior court, and any person may bring an action to enforce the penalty.

Also, a knowing or intentional violation of the Act may provide a legal basis for recall of an elected member of a governing body, although recall is not a penalty under the Act.⁷⁷

- *City, county, or district liability.* The city, county, or district is liable for all costs, including reasonable attorney fees.⁷⁸

However, if a court determines by written findings that an action for violation of the Act was "frivolous and advanced without reasonable cause," a city, county, or district *may* be awarded reasonable expenses and attorney fees.⁷⁹

In addition to the above, any person may bring an action by mandamus or injunction to stop violations of the Act or to prevent threatened violations.⁸⁰

Actions in violation of the Act are null and void. Any ordinance, resolution, rule, regulation, order, or directive that is adopted at a meeting that does not comply with the Act, and any secret

⁷⁶RCW 42.30.120(1).

⁷⁷See *Recall of Lakewood City Council*, 144 Wn.2d 583, 586 (2001); *In re Recall of Kast*, 144 Wn.2d 807, 817 (2001).

⁷⁸RCW 42.30.120(2).

⁷⁹*Id.*

⁸⁰RCW 42.30.130.

vote taken, is null and void.⁸¹ This does not, however, mean that a subsequent action that complies with the Act is also invalidated.⁸² But, where action taken in open session merely ratifies an action taken in violation of the Act, the ratification is also null and void.⁸³

⁸¹RCW 42.30.060.

⁸²*OPAL v. Adams County*, 128 Wn.2d 869, 883 (1996); *Clark v. City of Lakewood*, 259 F.3d 996 (9th Cir. 2001); see also, AGO 1971 No. 33 at 40.

⁸³*Clark v. City of Lakewood*, 259 F.3d at __, n. 10; see, *Miller v. Tacoma*, 138 Wn.2d at 329-31.

Selected Cases and Attorney General Opinions

AGO 1971 No. 33 – This AGO contains a comprehensive overview of the scope of the Open Public Meetings Act, as it was enacted in 1971. Although parts of the Act have been amended since 1971, much of it remains the same.

RCW 42.30.010 – Legislative Declaration (Purpose of Act)

- *Cathcart v. Anderson*, 85 Wn.2d 102 (1975).
- *Equitable Shipyards v. State*, 93 Wn.2d 465 (1980).

RCW 42.30.020 – Definitions

- *Eugster v. City of Spokane*, 110 Wn. App. 212, *review denied*, 147 Wn.2d 1021 (2002).
- *Wood v. Battle Ground School District*, 107 Wn. App. 550 (2001).
- *Clark v. City of Lakewood*, 259 F.3d 996 (9th Cir. 2001).
- *Miller v. City of Tacoma*, 138 Wn.2d 318 (1999).
- *Improvement Alliance v. Snohomish Cy.*, 61 Wn. App. 64 (1991).
- *Refai v. Central Wash. Univ.*, 49 Wn. App. 1 (1987), *review denied*, 110 Wn.2d 1006 (1988).
- *Estey v. Dempsey*, 104 Wn.2d 597 (1984).
- AGO 2006 No. 6.
- AGO 1986 No. 16 – Applicability of Open Public Meetings Act to a committee of the governing body.

RCW 42.30.030 – Meetings Declared Open and Public.

- AGO 1992 No. 21.

RCW 42.30.040 – Conditions to Attendance Not to be Required.

- AGO 1998 No. 15.

RCW 42.30.060 – Actions in Violation of Act Are Null and Void.

- *Eugster v. City of Spokane*, 128 Wn. App. 1 (2005).
- *Eugster v. City of Spokane*, 110 Wn. App. 212, *review denied*, 147 Wn.2d 1021 (2002).
- *Recall of Lakewood City Council*, 144 Wn.2d 583 (2001).
- *OPAL v. Adams County*, 128 Wn.2d 869 (1996).
- *Snohomish County Improv. Alliance v. Snohomish County*, 61 Wn. App. 64 (1991).
- *Henry v. Oakville*, 30 Wn. App. 240 (1981).
- *Slaughter v. Fire District*, 50 Wn. App. 733 (1988).
- *Mead School Dist. v. Mead Education Assoc.*, 85 Wn.2d 140 (1975).

RCW 42.30.070 – Time and Places for Meetings – Emergencies

- *In re Recall of Roberts*, 115 Wn.2d 551 (1990).
- *Teaford v. Howard*, 104 Wn.2d 580 (1985)
- *Mead School Dist. v. Mead Education Assoc.*, 85 Wn.2d 140 (1975).
- AGO 1992 No. 21.

RCW 42.30.080 – Special Meetings

- *Estey v. Dempsey*, 104 Wn.2d 597 (1985).
- *Dorsten v. Port of Skagit County*, 32 Wn. App. 785 (1982).
- *Kirk v. Fire Protection Dist.*, 95 Wn.2d 769 (1981).

RCW 42.30.110 – Executive Sessions

- *Recall of Lakewood City Council*, 144 Wn.2d 583 (2001).
- *Miller v. City of Tacoma*, 138 Wn.2d 318 (1999).
- *Port of Seattle v. Rio*, 16 Wn. App. 718 (1977).

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- *Feature Realty, Inc. v. Spokane*, 331 F.3d 1082 (9th Cir. 2003).

RCW 42.30.120 – Violations - Personal Liability -
Penalty - Attorney Fees and Costs

- *Eugster v. City of Spokane*, 110 Wn. App. 212, review denied, 147 Wn.2d 1021 (2002).
- *Wood v. Battle Ground School District*, 107 Wn. App. 550 (2001).
- *Protect the Peninsula's Future v. Clallam Cy.*, 66 Wn. App. 671 (1992).
- *Cathcart v. Anderson*, 10 Wn. App. 429 (1974).

RCW 42.30.130 – Violations - Mandamus or
Injunction

- *Protect the Peninsula's Future v. Clallam Cy.*, 66 Wn. App. 671 (1992).
- *Lopp v. Peninsula School Dist.*, 90 Wn.2d 754 (1978).

RCW 42.30.140 – Chapter Controlling -
Application (Exceptions)

- *ACLU of WA v. City of Seattle*, 121 Wn. App. 544 (2004).
- *Protect the Peninsula's Future v. Clallam Cy.*, 66 Wn. App. 671 (1992).
- *Pierce v. Lake Stevens School Dist.*, 84 Wn.2d 772 (1974).

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EXECUTIVE SESSIONS CHECKLIST

Meeting date: _____

Subjects To Be Discussed (NO "FINAL ACTION")	# of item
NOTE: Only subject identified in RCW 42.30.110(1) can be discussed in executive session.	
• Discuss matters affecting national security (.110(1)(a))	
• Discuss lease or purchase of real estate if disclosure would increase price ¹ (.110(1)(b))	
• Determine minimum offering price for sale or lease if disclosure would decrease price > NOTE: Final action selling or leasing must be taken in open session (.110(1)(c))	
• Review negotiations on the performance of a publicly bid contract ² (.110(1)(d))	
• Review complaints or charges brought against a public officer or employee (.110(1)(f)) > At accused's requests, discussion must be in open session	
• Review qualifications of applicant for public employment ³ (.110(1)(g))	
• Review performance of a public employee ³ (.110(1)(g))	
• Review qualifications of candidate for appointment to elective office ⁴ (.110(1)(h))	
• Discuss enforcement action <u>with legal counsel</u> ⁵ (.110(1)(i))	
• Discuss current or potential litigation <u>with legal counsel</u> ⁵ (.110(1)(i))	
• Discuss legal risks of current practice or proposed action <u>with legal counsel</u> ⁵ (.110(1)(i))	
• Discuss collective bargaining contracts or other .140 topics not subject to the OPMA ⁶	
Mandatory: Executive Session Topic(s) Announced During Open Session <input type="checkbox"/> yes <input type="checkbox"/> no	
Name of legal counsel present for executive session: _____	
Additional Information	

Mandatory: Time Executive Session Will End Announced During Open Session <input type="checkbox"/> yes <input type="checkbox"/> no	
• Length of session: _____ (hr/min)	
• Start time: _____	
• End time: _____ (announced in open session before executive session re-starts)	
• Extended end time: _____ (announced in open session at original end time before returning)	
NOTE, open session CANNOT RESUME until AFTER the announced end time	
At the start of Executive Session, remind participants that discussions are confidential.	
Form completed by: _____ Date _____	

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Executive Session End Notes

¹ “Purchase” of property includes discussion of condemnation of property and price to be offered. This section does not affect the notice requirements in RCW 8.25.290.

² Review of contract performance may only be discussed in executive session when public knowledge would cause a likelihood of increased costs. This ground for executive session does not apply to negotiations over the formation of the original contract.

³ Collective bargaining sessions are NOT subject to the Open Public Meetings Act. See note 6 below and RCW 42.30.140(4). Subject to this exception, discussion of salaries, wages, and other conditions of employment to be generally applied within the agency must occur in open session. Final action regarding hiring, setting the salary of an individual employee or class of employees, or discharging or disciplining an employee, must also be taken during an open session.

⁴ Candidate interviews and final action appointing a candidate to elective office must be in open public meeting.

⁵ **Legal counsel must be present for these grounds for executive session to apply** (although “presence” may be telephonic). Any discussion must otherwise be privileged under RPC 1.6 or RCW 5.60.060(2)(a). “Potential litigation” means litigation that has been specifically threatened to which the agency, the governing body, or a member acting in an official capacity is, or is likely to become, a party; or the agency reasonably believes may be commenced by or against the agency, the governing body, or a member acting in an official capacity. Discussion of the “legal risks” of a current or proposed action can only occur in executive session if public disclosure of those legal risks is likely to result in an adverse legal or financial consequence to the agency.

⁶ Discussions concerning collective bargaining, quasi-judicial matters, certain licensing and permitting decisions and matters covered by the Washington Administrative Procedures Act (chapter 34.05 RCW) are not governed by the OPMA. Thus, while discussions on those topics may occur during executive session, it is not necessary for the council to follow the same OPMA procedures before such discussions. If you are unsure of the scope of these exemptions, however, be sure to consult with your city attorney.

Additional Information

MILL CREEK CITY COUNCIL

AGENDA SUMMARY

Date on Council Agenda: January 24, 2012

Subject: **STATUS OF MEDICAL MARIJUANA MORATORIUM AND WORK PLAN**

Budget Impact: None

Contact Person/Department: Shane Moloney, City Attorney

SUMMARY/BACKGROUND:

On March 1, 2011, the City Council adopted by motion a six-month Moratorium on accepting or processing any licensing, land use, building, or other applications concerning or related to medical marijuana, medical marijuana production, medical marijuana facilities, or medical marijuana dispensaries. The Moratorium was adopted because the state Legislature was then working on new statutes intended to make substantial changes in Washington State laws regarding the legality of use, production, and distribution of medical marijuana, including a new registration and tracking system operated by the state.

As expected, the Legislature adopted extensive changes to the regulatory framework regarding medical marijuana and criminal laws in ESSSB 5073. However, on April 29, 2011, Governor Gregoire vetoed significant portions of the bill to avoid a conflict with federal law. Specifically, Governor Gregoire was concerned that the registration and dispensary licensing system developed by the Legislature would force state employees to violate the federal Controlled Substances Act by affirmatively licensing and approving violations of the federal drug law that prohibits **all** possession, harvesting, and distribution of marijuana.

The Governor's veto left significant uncertainty within the municipal community on two issues: (i) the scope of municipal legal authority to regulate medical marijuana; and (ii) how such municipal regulations can be implemented so that they do not run afoul of current federal law on marijuana.

On July 12, 2011, the Council held a public hearing, extended the Moratorium to February 28, 2011, and developed a work plan that directed staff to analyze the City's options for regulating medical marijuana.

Since that time, it has become evident that the current state medical marijuana law is ineffective and largely unworkable. The state law did not effectively provide medical marijuana patients with safe and reliable access to marijuana, but it did create apparent loopholes for illicit sales of marijuana to recreational users.

Recognizing the ineffectiveness of the existing state law, Senator Kohl-Welles of Seattle is sponsoring a bill in this session at the state legislature that seeks to create new restrictions on collective marijuana gardens, establish non-profit patient cooperatives that cities would have the option of allowing or not allowing, and create a voluntary patient registry with arrest protections for those who participate. It is unclear at this time what form that legislation may eventually take, if any, or whether the Governor would again veto sections that involve approvals of marijuana based businesses.

If there is not a legislative "fix" this session, supporters of I-502 will likely get that measure on the ballot this Fall. If passed, it would legalize marijuana use by adults 21 and over and regulate its sale much the

Agenda Summary

January 24, 2012

Page 2

same way liquor is currently regulated by the state.

Both the bill sponsored by Senator Kohl-Welles and I-502 will face the same challenges the City would face if it were to try to regulate and “permit” any type of marijuana possession, production, or distribution. A recent case in California held that cities are preempted by federal law from enacting a permitting system that affirmatively permits or licenses marijuana businesses. That decision is currently on appeal to the California State Supreme Court. To safely avoid federal preemption, the current sentiment among municipal attorneys is that cities should avoid issuing any permit or license that affirmatively authorizes marijuana businesses and activities.

That leaves the City with limited resources to regulate the production of marijuana using the traditional regulatory permitting and licensing tools. At this point, staff’s preferred option would be to regulate collective gardens by prohibiting gardens that do not meet specified criteria (such as location, visual and scent screening, and registration of the garden) without affirmatively approving or permitting those gardens that do meet the specified criteria. Such an approach would allow the City to focus its enforcement efforts on collective gardens that do not meet the community’s tolerance level for such activities while “looking the other way” when it comes to those collective gardens that meet the criteria but remain illegal under federal law.

While this approach may be effective, it is so far untested among Washington cities. A few Washington cities did adopt ordinances regulating collective gardens shortly after the state law allowing collective gardens went into effect. However, those ordinances included licensing and permitting schemes that may be preempted by federal law in light of the recent California case that found federal law preempts such affirmative approvals of marijuana operations by cities and their staff. Most other cities we have communicated with agree that regulating unwanted collective gardens without affirmatively approving others is the safest route, but most are also planning to extend moratoriums or otherwise delay development of such regulations until it becomes more clear as to what changes will be made to the state law in the coming months.

Staff believes that development of regulations that would prohibit undesirable collective gardens is workable, but it would take significant time and resources to define what types of gardens should be prohibited and for which collective gardens the City should effectively “look the other way.” That process would likely involve public workshops and/or open houses and close coordination with the Police Department to ensure the public’s health and safety remains the City’s number one priority.

In light of the fact that the state medical marijuana law is likely to change in the coming months, staff is hesitant to expend the City’s limited resources on exploring ways to regulate marijuana under the current state law that both proponents and opponents of medical marijuana agree is ineffective and largely unworkable. This hesitancy is heightened by the fact that both the bill the legislature will be considering this session and I-502 would restrict the City’s ability to regulate marijuana activities and could create conflicts between state law and any regulations the City contemplates under the state law that is in effect today.

With the current Moratorium expiring February 28, 2012, the Council is left with the following three options:

Agenda Summary
January 24, 2012
Page 3

- (1) Extend the Moratorium;
- (2) Direct staff to push forward with developing medical marijuana regulations and bring such regulations to the Council for its consideration by February 28, 2012; or
- (3) Allow the Moratorium to lapse.

Staff recommends the first option. Even if the Council wishes to push forward with the development of regulations that fit within the existing medical marijuana laws, there is likely insufficient time to take the care necessary to obtain input from the public and law enforcement and then develop regulations that will effectively allow cooperative production of marijuana within the City.

If the City were to allow the Moratorium to lapse, businesses that set out to profit from marijuana production would still be prohibited within the City. The City currently requires all for profit businesses to obtain business licenses from the City. However, businesses that engage in illegal activities are disqualified from obtaining or maintaining a business license within the City. Although some have argued that collective gardens can be for profit businesses under state law, their activities remain strictly illegal under federal law and are therefore ineligible for a business license.

On the other hand, in the absence of the Moratorium or some other interim regulations, the City would have little control over preventing any not-for-profit collective garden that satisfies the requirements of the state medical marijuana laws – including those being operated in residential neighborhoods and/or next to schools.

Because the production and distribution of marijuana within the City creates significant health, safety, and welfare impacts on the community, staff recommends keeping the moratorium in place until those impacts can be adequately addressed with a permanent solution.

STAFF RECOMMENDATION:

- Direct staff to prepare an ordinance to extend the Moratorium and schedule a public hearing to invite public feedback regarding such ordinance
-

COUNCIL PROCESS/ACTION:

- Presentation by Shane Moloney, City Attorney
 - Council conducts study session and provides feedback to staff
-

ATTACHMENTS:

- None
-

City Manager Approval:  Date: 1/19/2012



CITY COUNCIL MINUTES

January 3, 2012

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

Terry Ryan
Donna Michelson
Kathy Nielsen
Bart Masterson
Mark Harmsworth
Mike Todd
Mark Bond

January 3, 2012
Regular City Council Meeting
6:00 p.m.

CALL TO ORDER BY CITY CLERK

City Clerk Kelly Chelin called the meeting to order at 6:00 p.m.

FLAG SALUTE

Flag Salute was conducted.

OATH OF OFFICE

City Clerk Kelly Chelin read the oath of office to newly-elected Councilmembers: Councilmember Harmsworth, Councilmember Todd and Councilmember Bond.

ROLL CALL

Roll was called by the City Clerk with all Councilmembers present.

ELECTION OF MAYOR

City Clerk Kelly Chelin conducted the election of Mayor.

NOMINATION: Councilmember Michelson nominated Councilmember Todd for the position of Mayor, Councilmember Nielsen seconded the nomination.

After no further nominations, the nominations were closed.

Councilmember Todd's name was highlighted on the paper ballot and passed out to the Councilmembers for voting.

City Clerk Kelly Chelin counted the votes (with Finance Director Manuel as a witness) and read aloud the votes for Councilmember Todd.

Councilmember Todd received 5 votes for the position of Mayor and 2 abstentions; therefore he was selected as Mayor. The 5 votes in favor were Councilmember Michelson, Councilmember Todd, Councilmember Masterson, Councilmember Nielsen and Councilmember Bond. The 2 abstentions were Councilmember Ryan and Councilmember Harmsworth.

Council Meeting Minutes
January 3, 2012
Page 2

OATH OF OFFICE

City Clerk Kelly Chelin read the oath of office to newly elected Mayor Mike Todd.

ELECTION OF MAYOR PRO TEM

Mayor Todd conducted the election of the Mayor Pro Tem.

NOMINATION: Councilmember Michelson nominated Councilmember Nielsen for the position of Mayor Pro Tem, Councilmember Masterson seconded the nomination.

After no further nominations, the nominations were closed.

Councilmember Nielsen's name was highlighted on the paper ballot and passed out to the Councilmembers for voting.

City Clerk Kelly Chelin counted the votes (with Finance Director Manuel as a witness) and read aloud the votes for Councilmember Nielsen.

Councilmember Michelson received 4 votes for the position of Mayor Pro Tem and 3 abstentions; therefore she was selected as Mayor Pro Tem. The 4 votes in favor were Councilmember Michelson, Mayor Todd, Councilmember Masterson and Councilmember Nielsen. The 3 abstentions were Councilmember Ryan, Councilmember Harmsworth and Councilmember Bond.

OATH OF OFFICE

City Clerk Kelly Chelin read the oath of office to newly elected Mayor Pro Tem Kathy Nielsen.

STUDY SESSION

2012-2013 City Assignments List
(*Timothy W. Burns, City Manager*)

The following agenda summary information was presented:

Every two years the Council reviews the various boards, commissions and committees and assigns a Council representative. The purpose of this study session is to review the list and make revisions/updates.

Discussion:

City Manager Burns and Council reviewed the committee list for 2012-2013. Revisions were made to the list. The list will be updated by City Clerk Chelin and brought back for action later in the meeting.

Council Meeting Schedule

(*Timothy W. Burns, City Manager*)

The following agenda summary information was presented:

At the December 13th council meeting, Councilmember Bond asked the Council to consider changing the council meeting schedule to conduct council meetings on Thursday evenings in lieu of Tuesday evenings. The Council agreed to discuss the proposal at the January 3, 2012 meeting.

Council Meeting Minutes
January 3, 2012
Page 3

Mill Creek Municipal Code Section 2.04.010 establishes regular meetings to be held on the first, second and fourth Tuesdays of each month. Should council decide to change the meeting, a code amendment would be required.

Discussion:

Councilmember Bond withdrew his request to review the Council Meeting schedule. Therefore the item was deleted from the agenda.

Athletic Field Partnership with Everett School District
(Tom Gathmann, Public Works Director)

The following agenda summary information was presented:

Staffs from the Everett School District and the City have been meeting for six months to explore the possibilities of a partnership project to convert some of the existing athletic fields at Jackson High School and potentially Heatherwood Middle School to artificial turf for year round use by both the District and the City's recreation program. The discussions have been productive and potential benefit to both agencies is substantial:

- For the City:
 - Dramatically lower construction cost than a new sports park
 - More full sized fields than possible on the Dobson/Remillard site
 - Lots of available parking
 - Lower long-term maintenance and operational costs
- For the District:
 - Reduced construction cost
 - Shared maintenance and operational costs
- For both:
 - Better investment utilization. District needs are primarily during school hours or immediately after school; City recreation needs are late afternoon, evenings, and weekends, and weekdays during the summer.
 - Improved public perception that tax funded agencies are working together to provide desired facilities at reduced costs.

The District is scheduled to have a major bond issue vote in February of 2014. If the bond is approved, funds would be available in 2015 for design and construction. The City currently has roughly \$660,000 in park mitigation fees designated exclusively for community park improvements. A minor revision to the Comprehensive Plan would be necessary to allow this money to be used for a project on the school property. That revision will be included in the proposed 2012 updates to the Comprehensive Plan. Construction in 2015 will also allow the City time to develop other funding sources for the project.

Discussion:

Charles Booth and Robert Polk from the Everett School District joined the discussion.

Council Meeting Minutes
January 3, 2012
Page 4

Councilmember Ryan stated that he needed to leave the meeting early due to his father's passing. He also would like to recuse himself from the study session agenda item involving the East Gateway Urban Village.

City Manager Burns clarified for the record that the proposed code amendments are not going to include the East Gateway Urban Village. The City Council moved two action items earlier in the agenda to allow Councilmember Ryan's participation in the discussion and vote.

ACTION ITEM

Authorize the City Manager to Execute the Interlocal Agreement for Representation on the Snohomish Health District

(Timothy W. Burns, City Manager)

MOTION: Councilmember Ryan made a motion to authorize the City Manager to execute the Interlocal Agreement for Representation on the Snohomish Health District with the following rotation of 2012-2013: City of Bothell, 2014-2015: City of Brier and 2016-2017: City of Mill Creek, Councilmember Harmsworth seconded the motion. The motion passed unanimously.

2012-2013 City Assignments

(Timothy W. Burns, City Manager)

MOTION: Councilmember Ryan made a motion to approve the 2012-2013 City Assignments list as discussed, approved and drafted by the City Clerk, Mayor Pro Tem Nielsen seconded the motion. The motion passed unanimously.

Councilmember Ryan left the meeting at 7:55 p.m.

Proposed Amendments to MCMC Related to Special Event Permits and Undergrounding Utilities

(Christi Amrine, Senior Planner)

The following agenda summary information was presented:

On December 15, 2011, the Planning Commission held a public hearing on the City-initiated code amendment Package #2011-4. The proposed text amendments to Title 17 are related to the Special Event Permits, the East Gateway Planned Urban Village Zone District, and the Undergrounding Utilities sections. The proposed revisions are shown in strikeout format within the draft Ordinance. No public testimony was received at the public hearing. The Planning Commission passed a motion recommending approval of the proposed code amendments to the City Council.

The purpose of this meeting is to hold a study session with the Council to discuss the proposed amendments and allow staff to respond to any questions or comments the Council may have.

Discussion:

Community Development Director Butler explained that the code amendments will not include the East Gateway Urban Village as originally included in the packets. Council discussed the other

Council Meeting Minutes
January 3, 2012
Page 5

suggested amendments. The ordinance to approve these amendments will be on the next Council agenda for approval.

Pilot Community Recycling Awards Program
(Tom Gathmann, Public Works Director)

The following agenda summary information was presented:

Waste Management (WM) would like the City of Mill Creek to be one of 50 cities in the nation that participates in a community recycling rewards program entitled the "50 State Challenge." The program will be run by Recyclebank, a company ranked as the number one "clean-tech" company by the Wall Street Journal in 2011. The core business of Recyclebank is to design and manage rewards programs focused on recycling. Only one city from each state will participate, with the target city having about 2,000 to 10,000 households. The entire program is two years long, with the national community contest running from July 2012 through December 2012. A \$100,000 grant will be awarded to the winning community and the next five highest scoring communities will have the Recyclebank points of all the participants doubled.

There is no cost to the participating cities or citizens. WM will cover the program costs, along with other sponsors, the largest being SC Johnson. This includes advertising the program, which will start with a letter signed by the Mayor and/or City Manager that will be sent to all households currently on the billing records of WM. Households electing to participate will earn reward points in two ways: (1) by going to the Recyclebank.com website, logging in, and clicking a single button that asks "did you recycle this week?" and (2) by earning 2-1/2 points for each pound of recycled material collected by WM on their city routes. The City will have input to WM on defining the areas to be used for the program. There will, of course, also be smart phone "apps" to record program participation.

Discussion:

Council engaged in a discussion and supported the program.

Councilmember Bond suggested that the Council address the seating for the Councilmembers at the dias. Councilmember Michelson and Mayor Pro Tem Nielsen agreed to switch seats for the next Council meeting.

AUDIENCE COMMUNICATION

There were no comments from the audience.

MOTION: Mayor Todd made a motion to extend the meeting to 8:35 p.m., Councilmember Michelson seconded the motion. The motion passed unanimously.

EXECUTIVE SESSION

The meeting recessed to executive session at 8:18 p.m. to discuss potential litigation for approximately 15 minutes. There will be no action.

In addition to the Council, Community Development Director Butler, City Manager Burns and City Attorney Moloney participated in the executive session.

Council Meeting Minutes
January 3, 2012
Page 6

MOTION: Councilmember Michelson made a motion to extend the executive session to 8:45 p.m., Mayor Pro Tem Nielsen seconded the motion. The motion passed unanimously.

MOTION: Councilmember Michelson made a motion to extend the executive session to 8:52 p.m., Mayor Pro Tem Nielsen seconded the motion. The motion passed unanimously.

MOTION: Councilmember Michelson made a motion to extend the executive session to 9:00 p.m., Mayor Todd seconded the motion. The motion passed unanimously.

RECONVENE TO REGULAR SESSION

The meeting reconvened to regular session at 9:00 p.m.

ADJOURNMENT

The Mayor adjourned the meeting at 9:00 p.m.

Mike Todd, Mayor

Kelly M. Chelin, Executive Assistant/City Clerk

MILL CREEK CITY COUNCIL
AGENDA SUMMARY

Date on Council Agenda: January 24, 2012

Subject: APPOINTMENT TO FILL MID-TERM VACANCY ON THE DESIGN REVIEW BOARD

Budget Impact: None

Contact Person/Department: Tim Burns, City Manager

SUMMARY:

Due to a resignation on the Design Review Board, there is a mid-term vacancy to fill, which expires on August 31, 2012. A notice regarding the vacancy was posted at City Hall and was sent to the local newspapers. In addition, staff maintains a list of residents who express an interest in serving on a City Board or Commission, and everyone on the list, who has expressed an interest in serving on the Design Review Board, was notified of the vacancy.

Two applicants have applied for the mid-term vacancy on the Design Review Board. Interviews will be conducted before the Council meeting on January 24, 2012, by an Interview Committee consisting of Mayor Todd, Councilmember Bond and Councilmember Masterson.

STAFF RECOMMENDATION:

- None

COUNCIL PROCESS/ACTION:

- Council discussion
- Recommendation by Council Interview Committee
- Council vote on appointment to fill the mid-term vacancy on the Design Review Board

ATTACHMENTS:

- Letters of Interest

City Manager Approval:  Date: 1/19/2012

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DESIGN REVIEW BOARD VACANCY

INTERVIEW SCHEDULE

**Tuesday, January 24, 2012
5:20 p.m. to 5:50 p.m.**

INTERVIEW COMMITTEE:

Mayor Todd
Council Member Bond
Council Member Masterson
Design Review Board Chair Dave Gunter

Due to a resignation by Board Member David Wu, we have a mid-term vacancy on the Design Review Board (DRB) that needs to be filled. Two applicants have applied. Notice was sent to the paper, posted at City Hall, and sent to citizens who have expressed an interest in serving on this Board.

Appointments are scheduled to be made during the regular City Council meeting on January 24, 2012.

DUTIES: The Design Review Board shall review and act on the following matters:

- All applications requiring building permits except detached single-family residences.
- Landscape plans, site design and all other matters as specified in MCMC Chapter 17.34.
- Sign permits as specified in MCMC Chapter 17.26.

The members of the Design Review Board shall be urban design professionals experienced in the disciplines of architecture, landscape architecture, urban design, graphic design or similar disciplines and need not be residents of the city.

SCHEDULE:

Applicant	Interview Time
Ed Fajardo	5:20 – 5:35 p.m.
Mike Mietzner	5:35 – 5:50 p.m.

CAPITAL design|build

DRB Letter of Interest

January 5, 2012

Sherrie Ringstad, Planning Specialist
City of Mill Creek
15728 Main Street
Mill Creek, Washington 98012
(425-921-5717)

**RE: Design Review Board *volunteer vacancy*;
Letter of Interest**

Greetings Sherrie,

Please accept this letter as my sincere interest to help provide volunteer services as a Design Review Board member for the City of Mill Creek.

As the Press Release indicates (fwd. by Mary Ann Heine w/ MCCA), I am excited for the opportunity to continue to help our Community Development and help in maintaining the City's vision in maintaining a balanced, sustainable built environment.

My present business venture, (dba) CAPITAL DESIGN BUILD, is an operating business within the city and provides commercial & residential improvement planning. I also do business elsewhere in the state. My background will compliment the board. I am educated in Architecture, a long-time tenured professional for many reputable firms in the state, and have been involved in small & large multi-disciplined projects. In addition, I have volunteered in communities throughout my career as a way to balance my perspective in theoretical design versus practical applications in the real world.

I believe my involvement will be mutually rewarding to the City, Patrons of the community and the built environment we live in.

Please don't hesitate to contact me with any question or request for information you may have. Persons of reference include Mary Ann Heine and Ken Long.

Sincerely,



Ed Fajardo

Cc: MAH
KL

MIKE MIETZNER
15607 – 3rd Dr. SE
Mill Creek, WA 98012
425-754-9651

January 10, 2012

Sherrie Ringstad, Planning Specialist
City of Mill Creek
15728 Main Street
Mill Creek, WA 98012

Re: Design Review Board position

Dear Ms. Ringstad,

The purpose of this letter is to express my interest in volunteering to serve on the Design Review Board.

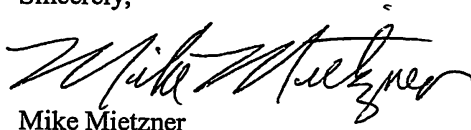
I have been a resident of Mill Creek for the past 6 years.

I work in the home building industry. My brother and I build homes, townhomes and multi-family apartments in Snohomish County. One of my responsibilities is designing our floor plans and elevations, as well as subdivision site design layouts.

I do not have any projects within the City of Mill Creek, so I don't have any conflicts at this time.

Thank you for your consideration.

Sincerely,


Mike Mietzner

MILL CREEK CITY COUNCIL
AGENDA SUMMARY

Date on Council Agenda: January 24, 2012

Subject: **APPOINT BOTHELL MAYOR MARK LAMB TO REPRESENT THE CITIES OF BOTHELL, BRIER AND MILL CREEK ON THE SNOHOMISH HEALTH DISTRICT BOARD OF HEALTH**

Budget Impact: None

Contact Person/Department: Timothy W. Burns, City Manager

SUMMARY/BACKGROUND:

Every year, the Snohomish Health Board seeks a representative from either the City of Bothell, Brier or Mill Creek to represent all three cities at the board meetings once a month. The cities entered into an interlocal agreement that would document a rotating schedule for representation on the board as follows: Bothell for 2012-2013, Brier for 2014-2015 and Mill Creek for 2016-2017.

The City of Bothell has appointed Mayor Mark Lamb to be the representative on the board and the City of Brier has concurred with that decision. Further, after talking to the Board of Health, they are requesting a letter from each City that endorses the specific individual, in this case Mayor Mark Lamb, as the official representative to the board.

STAFF RECOMMENDATION:


- Endorse the appointment of Bothell Mayor Mark Lamb to represent the Cities of Bothell, Brier and Mill Creek on the Snohomish Health District Board of Health

COUNCIL PROCESS/ACTION:

- Council discussion.
- Authorize the City Manager to sign a letter of endorsement appointing Bothell Mayor Mark Lamb to represent the Cities of Bothell, Brier and Mill Creek on the Snohomish Health District Board of Health

ATTACHMENTS:

- Draft Letter to Board of Health

City Manager Approval:  Date: 1/19/2012



January 25, 2012

(Via U.S. Postal Service)

Dr. Gary Goldbaum
Snohomish Health District
3020 Rucker Avenue, Suite 306
Everett, Washington 98201-3900

SUBJECT: APPOINTMENT TO SNOHOMISH HEALTH DISTRICT BOARD OF HEALTH

Dear Dr. Goldbaum:

On behalf of the City of Mill Creek, this letter supports the appointment of Bothell's City Mayor, Mark Lamb, to represent the City of Mill Creek, City of Bothell and City of Brier on the Snohomish Health District Board for 2012-2013.

If you have any further questions or concerns, please do not hesitate to contact me. Thank you.

Sincerely,

Timothy W. Burns
City Manager

cc: Mill Creek City Council
City of Brier
City of Bothell

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ART/BEAUTIFICATION ADVISORY BOARD

AGENDA

15728 Main Street, Mill Creek, Washington 98012 - 425 745-1891

**December 14, 2011
4:00 p.m.**

- I. CALL TO ORDER
- II. ROLL CALL
- III. APPROVAL OF MINUTES
 - A. Approval of Minutes November 9, 2011
- IV. REPORT OF CITY ISSUES (City Staff)
- V. OLD BUSINESS
 - A. Art Walk
 - B. Sustainable Garden Certification
- VI. NEW BUSINESS
- VII. ANNOUNCEMENTS AND REPORTS
- VIII. ADJOURNMENT

Attachments:

We are trying to make our public meetings accessible to all members of the public. If you need special accommodations, please call City Hall three days prior to this meeting.



**Arts & Beautification Board Meeting
December 14, 2011**

Members Present:

Marla Nulph Jon Schmidt
Nancy Finch Sandi Vivion
Jackie Toombs

Not Present:

Dave Shaw Matt Buchanan Lila Johnson
Marlene King

Also Present:

Donna Michelson
Tom Gathmann
Kim Mason-Hatt

I. ROLL CALL

Members and staff present as noted above.

II. APPROVAL OF MINUTES

MOTION: Member Marla Nulph moved to approve the November 10, 2011 minutes, Member Nancy Finch seconded. The motion passed unanimously.

III. REPORT OF CITY ISSUES

Mayor Pro Tem Michelson reported the Strategic Plan is continuing and she mentioned the Veterans Day Ceremony and how it was a great success. Public Works Director Gathmann reported about the City's newly installed lighted crosswalk signs. The City is negotiating with the Everett School District on an athletic field partnership for converting some athletic fields to artificial turf and share maintenance costs in exchange for use of the fields.

IV. OLD BUSINESS

Art Walk: Chair Toombs attended the Town Center Business Association (TCBA) meeting and reported that the Association is very interested partnering with the Board to help with the organization and provide volunteers at the event. From 10 to 20 businesses could be participating. The TCBA did recommend that the Art Walk not coincide with the Summer Concert Series at the Forum. The businesses expressed concern about staying open late and suggested the Art Walk take place on Sunday afternoons. The Board will need to form a committee and the TCBA members will participate. A sub-committee will be formed in January.

Sustainable Gardens: The application was refined.

V. ANNOUNCEMENTS

Administrative Assistant Mason-Hatt announced there would be Chair and Vice-Chair elections at the January meeting.

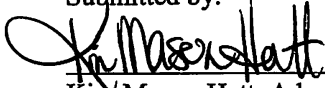
VI. ADJOURNMENT

The meeting was adjourned at 5:10 p.m.

The next regular meeting is scheduled for
January 11, 2012 at 4 pm City Hall Council Chambers

Arts & Beautification Board Meeting
Date: 12-14-2010
Page- 2

Submitted by:



Kim Mason-Hatt, Administrative Assistant

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LIBRARY BOARD AGENDA

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

August 1, 2011

5:00 P.M.

CITY COUNCIL CHAMBERS

- | | | |
|-------|--|------|
| I. | CALL TO ORDER | 5:00 |
| II. | PUBLIC COMMENT | 5:02 |
| III. | APPROVAL OF MINUTES | 5:03 |
| | A. Approval of Library Board Minutes of June 6, 2011 | |
| IV. | OLD BUSINESS | 5:05 |
| V. | SNO-ISLE REPRESENTATIVE'S REPORT | 5:15 |
| VI. | CITY OF MILL CREEK STAFF LIAISON'S REPORT | 5:20 |
| VII. | LIBRARIAN'S REPORT | 5:25 |
| VIII. | CITY COUNCILMEMBER'S COMMENTS | 5:35 |
| IX. | FRIENDS OF THE MILL CREEK LIBRARY REPORT | 5:40 |
| X. | NEW BUSINESS | 5:45 |
| XI. | ADJOURNMENT | 6:00 |
| | (The meeting may be extended by 15 minutes for general discussion, if needed.) | |

ATTACHMENTS:

1. Minutes of June 6, 2011 meeting

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We are trying to make our public meetings accessible to all members of the public. If you need special accommodations, please call City Hall three days prior to this meeting.

**CITY OF MILL CREEK
Library Board Meeting
August 1, 2011**

Board Members Present:

Roy DeSoto (Chair), Carol Spate, Carolyn DeHart, Jean Lightburne (Vice Chair), Lee Kluth (Secretary)

Others Present:

Mayor Pro Tem Donna Michelson, Finance Director Landy Manuel, Sno-Isle South District Manager Judy Sasges,

Call to Order

Chairman DeSoto called the meeting to order at 5:00 p.m.

Public Comment

No members of the public chose to speak.

Approval of Minutes

Motion by Mr. Kluth, second by Ms Lightburne to approve the minutes of the June 6, 2011 meeting. The minutes were unanimously approved.

Old Business

Ms Spate and Chair DeSoto thanked the City Public Works Department for cleaning up the landscaping at the library so that the sign was visible. It was also requested that the southwest gutter corner be checked.

Sno-Isle Representative's Report

Ms. Sasges played a YouTube video filmed at the Mill Creek Library branch for a Vintage Dance Festival by tap dancer Tim Hickey. The board found the video quite entertaining; it can be found in YouTube under the title "Quiet Please".

City of Mill Creek Staff Liaison's Report

Mr. Manuel reported that two board member terms will be expiring at the end of August. Ms Lightburne who has served on the Library Board for eight years indicated she would not be reapplying. Ms Spate said she would be reapplying and asked how word about open board positions was advertised. Mr. Manuel said he would have Interim City Clerk Kim Mason-Hatt contact Ms Spate so they could discuss the typical posting process and possibly consider some additional ideas proposed by the board. Posting would likely run through the end of August with interviews and official appointment by City Council taking place in September in time for the next library board meeting in October.

Librarian's Report

Ms Sasges distributed the librarian's report (Ms Weber is out on vacation) for the month of August (see attached). She noted that the Ready Readers Program funded by the Friends of the Mill Creek Library is generating a lot of interest from parents taking advantage of the promotion. About forty-nine persons showed up for the e-readers expo sponsored by Sno-Isle at the Mill Creek branch. Various

**CITY OF MILL CREEK
Library Board Meeting
August 1, 2011**

electronic e-readers were demonstrated with interactive question and answers with the attendees. Ms Sasges also mentioned that the Mill Creek branch will be one of a hand full of libraries that will begin offering a fax service to the public. Under consideration are prepaid cards funded with seed money from the Friends or alternatively people could pay with credit cards.

City Councilmember's Comments

Mayor Pro Tem Michelson reported that Ms Spate gave public comment at the last council meeting and has been going to City sponsored concerts to get the word out for book donations. Ms Spate noted that the shortage of donations may get resolved as a major donor with possibly as much as 200 boxes of books is in the works.

Mayor Pro Tem Michelson also reported and distributed a flier on the "Shred It" event scheduled for Saturday September 17 from 10:00 a.m. to 2:00 p.m. in the Annex parking lot. The event provides free document shredding to both residents and non-residents; donations to the food bank are accepted in lieu of any charges.

Friends of the Mill Creek Library Report

Ms Spate reiterated information on the possible large book donation to enhance the book sale put on by the Friend's. She also informed the board that Once Sold Tales, the firm that sells left over books from the book sale, is in financial difficulty and that the Friend's are looking into a company called Thrift Books that is larger, nation wide and is used by Kitsap Library.

New Business

Ms Sasges reported that she, Sno-Isle Executive Director Jonalyn Wolf-Ivory, City Manager Tim Burns, and Community Development Director Steve Butler met to discuss locating a new library in the East Gateway Urban Village. She noted that the 40,000 square foot building being discussed is conceptual and likely an industry standard taken from a library study. Discussion ensued regarding the future of brick and mortar libraries with all that is going on with ebooks, download stations, the need for special program rooms, etc.

It was also reported that the RV that was often parked at the Mill Creek Library whose owner was a point of consternation to the patrons and staff has recently moved on to the Mukilteo Library.

There being no further business Chairman DeSoto adjourned the meeting at 5:47 p.m. The next regular meeting will be held at 5:00 p.m. on Monday October 3, 2011, at Mill Creek City Hall.

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MILL CREEK LIBRARY BOARD
Librarian's Report
August 1, 2011

Library Circulation

Circulation statistics will be reported as they are available.

Door Count

June 2010	26876	
June 2011	26537	1 % decrease
July 2010	26891	
July 2011	26916	0.1 % increase

Library Programming and Outreach Services

Children's Services for June 2011:

Over 1,480 children joined the Summer Reading Program in June...only a few days into summer vacation! Many of those kids joined due to visits to the local elementary schools.

Here's a list of schools visited by Mickey Gallagher and Jackie LeFrancois.

Penny Creek Elementary – 2 presentations to 730 students (2 large assemblies)
Forest View Elementary – 7 presentations to 505 students
Cedar Wood Elementary – 6 presentations to 510 students
Woodside Elementary – 11 presentations to 599 students
Silver Firs Elementary – 7 presentations to 524 students
Jefferson Elementary – 6 presentations to 375 students
James Monroe Elementary – 6 presentations to 460 students
Fernwood Elementary – 8 presentations to 538 students
Mill Creek Elementary – 6 presentations to 699 students
Total for June: 9 schools visited; 59 presentations to 4,940 students

When this total is added to the totals for schools visited in May, **the grand total of summer reading school visits looks like this: 10 schools visited; 63 presentations to 5,036 students!**

Mickey also found time (!) to do 3 Ready Readers preschool storytimes that promoted the Summer Reading Program out of the building and in the community. Mickey did 2 storytimes at the Mill Creek YMCA that were attended by a total of 30 children and 12 adults, and he also did a storytime for 33 children and 22 adults at the Mill Creek Preschool Pals picnic at Pine Meadow Park.

The Summer Reading Kickoff program, "Storytelling Safari with the Tales & Trails Storytellers," had a turnout of 38 children and 22 adults.

The Ready Readers reading logs continue to roll in as parents are taking advantage of the great promotion funded by the Friends of the Mill Creek Library. There are an average of 28 logs returned/prize books handed out each month.

Library Board
 Librarian's Report

2

Children's Services for July 2011:

Storytimes have seen kind of a slow start for the first 3 weeks:

Preschool Storytime – 3 sessions – 94 children and 70 adults

Toddler Storytime – 3 sessions – 88 children and 72 adults

Baby Storytime – 3 sessions – 45 children and 49 adults

Summer Reading signups and finishers have been arriving in droves in July. ***As of July 27, 1,736 children have signed up for the summer reading program.*** There have been a lot of finishers, and while we don't have an exact count at this point (we will at the end of the summer), it appears that at least 600 children have already finished the reading program. So, at this point, of the children who signed up, around 34% have already received their prize book.

The schoolage summer circuit programs have been very well-attended, with a total of 229 children and 90 adults present at the 4 programs in July.

Mickey Gallagher has performed his summer circuit program (stories and songs from the Cajun culture) at two libraries so far. Attendance at his program at the Brier Library was very good for a library of its size (20 children and 10 adults). Mickey also presented his program at the Snohomish Library in July, to 18 children and 8 adults.

Teen Services for June 2011:

Danielle Dregger-Babbitt presented two days of summer reading book talks and promotions to ***615 teens at Heatherwood Middle School.*** This year she tried something new and showed book trailers for some of the books; it was extremely successful. ***Since June 1st, 237 book reviews have been submitted by teens*** as part of the Teen Summer Reading Program, nearly twice as many as last June!

On June 17th, 21 teens attended the last Friday Night Gaming for Teens until September.

Danielle attended the American Library Association (ALA) Conference in New Orleans from June 23rd-June 28th. Most of the time included meetings for the Alex Award. She also had the opportunity to have dinner with teen author Catherine Gilbert Murdock (*Dairy Queen*, *Princess Ben*). One of the sessions she attended was on partnerships between bookstores and libraries.

Teen Services for July 2011:

Danielle hosted several successful programs in July. 13 teens attended the DIY Duct Tape Program. She partnered with the University Book Store to hold the first Teen Book Brunch where 9 teens enjoyed donuts and talked about new books. Danielle hosted the 3rd annual Hands on Henna for Teens program where Krysten Lomanaco from Menhdi Maddness shared henna with 9 teens.

Danielle met with Christy Boyett, the Community Relations Manager at the Lynnwood Barnes and Noble about the teen summer reading prize and partnering on future programs.

Over 150 teens submitted book reviews in July.

Adult Services for June 2011:

The library began the Adult Summer Reading program. So far, adult readers who use the Mill Creek Library have submitted 32 reviews online and 5 on paper.

The eReader Expo program was well attended with 49 library customers in attendance. The Best Buy folks talked about ereaders and tablets and patiently answered questions about the different devices. Karen demonstrated downloading ebooks from OverDrive with a projector and a laptop.

The book groups remain successful and continue to attract newcomers.

Adult Services for July 2011:

So far the adult summer reading program has been very successful: 88 reviews so far.

The book groups met with slightly lighter attendance than usual. However, librarians have been busy with readers' advisory. Customers going on vacation are looking for beach reads and road trip audiobooks that are appropriate and engaging for kids of all ages.

Managing Librarian Report:**June/July 2011 Highlights**

In June, the Mill Creek Library updated their Emergency Response Notebook to ensure that staff is prepared for various emergency situations. This included updating procedures, contact lists, and changes in the floor plan where collections have moved.

In July, Ken Harvey, Communications Director, attended a Mill Creek Library staff meeting. Ken began as Sno-Isle's Communications Director on June 6. He has worked in marketing and communications for Community Transit in Everett as well as Sound Transit and Tacoma Public Library. He has extensive experience including in public, private and non-profit organizations. The staff was eager to meet Ken and learn more about his current projects.

In July, Managing Librarian Darlene Weber, volunteered at the information booth for the Mill Creek Business Assn at the Mill Creek Festival.

In July and August, Jonalyn Woolf-Ivory, Sno-Isle Libraries Director, is visiting libraries across both Snohomish and Island counties to discuss, among other topics, the success of the new cataloging software, Polaris, and successes in the implementation of the Strategic Plan, including the change in open hours for some libraries. She met with two groups of Mill Creek Library staff in July and will meet with the remainder of the staff in August.

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CITY OF BELLEVUE, WASHINGTON

RESOLUTION NO. 3928

THE CITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON, DOES RESOLVE AS FOLLOWS:

Section 1. Resolutions Nos. 5987 and 6399 relating to Council rules of procedure for the conduct of City Council meetings are hereby repealed.

Section 2. These rules constitute the official rules of procedure for the Bellevue City Council. Where rules of procedure are not addressed in this Resolution, the Council shall be governed by *Robert's Rules of Order, Newly Revised*.

Section 3. Organization

- A. Swearing in of New Councilmembers. New Councilmembers shall be sworn in either:
1. Up to ten days prior to the day they are scheduled to assume their office; or
 2. At the last regular meeting of the Council held before they are to assume their office.
- B. Election of Mayor. The Council shall elect a Mayor and Deputy Mayor for a term of two years and organize itself at the first official meeting of the City Council during even-numbered years.

The election of the Mayor shall be presided over by a Temporary Chair who shall be selected at the last regular meeting in December to conduct this election. Once selected, the Mayor will preside over the selection of the Deputy Mayor.

In the event the Mayor is unable to serve the remainder of the term, a new Mayor shall be elected. In the event the Deputy Mayor is unable to serve the remainder of the term, a new Deputy Mayor shall be elected.

- C. Quorum. At all meetings of the Council, a majority of the Council (four members) shall constitute a quorum for the transaction of business, but a lesser number may recess or adjourn from time to time, and may compel the attendance of absent members in such manner and subject to such penalties as may be prescribed by ordinance.
- D. City Clerk. The City Clerk or an authorized Deputy Clerk shall attend all meetings of the City Council. Should the City Clerk and the Deputy Clerk be absent from any Council meeting, then the Presiding Officer shall ask the City Manager to appoint a member of the staff to act as Clerk for that meeting.

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- E. Attendance of Officers. Any City officer or employee shall have the duty when requested by the City Council to attend meetings of the City Council and shall remain for such time as the City Council may direct.

Section 4. Officers

- A. Presiding Officers. The Mayor shall be the Presiding Officer of the City Council. In the temporary absence of the Mayor, the Deputy Mayor shall perform the duties and responsibilities of the Mayor with regard to conduct of meetings and emergency business. In the absence of both the Mayor and the Deputy Mayor the City Council shall appoint one of the members of the Council to act as a temporary Presiding Officer.
- B. Presiding Officer Duties. It shall be the duty of the Presiding Officer to:
1. Call the meeting to order.
 2. Keep the meeting to its order of business.
 3. Control discussion in an orderly manner:
 - a. Give every Councilmember who wishes an opportunity to speak.
 - b. Permit audience participation at the appropriate times.
 - c. Require all speakers to speak to the question and to observe the rules of order.
 - d. Give pro and con speakers opportunities to speak to a question when practicable.
 4. State each motion before it is discussed and before it is voted upon.
 5. Put motions to a vote and announce the outcome.
- C. Presiding Officer - Question of Order. The Presiding Officer shall decide all questions of order, subject to the right of appeal to the Council by any member.
- D. Presiding Officer Participation. The Presiding Officer may at his or her discretion call the Deputy Mayor or any member to take the Chair so the Presiding Officer may make a motion.

Section 5. Appointment of Council Committees, Liaisons to Boards and Commissions, and Board/Commission members

- A. Committee Assignments. The Mayor, with the concurrence of the Council, shall appoint any standing committees of the City Council and, with the concurrence of the Council, may appoint a committee Chair. Ad hoc committees of not more than three Councilmembers may be appointed by the Mayor, with the concurrence of the Council, from time to time as the need arises. The Mayor, with the concurrence of the Council, may also appoint the Chair of any such ad hoc committee.

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- B. Liaisons to Boards and Commissions. The Mayor shall appoint City Councilmembers to serve as liaisons to Boards and Commissions established by City Council. Council liaisons shall interview candidates and recommend the appointment of members to fill vacancies on their respective Boards and Commissions. The Mayor, with the concurrence of Council, shall make the appointments of Board and Commission members.
- C. Board and Commission Appointments. The following rules will apply for filling vacancies occurring on Council-appointed Boards and Commissions upon expiration of members' terms or through resignation or other vacancy.
1. The City Clerk's Office solicits interest in reapplying from those Board/ Commission members who are eligible to serve additional terms and provides that information to the respective Liaisons to Boards/Commissions.
 2. Liaisons receiving requests for reappointment provide recommendations to the City Clerk who schedules for Council consideration on the next convenient Council meeting agenda.
 3. At the Council meeting, the Liaison makes the motion to make his/her recommended reappointments. Upon affirmative Council vote, the Mayor reappoints the member.
 4. The City Clerk's Office provides public notice of the application opportunity for remaining vacated positions and collects submitted applications.
 5. Applications for each Board/Commission are compiled into booklets and provided to all Councilmembers for review and discussion. The Liaisons for particular Boards and Commissions entertain feedback from the remainder of the Council about which applicants to interview.
 6. The Council Liaison for each Board/Commission shall lead the interview team, including the Chair of the Board/Commission and the Department Director or key support staff. Other Councilmembers are invited to participate. Should a quorum of Councilmembers wish to participate in interviews, the interviews will be noticed as a public meeting. Following the interviews, the Liaison provides his/her recommendation(s) to the City Clerk, who schedules the appointment(s) for consideration at the next convenient Council meeting agenda.
 7. At the Council meeting, the Liaison makes the Motion to appoint his/her recommended applicants. Upon affirmative Council vote, the Mayor appoints the new member(s).
 8. The City Clerk prepares appointment letters for the Mayor's signature and notifies each unsuccessful applicant by mail of the decision of the Council.

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The City Clerk will also notify the Chair of the affected board or commission of the Council's decision.

Section 6. Meetings

- A. Regular Meetings. The regular meetings of the City Council shall be held at 6:00 p.m. on the first four Mondays of each month; provided, that only one regular meeting shall be held during August, which shall be on the first Monday, and only two regular meetings shall be held in December, which shall be the first two Mondays.

Whenever Monday falls on a legal holiday, regular meetings shall be held on the following Tuesday. A regular meeting may be canceled by a majority vote of the Council taken at least one week before said meeting or by the City Manager in consultation with the Council.

Except during the months of August and December, on the first and third Mondays of each month, regular meetings will be comprised of a 2-hour Study Session beginning at 6:00 p.m. and Regular Session beginning at 8:00 p.m. On the second and fourth Mondays of each month the Council will hold a four-hour Extended Study Session.

During the months of August and December, regular meetings will be comprised of a 2-hour Study Session beginning at 6:00 p.m. and Regular Session beginning at 8:00 p.m.

- B. Special Meetings. Special meetings may be held by the City Council subject to notice requirements prescribed by State law. Special meetings may be called by the Mayor by written notice delivered to each member of the Council at least twenty-four hours before the time specified for the proposed meeting. Special meetings shall be called by the Mayor upon the written request of any three members of the Council. The notice for special meetings shall state the subjects to be considered, and no subjects other than those specified in the notice shall be considered.

Electronic mail shall be considered written notice for purposes of this rule.

- C. Organizational Meetings. A special organizational meeting will be held on the first business day after the new year in even-numbered years, at which the first order of business will be the selection of a Mayor and a Deputy Mayor.
- D. Meeting Place. Regular meetings of the City Council will be held at Bellevue City Hall, 450 - 110th Avenue NE, Bellevue, Washington unless otherwise noticed.

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- E. Remote participation in Council meetings. A Councilmember not able to be physically present for a meeting may participate remotely using approved teleconferencing equipment. Remote participation must be approved in advance, either at an earlier Council meeting or before joining a current meeting. A Councilmember may participate remotely no more than four times per year, unless absent for medical reasons, and only two Councilmembers may participate remotely during any one Council meeting. Such remote participation will be considered attendance at the meeting and shall be counted toward determination of a quorum.

Examples of situations where remote participation is authorized include, but are not limited to:

- An agenda item is time sensitive, and remote participation is needed to achieve a quorum;
- An agenda item is of high importance to the Councilmember who cannot be physically present;
- It is considered important for **all** Councilmembers to participate in a key policy decision, but a Councilmember is unable to be physically present.

- F. Adjournment. Regular meetings of the City Council should adjourn at 10:00 p.m. The adjournment time may be extended to a later time certain upon approval of a motion carried by at least four members of the Council. At the conclusion of the agenda, after calling for any additional business, the Mayor may declare the meeting adjourned.

Section 7. Council Order of Business

- A. Order of Business for Regular Meetings. The order of business for each regular meeting shall be as follows:

First and Third Mondays - Study Session/Regular Session (6-10 p.m.)

Study Session (6 - 8 p.m.)

1. Executive Session
2. Study Session Items
3. Council Discussion of Upcoming Items

Regular Session (8 - 10 p.m.)

1. Call to Order
2. Roll Call, Flag Salute
3. Approval of Agenda
4. Communications - Written and Oral
5. Reports of Community Councils, Boards and Commissions
6. Report of City Manager

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7. Council Business and New Initiatives
8. Consent Calendar
9. Public Hearings
10. Land Use Reports
11. Other Ordinances, Resolutions, and Motions
12. Unfinished Business
13. Continued Oral Communications
14. New Business
15. Executive Session
16. Adjournment

Second and Fourth Mondays - Extended Study Session (6 - 10 p.m.)

1. Executive Session
2. Approval of Agenda
3. Oral Communications
4. Study Session Items
 - a. Council Business and New Initiatives
5. Council Discussion of upcoming items
6. Continued Oral Communications

The City Clerk may amend the order of the agenda to address unusual meeting circumstances or to ensure an efficient and orderly meeting. Unless overruled by Council, these occasional amendments will be treated as an exception to the regular Order of Business.

- B. Council Agenda. No legislative item shall be voted upon which is not on the Council agenda as approved by the Council at the City Council meeting or as amended by Council during the course of the meeting by a vote of at least four members.
- C. Removal from Consent Calendar. No item will be removed from the Consent Calendar unless the Councilmember desiring removal of the item notifies the City Clerk of such request by noon on the day of the Council meeting, or unless such request is a result of public testimony received at Oral Communications raising unforeseen Councilmember concerns or questions.

Section 8. Public Testimony

- A. Oral and Written Communications and Public Hearings. The Council shall not take public testimony at regular Monday Council meetings except for

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testimony given at a Public Hearing, Public Comment Period, or at Oral Communications.

- B. Oral and Written Comments - Quasi-Judicial Matters/Appeals Before City Council. Public oral testimony shall not be given on quasi-judicial matters outside of a limited public hearing on an appeal before Council except on matters of procedure; provided comments in writing may be submitted to the Council on quasi-judicial matters being considered by the Council under appeal processes described in Resolution Nos. 5097 and 5238, or as subsequently amended. Such written comments must be filed with the City Clerk no later than 1 p.m. on the Monday two weeks prior to the hearing. No material submitted later will be considered by the Council. Written comments to the Council on quasi-judicial matters will be reviewed by the City Attorney who will exclude information that is not contained in the record on the appeal before submittal to the Council.
- C. Instructions for Speakers. Instructions will be provided in writing at the meeting room and on the City's web site. Speakers will be advised that their testimony is being recorded.
- D. Rules for Public Participation. The following rules shall be observed during any Public Hearing, Public Comment, or Oral Communications opportunity; provided these rules do not apply to appeals hearings governed by the City Council appeals procedures (*See Rules of Procedure for Appeals to the City Council—Resolution Nos. 5097 and 5238*).
 - 1. For public hearings or public comment periods:
 - a. No specific time limits are provided for public hearings; public comment periods may be established for a specific amount of time but shall not exceed one hour unless approved by a majority of Council.
 - b. For an initial presentation of background information from a City department (Staff Report), a City Board or Commission, or an organization, no more than 15 minutes will be allowed unless otherwise authorized by the Chair.
 - c. Persons wishing to testify shall sign in on the sign-in sheet provided and will be called to speak in the order in which they signed.
 - d. With the exception of a public comment period established to take comment in support of or opposition to a ballot measure, speakers will be allowed to speak for three minutes.
 - e. The Mayor may allow additional time for receipt of written testimony when needed.
 - 2. For Oral Communications:

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- a. The time allowed shall not exceed thirty minutes, and speakers will be called in order from the sign-up sheet. If the number of speakers signed up to speak will exceed the 30-minute period, the Chair is authorized to give preference to (1) persons speaking to items on that meeting's agenda or anticipated to come on the agenda within one month and/or (2) to persons who have not spoken to Council in the last quarter.
 - b. Speakers will be allowed to speak for three minutes.
 - c. A maximum of three persons are permitted to speak to each side of any one topic.
3. Persons testifying shall identify themselves for the record as to name, address, and organization, if appropriate.
 4. Persons participating in Council meetings are strongly encouraged to aid the Council in maintaining the decorum and orderly progression of the Council agenda. Engaging in shouting, use of profanity or slurs against others, disruptive noise, or comments that are off-topic detract from the ability of the Council to conduct business. Where such conduct results in actual disruption of the Council meeting, the Presiding Officer may issue a verbal warning to the speaker and, if the behavior continues, have the speaker removed from the Council Chambers. Repeated disruption may result in the speaker being excluded from participating in public comment at one or more subsequent Council meetings. If the Presiding Officer issues an exclusion to any speaker, he or she shall inform the person of the basis for the exclusion and the term of the exclusion. The Presiding Officer shall also notify the speaker that if he or she desires to address the Council during the period of exclusion from public comment, he or she may submit written comments which will be received by the City Clerk and provided to each of the Councilmembers.
 5. Suspension of these rules will require four votes.
 6. The City Clerk shall be the timekeeper
- E. Addressing the Council Outside of Oral Communications or Public Hearing. No person not a member of the City Council shall be allowed to address the City Council while it is in session without the permission of the Presiding Officer.

Section 9. Motions

- A. Motions. No motion shall be entertained or debated until seconded and announced by the Presiding Officer. The motion shall be recorded and, if desired by any Councilmember, it shall be read by the City Clerk before it is debated, and by the consent of the Council may be withdrawn at any time before action is taken on the motion.

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Motions shall be entertained in the order of precedence outlined in Robert's Rules of Order (Newly Revised).

Motions to postpone a question to a day certain or to commit, having been decided, shall not be allowed again on the same day. When a question has been postponed indefinitely it shall not again be introduced for at least sixty (60) days.

A motion to lay an amendment on the table shall not carry the main question with it unless so specified in the motion to table.

- B. Motions to Reconsider. A motion to reconsider must be made by a person who voted on the prevailing side on the principal question and must be made at the same or next succeeding regular meeting.
- C. Motions to Table-Order of Questions. Motions to lay any matter on the table shall be first in order, and on all questions the last amendment, the most distant day and the largest sum shall be put first.

Section 10. Voting

- A. Tie Vote. The passage of a Motion, Resolution or Ordinance is lost by a tie vote, provided that the question may be brought forward again at the request of any member at the same meeting or at the next meeting when any members who were absent or disqualified at the time of the tie vote are present. In case of a tie vote, an absent member and a disqualified member whose participation is allowed under Section 10.C below may participate when the question is again brought forward, except where such participation is not allowed by law.
- B. Motions for Adjournment. A motion for adjournment shall always be in order. The Presiding Officer may suggest a motion for adjournment but may not make it.
- C. Votes on Questions. Each member present or participating remotely shall vote on all questions put to the City Council except on matters in which he or she has been disqualified for a conflict of interest or under the Appearance of Fairness doctrine. Such member shall disqualify himself or herself prior to any discussion of the matter, stating the reason for the disqualification unless there is a legal impediment to disclosure. The disqualified member will then leave the meeting room.

When disqualification of a member or members results or would result in the inability of the Council to act on a matter on which it is required by law to take action, any member who is absent or who is disqualified under the Appearance of Fairness doctrine may subsequently participate, provided such

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member first shall have reviewed all materials and listened to all tapes of the proceedings in which the member did not participate.

- D. Failure To Vote. Any Councilmember who fails to vote without a valid disqualification shall be declared to have voted in the affirmative on the question.
- E. Six-Month Time Limitation. Except as otherwise provided in the Council's rules, once a matter has been voted on and the time for reconsideration has passed with no action, the matter may not be taken up again for six months unless there is a showing of a substantial change of circumstances.

Section 11. Council Work

- A. 8-Hour Rule. Special staff work on a particular project for an individual Councilmember may not exceed eight hours without authorization by the City Council. Council approval may be sought by raising the question at the Council Business and New Initiatives item on the Council meeting agenda.
- B. Individual Town Hall Meetings. When individual Councilmembers wish to hold "neighborhood coffees" or "town hall" type meetings, staff support will be limited to notifying the press that the event has been scheduled. During election years, individual town hall type meetings will not be conducted at or utilizing City facilities.
- C. Councilmember Representation. When speaking or writing on specific issues, Councilmembers shall make clear whether they are speaking as an individual regarding his/her stance, or whether speaking on behalf of the City Council.

Section 12. Council Travel

- A. Justification. Before making a request for a travel or training expenditure, the requesting Councilmember should be able to indicate what public benefit is gained through her/his participation.
- B. Prioritization of travel opportunities. Travel will be prioritized according to the following criteria:
 - 1. Advancement of adopted Council priorities/work program items, including advancement of regional issues or State and Federal Legislative Agendas (includes Greater Seattle Chamber of Commerce study missions).
 - 2. NLC- or AWC-sponsored events.
 - 3. Sister City visits.
 - 4. Economic development and international trade.

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- 5. Regional issues-related travel.
- 6. Non-local conferences or training opportunities.
- 7. Events whose purpose is primarily networking.

Section 13. Suspension of Rules

No rule of procedure of this Council shall be adopted, rescinded or changed without a majority vote of all Councilmembers at a regular or special Council meeting and only after seven days' notice of a motion thereof; provided, a rule may be temporarily suspended for a special purpose by a vote of two-thirds of the members present. When the suspension of a rule is requested, and no objection is offered, the Mayor shall announce the rule suspended, and the Council may proceed accordingly.

Passed by the City Council this 15th day of June, 2015,
and signed in authentication of its passage this 4th day of June,
2015.

(SEAL)



Claudia Balducci, Mayor

Attest:



Myrna L. Basich, City Clerk



Date: September 8, 2020

A/P Check Batches		
Dated	Check Numbers	Amount
07/15/2020	Debit-Leasehold Tax Return-Qtr 2	\$3,690.71
07/17/2020	ACH Debit-Excise Tax Return-June	\$73.61
07/30/2020	62267-62353	\$229,996.52
08/06/2020	Wire-Kamins Construction, Inc	\$210,026.23
08/06/2020	Wire-Neptune Marine LLC	\$85,993.03
08/12/2020	ACH Debit-Excise Tax Return-July	\$1.71
08/14/2020	62354-62409	\$234,054.98
08/25/2020	Wire-76 Fleet-July	\$2,685.85
08/27/2020	52410-62444	\$1,064,599.31
Total		\$1,831,121.95

Voided Checks	
Numbers	Explanation
62261-62266	Printer Problem w/Check Setup
62299	2 nd Check Signer Not Available
62313	2 nd Check Signer Not Available
62334	Sno Co Returned Check

CLAIMS APPROVAL

We, the undersigned Finance/Audit Committee of the City of Mill Creek, recommend approval of check numbers 62267 through 62444, and ACH/Wires in the amount of \$1,831,121.95.

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

Councilmember

Director of Finance

Councilmember

City Manager

F:\DATA\EXECUTIVE\WP\FORMS\FIN\Voucher Approval1.doc



STATE OF WASHINGTON
DEPARTMENT OF REVENUE

Washington State Department of Revenue
Leasehold Tax Return

Account ID: 503-000-685
Name: CITY OF MILL CREEK

Filing: Quarterly
Filing Period: Jun-30-2020
Due Date: Jul-31-2020
Date Received: Jul-13-2020

Return Summary

Total Tax Due: \$3,690.71
Total Amount Due: \$3,690.71

Return Detail

Regular Lessee

Lease Number	Lessee Name	Location Code	Tax Code Area	Other	Taxable Rent Due	Tax Rate	Tax Due
	Huntron Inc	3119 - MILL CREEK	00520		\$23,577.15	0.1284	\$3,027.31
	Appraisals Northwest Inc.	3119 - MILL CREEK	00520		\$3,704.49	0.1284	\$475.66
	Pro Player Supply	3119 - MILL CREEK	00520		\$1,462.11	0.1284	\$187.74
							\$3,690.71

Additional Information

Confirmation Number: 0-015-086-291
Prepared By: Andrea Dowell
Phone Number: (360) 631-2043
Email: andrea@dowellconsulting.com

Payment Method: ACH Debit
Amount: \$3,690.71
Payment Date: Jul-15-2020

Export

Page 1 of 1

Washington State Department of Revenue

Your Return has been submitted and your confirmation number is **0-015-086-291**

Below is information from your Quarterly Return for the period ending June 30, 2020

Filing Date	July 13, 2020
Account Id	503-000-685
Primary Name	CITY OF MILL CREEK
Payment Method	ACH Debit/E-Check
Payment Effective	July 15, 2020 ✓
Total Tax	3,690.71
Total Due	3,690.71 ✓

The email address on this return is different from the one in your profile

The Department is using email more frequently to communicate with taxpayers. Please verify that the email address in your profile is correct. To update your email address click "Settings" link above, then click the "Update user profile" link in the "I Want To" menu.

Check the status of your return from the **Submissions** tab.

Print a copy of your return below. You can always "Print" your return by navigating to the "Submissions" tab and finding this request.

[Give us your feedback](#)



Combined Excise Tax Return

600-598-011
CITY OF MILL CREEK

Filing Period: June 30, 2020

Due Date: July 27, 2020

Filing Frequency: Monthly

Business & Occupation

Tax Classification	Gross Amount	Deductions	Taxable Amount	Tax Rate	Tax Due
Retailing	19.00	19.00	0.00	0.004710	0.00
Service and Other Activities (\$1 million or greater in prior year)	6,092.00	0.00	6,092.00	0.017500	106.61
Total Business & Occupation					106.61

State Sales and Use

Tax Classification	Gross Amount	Deductions	Taxable Amount	Tax Rate	Tax Due
Retail Sales	19.00	0.00	19.00	0.065000	1.24
Total State Sales and Use					1.24

Deductions

Tax Classification	Deduction	Amount
Business & Occupation		
Retailing	Other: Exclusively Governmental	19.00

Credits

	Amount
Service & Other SBC	35.00
Total Credits	35.00

Local City and/or County Sales Tax

Location	Taxable Amount	Tax Rate	Tax Due
3119 - MILL CREEK	19.00	0.040000	0.76
Total Local City and/or County Sales Tax			0.76

Total Tax	108.61
Total Credits	35.00

Subtotal	73.61
Total Amount Owed	73.61

Prepared By: Andrea Dowell
E-Mail Address: andrea@dowellconsulting.com
Submitted Date: 7/16/2020
Confirmation #: 0-015-124-205

Payment Type: ACH Debit/E-Check
Amount: \$73.61 ✓
Effective Date: 7/17/2020 ✓

KAMINS



City of Mill Creek
 2020 Seattle Hill Road Pavement Preservation
Payment Estimate #1
 Work through 6/27/2020


Kamins Construction, Inc.
 P.O. Box 857
 Bothell, WA 98041
 206-396-8115

CP 18-PAVE-03
 F.A. No. HIPUL-2576(007)

No.	Spec section	Item	Quantity	Unit	Contract Amount		Current Estimate		Previous Payment(s)		Total to Date	
					Unit Cost	Total Cost	Unit Quantity	Total Cost	Unit Quantity	Total Cost	Unit Quantity	Total Cost
1	1-04	Minor Changes	1	EST	25,000.00	\$ 25,000.00	0%	\$0.00		\$0.00		\$0.00
2	1-05	Roadway Survey	1	LS	11,500.00	\$ 11,500.00	25%	\$2,875.00		\$0.00	25%	\$2,875.00
3	1-05	ADA Features Surveying	1	LS	10,350.00	\$ 10,350.00	0%	\$0.00		\$0.00	0%	\$0.00
4	1-05	Record Drawings (Min. Bid \$1500)	1	LS	1,500.00	\$ 1,500.00	0%	\$0.00		\$0.00	0%	\$0.00
5	1-07	SPCC Plan	1	LS	500.00	\$ 500.00	100%	\$500.00		\$0.00	100%	\$500.00
6	1-09	Mobilization	1	LS	50,312.50	\$ 50,312.50	100%	\$50,312.50		\$0.00	100%	\$50,312.50
7	1-10	Project Temporary Traffic Control (Min. Bid \$8,000)	1	LS	11,500.00	\$ 11,500.00	25%	\$2,875.00		\$0.00	25%	\$2,875.00
8	1-10	Flagger	1080	HR	65.55	\$ 70,794.00	328.5	\$21,533.18		\$0.00	328.5	\$21,533.18
9	1-10	Uniformed Police Officer	96	HR	143.75	\$ 13,800.00	0.00	\$0.00		\$0.00	0.00	\$0.00
10	1-10	Portable Changeable Message Sign (PCMS)	1620	HR	8.05	\$ 15,456.00	0.0	\$0.00		\$0.00	0.0	\$0.00
11	2-01	Roadside Cleanup	1	EST	15,000.00	\$ 15,000.00	0.00	\$0.00		\$0.00	0.00	\$0.00
12	2-01	Clearing and Grubbing	0.2	AC	15,916.00	\$ 3,183.20	0.0136	\$216.46		\$0.00	0.01	\$216.46
13	2-02	Removing Asphalt Conc. Pavement	173	SY	21.07	\$ 3,645.11	145.2	\$3,059.79		\$0.00	145.22	\$3,059.79
14	2-02	Removing Cement Curb & Gutter	650	LF	14.55	\$ 9,457.50	613.9	\$8,932.25		\$0.00	613.90	\$8,932.25
15	2-02	Removing Cement Extruded Curb	1,220	LF	7.43	\$ 9,064.60	1399.8	\$10,400.51		\$0.00	1399.80	\$10,400.51
16	2-02	Removing Boltard	4	EA	230.00	\$ 920.00	4.0	\$920.00		\$0.00	4.00	\$920.00
17	2-02	Removing Tree Stump	2	EA	575.00	\$ 1,150.00	0.00	\$0.00		\$0.00	0.00	\$0.00
18	2-02	Planing Bituminous Pavement	31,580	SY	5.59	\$ 176,532.20	0	\$0.00		\$0.00	0.00	\$0.00
19	2-02	Removing Cement Conc. Sidewalk	396	SY	24.28	\$ 9,614.88	399.1	\$9,689.42		\$0.00	399.07	\$9,689.42
20	2-10	Tree Trimming	1	EST	25,000.00	\$ 25,000.00	1911.90	\$1,911.90		\$0.00	1911.90	\$1,911.90
21	4-04	Crushed Surfacing Top Course	160	TON	74.53	\$ 11,924.80	99.3	\$7,400.83		\$0.00	99.30	\$7,400.83
22	5-04	HMA CL 1" PG 58H-22	40	TON	230.00	\$ 9,200.00	0.00	\$0.00		\$0.00	0.00	\$0.00
23	5-04	HMA CL 1/2" PG 58H-22	3,796	TON	107.32	\$ 407,386.72	0.00	\$0.00		\$0.00	0.00	\$0.00
24	7-05	Adjust AWWD Water Valve	28	EA	460.00	\$ 12,880.00	0.00	\$0.00		\$0.00	0.00	\$0.00
25	7-05	Adjust Manhole - Type II CB	6	EA	575.00	\$ 3,450.00	0.00	\$0.00		\$0.00	0.00	\$0.00
26	7-05	Adjust AWWD Sewer Manhole	3	EA	575.00	\$ 1,725.00	0.00	\$0.00		\$0.00	0.00	\$0.00
27	7-05	Adjust Catch Basin	5	EA	460.00	\$ 2,300.00	0.00	\$0.00		\$0.00	0.00	\$0.00
28	7-05	Monument Case & Cover	18	EA	460.00	\$ 8,280.00	0.00	\$0.00		\$0.00	0.00	\$0.00
29	7-10	Adjust Gas Valve Box	8	EA	402.50	\$ 3,220.00	0.00	\$0.00		\$0.00	0.00	\$0.00
30	8-01	Inlet Protection	51	EA	86.25	\$ 4,398.75	39.0	\$3,363.75		\$0.00	39.00	\$3,363.75
31	8-01	Erosion/Water Pollution Control	1	EST	1,000.00	\$ 1,000.00	0.00	\$0.00		\$0.00	0.00	\$0.00
32	8-01	Seeding, Fertilizing and Mulching	0.02	AC	46,000.00	\$ 920.00	0.00	\$0.00		\$0.00	0.00	\$0.00
33	8-02	Bark	0.01	AC	86,250.00	\$ 862.50	0.00	\$0.00		\$0.00	0.00	\$0.00
34	8-02	Topsoil Type A	15	CY	86.25	\$ 1,293.75	0.0	\$0.00		\$0.00	0.00	\$0.00
35	8-04	Cement Conc. Traffic Curb And Gutter	676	LF	69.54	\$ 47,009.04	381.4	\$26,522.56		\$0.00	381.40	\$26,522.56
36	8-04	Extruded Curb	1220	LF	10.93	\$ 13,334.60	0.0	\$0.00		\$0.00	0.00	\$0.00
37	8-04	Cement Conc. Pedestrian Curb	922	LF	57.43	\$ 28,978.46	237.8	\$13,656.85		\$0.00	237.80	\$13,656.85
38	8-14	Cement Conc. Sidewalk	20	SY	183.54	\$ 3,670.80	37.1	\$6,803.83		\$0.00	37.07	\$6,803.83
39	8-14	Cement Conc. Curb Ramp Type Parallel	24	EA	2,428.03	\$ 58,272.72	14.00	\$33,992.42		\$0.00	14.00	\$33,992.42
40	8-14	Cement Conc. Curb Ramp Type Single Directional	2	EA	1,976.85	\$ 3,953.70	0.00	\$0.00		\$0.00	0.00	\$0.00

WASHINGTON				Contract Amount		Current Estimate		Previous Payment(s)		Total to Date		
No.	Spec Section	Item	Quantity	Unit	Unit Cost	Total Cost	Unit Quantity	Total Cost	Unit Quantity	Total Cost	Unit Quantity	Total Cost
41	8-14	Cement Conc. Curb Ramp Type Perpendicular	1	EA	1,945.80	\$ 1,945.80	0.00	\$0.00		\$0.00	0.00	\$0.00
42	8-14	Pedestrian Traffic Control	1	LS	5,750.00	\$ 5,750.00	25%	\$1,437.50		\$0.00	0.25	\$1,437.50
43	8-20	ADA Pedestrian Push Button Assemblies	14	EA	2,587.50	\$ 36,225.00	1.40	\$3,622.50		\$0.00	1.40	\$3,622.50
44	8-20	Type PPB signal poles	5	EA	4,025.00	\$ 20,125.00	0.00	\$0.00		\$0.00	0.00	\$0.00
45	8-20	Type PS signal poles	1	EA	6,900.00	\$ 6,900.00	0.00	\$0.00		\$0.00	0.00	\$0.00
46	8-20	Pedestrian Signal Head	2	EA	2,300.00	\$ 4,600.00	0.00	\$0.00		\$0.00	0.00	\$0.00
47	8-20	Induction Loop Detectors, Type 3	8	EA	977.50	\$ 7,820.00	0.00	\$0.00		\$0.00	0.00	\$0.00
48	8-21	Permanent Signing	1	LS	1,150.00	\$ 1,150.00	0%	\$0.00		\$0.00	0.00	\$0.00
49	8-22	Plastic Traffic Arrow	23	EA	77.05	\$ 1,772.15	0.0	\$0.00		\$0.00	0.00	\$0.00
50	8-22	Plastic Speed Limit Pavement Marking	8	EA	893.55	\$ 7,148.40	0.00	\$0.00		\$0.00	0.00	\$0.00
51	8-22	Paint Median Curb Nose	18	EA	19.55	\$ 351.90	0.0	\$0.00		\$0.00	0.00	\$0.00
52	8-22	Paint Line	12,500	LF	0.39	\$ 4,875.00	0	\$0.00		\$0.00	0.00	\$0.00
53	8-22	Plastic Line	800	LF	3.53	\$ 2,824.00	0	\$0.00		\$0.00	0.00	\$0.00
54	8-22	Raised Pavement Marker Type 2	9.60	HUN	460.00	\$ 4,416.00	0.00	\$0.00		\$0.00	0.00	\$0.00
55	8-22	Plastic Stop Line, 24 in.	324	LF	9.20	\$ 2,980.80	0.0	\$0.00		\$0.00	0.00	\$0.00
56	8-22	Plastic Crosswalk Line, 12 in.	2,252	SF	4.60	\$ 10,359.20	0	\$0.00		\$0.00	0.00	\$0.00
57	8-22	Plastic Traffic Letter	4	EA	88.55	\$ 354.20	0.0	\$0.00		\$0.00	0.00	\$0.00
58	8-22	Type 1 White Button	0.2	HUN	115.00	\$ 23.00	0.00	\$0.00		\$0.00	0.00	\$0.00
59	8-22	Type 2 Blue Two Way ReflectORIZED Raised Pavemen Marker	0.8	HUN	345.00	\$ 276.00	0.00	\$0.00		\$0.00	0.00	\$0.00
60	8-30	Wood Bollard	4	EA	920.00	\$ 3,680.00	0.0	\$0.00		\$0.00	0.00	\$0.00
					\$1,212,917.28		Sub Total	\$210,026.23	Sub Total	\$0.00	Sub Total	\$210,026.23
							Amount Due	\$210,026.23			Amount Paid	\$210,026.23

I HERBY CERTIFY THAT THE WAGES HAVE BEEN PAID IN ACCORDANCE WITH RCW 39.12 (PREVAILING WAGES) AND THE FEDERAL DAVIS-BACON AND RELATED ACTS (DBRA).

KAMINS CONSTRUCTION, INC.

 CHAD KAMINS

Approved for Payment
 BARS Code #: 318-318-51530-6360
 Signature: *Marcus Judge*
 Date: 7/15/2020

[Handwritten Signature]
 7-29-2020


BUDGET

HERON PARK UPGRADES \$40,000
 ACTUALS TO DATE \$120,248
 PAY ESTIMATE 2 \$85,993
 REMAINING \$203,759

NEPTUNE

JAB

City of Mill Creek
Heron Park Play Area Upgrades

Contractor: Neptune Marine LLC
 Address: 14598 Dogwood Lane
 Mount Vernon, WA 98273-4778
 Contact: Travis Crabb - 360.333.2064

Contract No.:
 Estimate No.: 2
 Payment Period Ending: 7/9/2020
 Billing Date: 7/9/2020
 Due Date: 7/25/2020

CONTRACT SUMMARY

	Original Contract Amount	Current Contract Amount	Previous Estimate	This Estimate	Total To Date
Original Contract	\$294,500.00	\$294,500.00	\$57,695.50	\$77,821.75	\$135,517.25
Sales Tax @ 10.5%	\$30,922.50	\$30,922.50	\$6,058.03	\$8,171.28	\$14,229.31
TOTALS - CONTRACT	\$325,422.50	\$325,422.50	\$63,753.53	\$85,993.03	\$149,746.56

Less Retainage (0%)

\$0.00

TOTAL CONTRACT PAYMENT DUE THIS ESTIMATE

\$85,993.03

Percent of Contract Complete:

46.0%

I HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT ESTIMATE; THAT THE WORK WAS ACTUALLY PERFORMED AND MATERIAL FURNISHED; AND THAT THE AMOUNT IS JUST AND DUE ME.

Travis Crabb 07/09/2020

By: _____ Date: _____
 Travis Crabb - Neptune Marine, LLC

Reviewed and recommended for payment:

By: Irving Trejo Date: 7/27/2020
 City of Mill Creek

Approved for payment:

By: Matthew Fuley Date: 7/27/2020
 Public Works Director/City Engineer

APPROVED FOR PAYMENT

Project # Heron Park Play Area Upgrades

Bars Code # 317-317-594-76-6337

Signature [Signature]

Date 7-30-2020

PROJECT NAME: Heron Park Play Area Upgrades											
Contractor: Neptune Marine LLC 1004 Commercial Ave. Box #250 Anacortes, WA 98221						PE: 2 Billing Date: 7/9/2020 Start Date: 6/11/2020 End Date: 7/9/2020					
Item No.	Item Description	Unit	Original Contract			Previously Approved		Current Request		Total to Date	
			Bid Quantity	Unit Price	Bid Amount	Quantity	Dollar Amount	Quantity	Dollar Amount	Total	Percent Complete
1	All Base Bid Items	LS	0	\$275,000.00	\$0.00						
	Mobilization	LS	1	\$18,950.00	\$18,950.00	100%	\$18,950.00	0%	\$0.00	\$18,950.00	100.0%
	Install Temporary Fencing	LS	1	\$1,500.00	\$1,500.00	100%	\$1,500.00	0%	\$0.00	\$1,500.00	100.0%
	TESC	LS	1	\$850.00	\$850.00	100%	\$850.00	0%	\$0.00	\$850.00	100.0%
	Donor Plague	LS	1	\$1,200.00	\$1,200.00		\$0.00	0%	\$0.00	\$0.00	
	Remove & Replace Trash Cans	LS	1	\$7,000.00	\$7,000.00		\$0.00	25%	\$1,750.00	\$1,750.00	25.0%
	Playground Equipment	LS	1	\$131,825.00	\$131,825.00		\$0.00	0%	\$0.00	\$0.00	0.0%
	Remove and Replace Asphalt	LS	1	\$15,120.00	\$15,120.00	50%	\$7,560.00	50%	\$7,560.00	\$15,120.00	100.0%
	Remove & Replace Concrete Flatwork	LS	1	\$19,580.00	\$19,580.00	60%	\$11,748.00	40%	\$7,832.00	\$19,580.00	100.0%
	Water Fountain	LS	1	\$7,800.00	\$7,800.00		\$0.00	100%	\$7,800.00	\$7,800.00	100.0%
	Painting-Replace Damaged Wood	LS	1	\$17,000.00	\$17,000.00		\$0.00	100%	\$17,000.00	\$17,000.00	100.0%
	Roofing	LS	1	\$34,175.00	\$34,175.00	50%	\$17,087.50	50%	\$17,087.50	\$34,175.00	100.0%
	Minor Changes	LS	1	\$20,000.00	\$20,000.00		\$0.00	39%	\$7,792.25	\$7,792.25	0.0%
	Additive Items:										
1	Repair and Upgrade Picnic Shelter Restroom Floor	LS	1	\$5,000.00	\$5,000.00		\$0.00	0%	\$0.00	\$0.00	0.0%
2	Upgrade Picnic Shelter Exhaust Fan with Occupancy Sensors	LS	1	\$2,000.00	\$2,000.00		\$0.00	0%	\$0.00	\$0.00	0.0%
3	Clean and Seal Exterior Picnic Shelter Brick and CMU Surfaces	LS	1	\$3,500.00	\$3,500.00		\$0.00	100%	\$3,500.00	\$3,500.00	100.0%
4	Replace Picnic Shelter Restroom Doors and Door Hardware	LS	0	\$6,000.00	\$0.00		\$0.00	0%	\$0.00	\$0.00	0.0%
5	Irrigation Updates	LS	1	\$6,000.00	\$6,000.00		\$0.00	75%	\$4,500.00	\$4,500.00	75.0%
6	Parking Lot Paving and ADA Striping	LS	1	\$3,000.00	\$3,000.00		\$0.00	100%	\$3,000.00	\$3,000.00	100.0%
Contract Total					\$294,500.00						
Total This Estimate						\$57,695.50		\$77,521.75	\$135,517.25		46.0%
WA St. Sales Tax (10.5%)					\$30,922.50	\$6,068.03		\$8,171.28	\$14,229.31		
Retainage					\$0.00	\$0.00		\$0.00	\$0.00		
TOTAL					\$325,422.50	\$63,753.53		\$85,993.03	\$149,746.56		



Combined Excise Tax Return

600-598-011
CITY OF MILL CREEK

Filing Period: July 31, 2020

Due Date: August 25, 2020

Filing Frequency: Monthly

Business & Occupation

Tax Classification	Gross Amount	Deductions	Taxable Amount	Tax Rate	Tax Due
Retailing	16.29	16.29	0.00	0.004710	0.00
Service and Other Activities (\$1 million or greater in prior year)	1,059.83	0.00	1,059.83	0.017500	18.55
Total Business & Occupation					18.55

State Sales and Use

Tax Classification	Gross Amount	Deductions	Taxable Amount	Tax Rate	Tax Due
Retail Sales	16.29	0.00	16.29	0.065000	1.06
Total State Sales and Use					1.06

Deductions

Tax Classification	Deduction	Amount
Business & Occupation		
Retailing	Other: Governmental	16.29

Credits

	Amount	
Service & Other SBC	18.55	
Total Credits		18.55

Local City and/or County Sales Tax

Location	Taxable Amount	Tax Rate	Tax Due
3119 - MILL CREEK	16.29	0.040000	0.65
Total Local City and/or County Sales Tax			0.65

Total Tax	20.26
Total Credits	18.55

Subtotal 1.71
Total Amount Owed 1.71

Prepared By: Andrea Dowell
E-Mail Address: andrea@dowellconsulting.com
Submitted Date: 8/12/2020
Confirmation #: 0-015-616-658

Payment Type: ACH Debit/E-Check
Amount: \$1.71 ✓
Effective Date: 8/12/2020 ✓



Funds Transfer Request Authorization (FTRA)

Customer Information

Name: MILL CREEK, WA CITY OF Address: 15728 MAIN ST
 Phone: (425)921-5723 MILL CREEK
 WA 980121518 US

Account Information

Account:
 Account Title: CITY OF MILL CREEK TREASURER
 CHECKING
 Requestor Name: MICHAEL CIARAVINO

Wire Information

Wire Type: DOMESTIC Wire Date: 08/25/2020
 Country: US Wire Amount (USD): 2,685.85 ✓
 Currency of Recipient Account: USD Wire Fee: 0.00
 Source: IN PERSON
 ID Verification/Type: U.S. DRIVER'S LICENSE (WITH OR WITH
 ID Verification/Type: MAJOR CREDIT CARD FROM ANOTHER FINA

Recipient Information

Recipient Name: 76 FLEET WEX BANK Bank Name: BMO HARRIS BANK NATIONAL ASSOCIATION
 Account Number Type: ACCOUNT NUMBER Bank ID:
 Account Number: Address: 111 W MONROE ST
 Address: 97 DARLING AVE CHICAGO
 PORTLAND IL 60603 US
 OREGON US

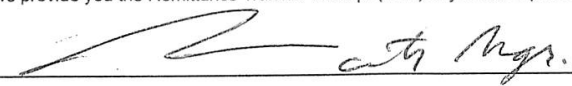
Information about payment:

Purpose of Payment: OTHER Additional Phone Advice:
 Additional Reference Information: CITY OF MILL CREEK INVOICE NO: 66819524 Additional Bank Instructions:
 ACCOUNT: 0201-00-105815-3

City of Mill Creek funds

Customer Approval

I authorize Bank of America to transfer my funds as set forth in the instructions herein (including debiting my account if applicable), and agree that such transfer of funds is subject to this Funds Transfer Agreement (see disclosure pages of this form) and applicable fees. If this is a foreign currency wire transfer, I accept the conversion rate provided by Bank of America at the time the wire is sent. Exchange rates are determined by Bank of America, N.A. in our sole discretion. You may be able to get a better exchange rate if you handle this transaction online instead of in the financial center. Please see the Funds Transfer Agreement for further information regarding our exchange rates. For a Consumer International wire: We rely on you, the customer, to inform us of the currency of the receiving account (denoted under 'Currency of Recipient Account') so that we may disclose the exchange rate for conversion in the wire process. If you chose to send USD rather than the foreign currency of the receiving account, we will honor your choice, however, we will not be able to provide exchange rate information. Additionally, so that we may provide required disclosures, you must remain in the financial center until we provide you the Remittance Transfer Receipt (RTR). If you leave prior to receiving the RTR, we will cancel the international remittance transfer.

Customer Signature  Date of Request 8/25/20

IMPORTANT: FOR EACH WIRE Indicate Method of Signature Verification: (must complete one of the below)

<p>Not Applicable (check box if no signature verification is required)</p> <input type="checkbox"/>	<p>Signature Card (check box if signature card was reviewed)</p> <input type="checkbox"/>	<p>Business Resolution (check box if business resolution was reviewed)</p> <input type="checkbox"/>	<p>Posted Check# (reference PRO for date guidelines)</p> <p>(complete field below)</p> <p>Check # _____</p>	<p>Leader Exception Granted (leader must place their initials or signature in box below)</p> <div style="border: 1px solid black; height: 20px; width: 100%;"></div> <p>Exception Reason: _____</p>
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FOR BANK USE ONLY: Financial Center Information

Financial Center Name	MILL CREEK BANKING CENTER	Date:	August 25, 2020
Company #/Cost Center #:	00353 0037019	Phone #:	425-481-5498
Initiating Associate Name:	SHARMA, MANINDERJEET	Remittance ID #:	VN64QLMFU



RECEIVED

AUG 10 2020

CITY OF MILL CREEK

Invoice Statement

INVOICE NUMBER: 66819524
ACCOUNT NAME: City of Mill Creek

PAGE 1

ACCOUNT NUMBER	CREDIT LIMIT	DAYS THIS PERIOD	BILL CLOSING DATE	PAYMENT DUE DATE	AMOUNT DUE
0201-00-105915-3	14,800.00	31	JUL-31-2020	AUG-21-2020	2,685.85

DATE	ACTIVITY DESCRIPTION	CHARGES / DEBITS	PAYMENTS / CREDITS
JUL-21-2020	Payment - Thank You		2,600.36
JUL-31-2020	Fuel Purchases	2,696.02	
JUL-31-2020	Other Adjustments this Period	10.00	
JUL-31-2020	Rebates and Rebate Reversals		20.17

REMINDER
PLEASE BE SURE TO INCLUDE REMITTANCE STUB WITH PAYMENT. MAIL TO THE ADDRESS SHOWN IN THE RIGHT PORTION OF THE REMITTANCE STUB.

APPROVED FOR PAYMENT

Project # Fuel for City Vehicles - July

Bars Code # _____

Signature JG

Date 08/10/2020

The Finance Charge is determined by applying a periodic rate of 6.99%

PURCHASES, RETURNS AND PAYMENTS MADE JUST PRIOR TO BILLING DATE MAY NOT APPEAR UNTIL THE NEXT INVOICE/STATEMENT.

PREVIOUS BALANCE	(-)PAYMENTS	(+)ACTIVITY THIS PERIOD	(-)SAVINGS THIS PERIOD	(=)NEW BALANCE
2,600.36	2,600.36	2,706.02	20.17	2,685.85

CALL CUSTOMER SERVICE TO PAY BY PHONE
FEDERAL TAX ID: 841425616

SEE REVERSE SIDE FOR IMPORTANT INFORMATION AND TERMS.
TO ENSURE PROPER CREDIT, TEAR AT PERFORATION AND INCLUDE BOTTOM PORTION WITH YOUR PAYMENT



76 Fleet

P.O. Box 639
Portland, ME 04104-0639

Fleet Manager
City of Mill Creek
15728 Main Street
Mill Creek, WA 98012

ACCOUNT NAME	City Of Mill Creek
ACCOUNT NUMBER	0201-00-105915-3
INVOICE NUMBER	66819524
BILL CLOSING DATE	JUL-31-2020
AMOUNT DUE	2,685.85
AMOUNT ENCLOSED	
PAYMENT DUE DATE	AUG-21-2020

PAYMENTS RECEIVED AFTER THIS DATE SUBJECT TO A FINANCE CHARGE.

Make check payable to: WEX BANK
To avoid processing delays, remit all payments to:



WEX BANK
P.O. BOX 6293
CAROL STREAM IL 60197-6293

02010010591534000000268585 200821

Accounts Payable

Checks by Date - Detail by Check Date

User: Jodieg
 Printed: 9/3/2020 5:04 PM



Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Void Checks	Check Amount
62267	911SUPPL	911 Supply Inc	07/30/2020		
	INV-2-2389	1 - Tac Lite Pro Pant - Citizen Patrol			22.00
	INV-2-2856	2 -Officer of the Year Medals, 2-Yrs of Service F			238.85
	INV-2-3318	2 - Plastic Rain Covers - Class A Hats			21.00
	INV-2-3608	50 - Commendation Award Bar Slide Holders			520.18
	INV-2-4137	Safariland External MOLLE Vest Carrier - C Wt			235.71
			Total for Check Number 62267:	0.00	1,037.74
62268	AMAZON	Amazon Capital Services	07/30/2020		
	1G4J-RNR1-LM7C	UPS Battery Replacement			35.35
	1MWC-3N16-JVF6	2 Boxes - Plastic Sheet Protectors (Investigation			30.66
	1NXH-41CL-346J	Car Cover/SUV Truck Cover & Tie Downs			169.76
			Total for Check Number 62268:	0.00	235.77
62269	APPDANST 7465	Applause Studio Inc Online - Superhero Hip Hop Camp: 4-7 Yrs #74	07/30/2020		168.00
			Total for Check Number 62269:	0.00	168.00
62270	BANKCARI	Bank of America	07/30/2020		
	1	LogMeIn Subscription			1,054.31
	10	Laminating Sheets for COVID Face mask Requi			44.18
	11	3 - 36" x 36" Protective Sneeze Guards - Passpo			828.72
	12	26 - New Trail Signs			88.59
	13	MyBuildingPermit.com Monthly Fee			59.95
	2	PRTG 500 - 12 Month Maintenance			371.88
	2A	International Trans. Fee - PRTG 500 - 12 Month			11.16
	3	Corrugated Plastic Signs Displayed in Parks			2,788.84
	4	1 - 35lb Bag Kinectic Performance Dog Food - F			54.49
	5	WAPRO Membership - N Fay			25.00
	6	WMCA Dues - N Fay			75.00
	7	HTP Suppressor Cover - R Phillips			100.00
	8	USS Ralph Johnson Books & Thank You Cards			77.23
	9	36" x 36" Protective Sneeze Guard - Passports			276.24
			Total for Check Number 62270:	0.00	5,855.59
62271	BANKCR16	Bank of America	07/30/2020		
	1	Batteries for Mouse			8.83
	2	Mandatory Training - AICP Credits - C Schmidt			125.00
			Total for Check Number 62271:	0.00	133.83
62272	BENEAD 2007510	Benefit Administration Co, LLC Section 125 Flexible Benefits Plan - July	07/30/2020		128.00
			Total for Check Number 62272:	0.00	128.00
62273	BANKCR20	Business Card	07/30/2020		

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Void Checks	Check Amount
	1	Advance Warning Signs for Senior Graduation P			439.57
	2	Washers, Metric Hex Nuts - PW10			5.11
	3	Paint - Graffiti Coverup, Sign Cleaner			26.90
	3A	Passport Tape			12.66
	4	Casters for Moveable Wall - CHS Lobby			26.43
	5	Clamps, Ceiling Box Cover - Electrical - CHN			2.81
	6	Zip Ties - Temporary Signs			99.38
	7	Toilet Brush			10.94
					<hr/>
				Total for Check Number 62273:	0.00 623.80
62274	BANKCR27	Business Card	07/30/2020		
	1	6 - Hogue Less Lethal Shotgun Stock			428.04
	2	PRA Training - J Lee 07/29			35.00
					<hr/>
				Total for Check Number 62274:	0.00 463.04
62275	CELUSTKL 07/27/2020 07/27/2020A	Larry Celustka Amended Separation Agreement/General Release Amended Separation Agreement/General Release	07/30/2020		
					<hr/>
				Total for Check Number 62275:	0.00 4,524.62
62276	CITYEVE 120003854	City of Everett Animals Brought to Shelter - June 2020	07/30/2020		
					<hr/>
				Total for Check Number 62276:	0.00 410.00
62277	CITYLYN 16571 16575 16576	City of Lynnwood Jail Room & Board - Jan 2020 Jail Room & Board - Feb 2020 Jail Room & Board - March 2020	07/30/2020		
					<hr/>
				Total for Check Number 62277:	0.00 2,017.00
62278	XCOTTENA 2002645.002	Ashley Cotten Refund Preschool Pals: Fall #7398 - Ender	07/30/2020		
					<hr/>
				Total for Check Number 62278:	0.00 100.00
62279	DLYJOURC 3357892	Daily Journal of Commerce BC: Mill Creek Demolition - Church Property	07/30/2020		
					<hr/>
				Total for Check Number 62279:	0.00 312.00
62280	DEPTECOG RS-000000077	Department of Ecology Stormwater Action Monitoring - FY02020	07/30/2020		
					<hr/>
				Total for Check Number 62280:	0.00 9,336.00
62281	WASTDTR RE 41JA9518L012	Washington State Dept. of Transportation 3 CY De-Icer/Salt Mixture	07/30/2020		
					<hr/>
				Total for Check Number 62281:	0.00 473.29
62282	DVIPROSR 00003-079-224	Diversified Professional Services Refund Overpayment Business License Applicat	07/30/2020		
					<hr/>
				Total for Check Number 62282:	0.00 50.00
62283	XDVORKN 2002569.002	Nadezhda Dvorkina Refund Adventures in Art - Summer Fun Camp #	07/30/2020		
					<hr/>
				Total for Check Number 62283:	0.00 150.00

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Void Checks	Check Amount
	2002570.002	Refund Adventures in Art - Summer Fun Camp #			150.00
			Total for Check Number 62283:	0.00	300.00
62284	XENGELA 1019355.001 2002651.002 2002653.002	Amy Engel Refund Preschool Pals: Winter #7405 - Crosby Refund Preschool Pals: Fall #7404 - Crosby Refund Preschool Pals: Spring #7406 - Crosby	07/30/2020		100.00 100.00 100.00
			Total for Check Number 62284:	0.00	300.00
62285	XFRASERE 2002578.002 2002579.002	Erin Fraser Refund Summer Basketball Camp #7572 - Augie Refund Summer Basketball Camp #7572 - Jan	07/30/2020		130.00 130.00
			Total for Check Number 62285:	0.00	260.00
62286	XGAUTRV 2002632.002	Valerie Gautreaux Refund Junior Tennis Camp: 8-12 Yrs #7581 - W	07/30/2020		100.00
			Total for Check Number 62286:	0.00	100.00
62287	XGIBSONA 2002642.002	Allison Gibson Refund KLS Soccer: Mommy/Daddy & Me #748:	07/30/2020		90.00
			Total for Check Number 62287:	0.00	90.00
62288	GOVQA 1357-200731	GovQA GovQA License Renewal (4 Licenses) 07/31/202	07/30/2020		20,713.23
			Total for Check Number 62288:	0.00	20,713.23
62289	XHALLN 2002571.002 2002573.002	Nellie Hall Refund STEEL Soccer Camp #7574 - Isaac Refund Mad Science: Crazy Chemworks #7412	07/30/2020		155.00 205.00
			Total for Check Number 62289:	0.00	360.00
62290	HEATHI Reimb Heath	Ilia Heath Reimburse Lunch - FBI-Leeda Conference - I H	07/30/2020		85.00
			Total for Check Number 62290:	0.00	85.00
62291	XLAISH 2002647.002 2002649.002	Lais Heather Refund Preschool Pals: Fall #7398 - Charlotte Refund Preschool Pals: Winter #7399 - Charlotte	07/30/2020		100.00 100.00
			Total for Check Number 62291:	0.00	200.00
62292	XHEWESK 2002586.002	Kasey Hewes Refund Play-Well TEKology: Jedi Starship #74	07/30/2020		185.00
			Total for Check Number 62292:	0.00	185.00
62293	HORIZON 2M097991 2M098018	Horizon Distributors Inc Fertilizer & Supplies - Exploration Park Fertilizer - Exploration Park	07/30/2020		229.04 81.49
			Total for Check Number 62293:	0.00	310.53
62294	XHUANGP 2002580.002	Patricia Huang Refund Mad Science: Super Science Sampler #7	07/30/2020		205.00

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Void Checks	Check Amount
			Total for Check Number 62294:	0.00	205.00
62295	ICMA1 999522	ICMA Membership Renewals Annual Membership Dues - S Eastman	07/30/2020		175.00
			Total for Check Number 62295:	0.00	175.00
62296	IISC 119336	Intrado Interactive Services Corporation CivicLive - Support & Maintenance Renewal	07/30/2020		1,571.15
			Total for Check Number 62296:	0.00	1,571.15
62297	ISO CW241691 CW241691A	ISOOutsource It Consultant/Tech Support It Consultant/Tech Support	07/30/2020		2,042.36 782.00
			Total for Check Number 62297:	0.00	2,824.36
62298	IWORQSYS 192727	iWorQ Systems, Inc Renewal-Sign Mgmt & Software Mgmt Support	07/30/2020		1,000.00
			Total for Check Number 62298:	0.00	1,000.00
62299	KAMINS Pay Est #1	Kamins Construction, Inc 2020 Sea Hill Rd Pavement Restore Project Thru	07/30/2020 VOID	210,026.23	
			Total for Check Number 62299:	210,026.23	0.00
62300	KLEIJ Lenses Mar2020-Jun2020	John Klei Reimburse Lenses Reimburse Medicare Part B (4x \$144.60) - Mar2	07/30/2020		300.00 578.40
			Total for Check Number 62300:	0.00	878.40
62301	XKOEPKK 2002646.002	Kaela Koepke Refund Preschool Pals: Fall #7398 - August	07/30/2020		100.00
			Total for Check Number 62301:	0.00	100.00
62302	LANEP 3831237 3831238 3831240 3831241	Lanepowell Prof Legal Svcs - General Employment - June Prof Legal Svcs - Public Records Act Lawsuit - J Prof Legal Svcs - City Attorney - June Prof Legal Svcs - General Construction - June	07/30/2020		93,483.40 715.50 20,662.50 14,348.85
			Total for Check Number 62302:	0.00	129,210.25
62303	LAROSSES Reimb LaRose	Scot LaRose Medical SWAT Tourniquet - S Larose	07/30/2020		17.54
			Total for Check Number 62303:	0.00	17.54
62304	XLEIBRAS 2002657.002	Stephanie Leibrant Refund Preschool Pals: Fall #7401 - Owen	07/30/2020		100.00
			Total for Check Number 62304:	0.00	100.00
62305	XMARGINC 2002575.002	Corina Margineanu Refund Summer Basketball Camp #7572 - Ethan	07/30/2020		130.00
			Total for Check Number 62305:	0.00	130.00

AGENDA ITEM #F.

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Void Checks	Check Amount
62306	XMARQUZ 2002634.002	Michael Marquez Refund Junior Tennis Camp: 8-12 Yrs #7581 - N	07/30/2020		100.00
				Total for Check Number 62306:	0.00 100.00
62307	XMCDONL 2002517.002 2002641.002	Ari McDonald Refund Move Over Mozart Piano #7444 - Becke Refund KLS Soccer: Mommy/Daddy & Me #74:	07/30/2020		121.00 90.00
				Total for Check Number 62307:	0.00 211.00
62308	XMCFADD 2002574.002	Gregory McFadden Refund Mad Science: Super Science Sampler #7:	07/30/2020		205.00
				Total for Check Number 62308:	0.00 205.00
62309	XMITCHA 2002644.002 2002648.002 2002650.002	Abigail Mitchell Refund Preschool Pals: Fall #7398 - Bailey Refund Preschool Pals: Winter #7399 - Bailey Refund Preschool Pals: Spring #7400 - Bailey	07/30/2020		432.00 400.00 320.00
				Total for Check Number 62309:	0.00 1,152.00
62310	XMUELLR 2002625.002 2002630.002 2002631.002	Johanna Mueller Refund Junior Tennis Camp: 5-7 Yrs #7579 - Jak Refund Junior Tennis Camp: 8-12 Yrs #7581 - C Refund Junior Tennis Camp: 8-12 Yrs #7581 - K	07/30/2020		50.00 100.00 100.00
				Total for Check Number 62310:	0.00 250.00
62311	XMUSTEL 2002572.002	Michele Mustell Refund Science Matters #7418 - Colton	07/30/2020		60.00
				Total for Check Number 62311:	0.00 60.00
62312	NELSNTRK 686484A	Nelson Truck Equipment Replacement for Check # 61731 - Inv. 686484	07/30/2020		1,305.06
				Total for Check Number 62312:	0.00 1,305.06
62313	NEPMARIN Estimate 2	Neptune Marine Heron Park Play Area Upgrades 06/11 - 07/09	07/30/2020 VOID	85,993.03	
				Total for Check Number 62313:	85,993.03 0.00
62314	OCEANSYS Q20-19,719	Ocean Systems, a Division of DTI PD Digital Evidence Software Renewal - 1 Yr	07/30/2020		1,294.00
				Total for Check Number 62314:	0.00 1,294.00
62315	OMWATT 841289	Ogden Murphy Wallace Attorneys Prof Legal Services - Franchises - Apr	07/30/2020		342.00
				Total for Check Number 62315:	0.00 342.00
62316	XOKK 2002636.002	Kwang Ok Refund Junior Tennis Camp: 8-12 Years #7581 -	07/30/2020		100.00
				Total for Check Number 62316:	0.00 100.00
62317	XOTTEMNR 2002626.002	Ruth Otteman Refund Junior Tennis Camp: 5-7 Yrs #7579 - Ru	07/30/2020		50.00

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Void Checks	Check Amount
			Total for Check Number 62317:	0.00	50.00
62318	PACTOP 1-T1130973	Pacific Topsoils, Inc. Dump Brush - Tree Removal - CHS	07/30/2020		42.00
			Total for Check Number 62318:	0.00	42.00
62319	XPARIKHR 2002582.002 2002583.002	Reena Parikh Refund Summer Basketball Camp #7572 - Chait Refund Summer Basketball Camp #7572 - Kavi	07/30/2020		130.00 130.00
			Total for Check Number 62319:	0.00	260.00
62320	PAWS June 2020	PAWS Animals Brought to Shelter - June	07/30/2020		187.00
			Total for Check Number 62320:	0.00	187.00
62321	XPENDZCE 2002627.002	Elizabeth Pendzick Refund Junior Tennis Camp: 5-7 Yrs - Colby	07/30/2020		50.00
			Total for Check Number 62321:	0.00	50.00
62322	PERTEET 20160281.022-5 20160281.024-2	Perteet Inc Prof Svcs - 7 C's Swim School Submittal Review Prof Svcs - NPDES Phase II Permit-2019 Annua	07/30/2020		922.50 3,338.94
			Total for Check Number 62322:	0.00	4,261.44
62323	XPHANT 2002622.002	Trinh Phan Refund Adventures in Art - Road Trip USA Cam	07/30/2020		150.00
			Total for Check Number 62323:	0.00	150.00
62324	SNOCPUD 100438789 105384994 108693063 121907763 128498347 131817141 131817142 135107178 135114486 135123807 138332115 138333955 141626844 141639462 141646692 144963725 144976252 148266948 148268274 148272394 148274268 151564412 151570540 151571582 154816746 157997316	PUD No. 1 of Snohomish County Street Lights - 386 Lights - 100W 06/01 - 06/30 2725 Seattle Hill Rd 06/12 - 07/14 2720 Seattle Hill Rd 06/12 - 07/14 2024 Seattle Hill Rd 06/12 - 07/09 1700 Mill Creek Rd 05/23 - 06/26 14600 16th Ave SE 06/03 - 07/07 16110 1/2 29th Dr SE 05/28 - 06/30 15803 32nd Ave SE 05/09 - 06/10 3401 148th St SE 05/21 - 06/19 14810 35th Ave SE 06/11 - 07/14 14729 12th Ave SE 05/29 - 07/01 15803 32nd Ave SE 06/11 - 07/09 2725 Seattle Hill Rd 05/09 - 06/11 15510 Village Green Dr 05/28 - 06/29 13628 N Creek Dr 06/17 - 07/16 2024 Seattle Hill Rd 05/09 - 06/11 902 164th St SE 06/05 - 07/07 15429 Bothell Everett Hwy 06/05 - 07/08 15728 Main St 06/05 - 07/10 15720 Main St 06/17 - 07/16 13510 N Creek Dr 06/17 - 07/16 4842 SAC 06/05 - 07/08 15720 Main St Unit B 06/17 - 07/16 13903 N Creek Dr 06/17 - 07/16 13901 North Pointe Cir Irrig 06/06 - 07/09 14810 35th Ave SE 05/09 - 06/10	07/30/2020		1,389.60 17.82 17.82 34.59 76.86 22.35 123.68 19.42 21.50 42.50 18.36 21.04 18.36 17.82 129.23 41.24 36.62 23.97 1,665.83 1,544.28 43.01 59.95 321.02 434.17 18.36 47.92

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Void Checks	Check Amount
	158010396	15429 1/2 Bothell Everett Hwy	06/05 - 07/08		20.01
	164403227	1900 164th St SE	06/11 - 07/09		26.01
	164407034	928 Dumas Rd	06/17 - 07/16		89.48
			Total for Check Number 62324:	0.00	6,342.82
62325	PUGETSO 200004765331 200004765463	Puget Sound Energy 15720 Main St 15728 Main St	06/18 - 07/20 06/18 - 07/20		52.29 239.53
			Total for Check Number 62325:	0.00	291.82
62326	RICHARDR 07/01/2020	Robert Richardson Prof Svcs - Law Enforcement Consultant	05/18 -		760.42
			Total for Check Number 62326:	0.00	760.42
62327	SARUKHAN 0-003-085-533	Stanislav Sarukhanov Refund Overpayment Business License Applicat			50.00
			Total for Check Number 62327:	0.00	50.00
62328	XSCHATTA 2002576.002 2002577.002	Andrea Schattner Refund Summer Basketball Camp #7572 - Lucas Refund Summer Basketball Camp #7572 - Zack			130.00 130.00
			Total for Check Number 62328:	0.00	260.00
62329	XSHEEHYK 2002629.002	Kimberly Sheehy Refund Junior Tennis Camp: 8-12 Yrs #7581 - A			100.00
			Total for Check Number 62329:	0.00	100.00
62330	SNOCOSHO I000532711	Snohomish County Sheriff's Office Range Use - 8.5 Hours	06/15		493.00
			Total for Check Number 62330:	0.00	493.00
62331	SHREDIT 8180090740	Shred-It USA Inc Shredding Service Fee			78.53
			Total for Check Number 62331:	0.00	78.53
62332	SIPDIPND 7605	Sip Dip-n-Doodle LLC Online - Canvas Painting: Sunflower #7605			63.70
			Total for Check Number 62332:	0.00	63.70
62333	SNOCOC 2020-6398	Snohomish County Corrections Jail Service Fee - June			8,253.83
			Total for Check Number 62333:	0.00	8,253.83
62334	SNOCTTR 28053100102200A	Snohomish County Treasurer 2020 Surface Water Mgmt Fee - Interest			24.30
			Total for Check Number 62334:	24.30	0.00
62335	SNOTREEC 1386	Snohomish Tree Company Dead Tree Removal - Nickel Creek Park			1,215.50
			Total for Check Number 62335:	0.00	1,215.50

AGENDA ITEM #F.

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Void Checks	Check Amount
62336	SNDPUBIN EDH898331 EDH900259	Sound Publishing Inc Public Hearing - MCMC Amendment - FEMA Binding Site Plan - Public Hearing	07/30/2020		65.16 59.73
Total for Check Number 62336:				0.00	124.89
62337	SDISTCRT 1000532358 1000532358A	South District Court Filing Fees - SD Court - June Interpreter Costs - June	07/30/2020		3,917.46 573.19
Total for Check Number 62337:				0.00	4,490.65
62338	STARDMSV 0124336-IN 0124336-IN1 0124336-IN2 0124336-IN3	Stardom Services Inc July Services - Janitorial - CHS July Services - Janitorial - CHN July Services - Janitorial - Extra Friday Service - July Services - Janitorial - Extra Friday Service -	07/30/2020		1,105.40 1,349.60 175.00 125.00
Total for Check Number 62338:				0.00	2,755.00
62339	XSTENSBM 2002596.002 2002606.002	Mehgan Stensby Refund KLS Soccer: 1 #7500 - Ivadelle Refund KLS Soccer: 2 #7504 - Kensington	07/30/2020		90.00 90.00
Total for Check Number 62339:				0.00	180.00
62340	STERICYC 3005183146	Stericycle Inc Biomedical Waste Service - Monthly Fee	07/30/2020		10.36
Total for Check Number 62340:				0.00	10.36
62341	TERMINIX 398539425	Terminix Processing Center Pest Control - WO# 17064372821 - MC Library	07/30/2020		95.03
Total for Check Number 62341:				0.00	95.03
62342	XTESSANR 2002638.002	Rico Tessandore Refund Junior Tennis Camp: 8-12 Yrs #7581 - Jc	07/30/2020		100.00
Total for Check Number 62342:				0.00	100.00
62343	USIC 375281 375281A	USIC Locating Services, LLC 44 Ticket Locates/1 AH 03/01 - 03/31 44 Ticket Locates/1 AH 03/01 - 03/31	07/30/2020		1,108.26 1,108.25
Total for Check Number 62343:				0.00	2,216.51
62344	XVALLADS 2002640.002	Valladolid Refund Experimenting w/Science #7420 - Eastor	07/30/2020		90.00
Total for Check Number 62344:				0.00	90.00
62345	XVANDIEJ 2002624.002	Jodie Van Diest Refund Junior Tennis Camp: 5-7 Yrs #7579 - Gr	07/30/2020		50.00
Total for Check Number 62345:				0.00	50.00
62346	VERIZON 9858848012	Verizon Wireless Access & Usage Chgs - City Cell Phones 06/17 -	07/30/2020		1,057.78
Total for Check Number 62346:				0.00	1,057.78
62347	XVISHNA	Anastasia Vishniakova	07/30/2020		

AGENDA ITEM #F.

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Void Checks	Check Amount
	2002620.002	Refund Music for Preschool #7440 - Andrey			65.00
	2002621.002	Refund Music for Preschool #7440 - Yulia			65.00
			Total for Check Number 62347:	0.00	130.00
62348	WALTNELS 768067	Walter E. Nelson Co. 3 - Cases Black Nitrile Gloves	07/30/2020		266.43
			Total for Check Number 62348:	0.00	266.43
62349	WAALARM 479403 492407 492407A 492407B 492407C	Washington Alarm Service Call - Transmitter, 2 Zone - CHN 3rd Qtr Monitoring Fees - CHS 3rd Qtr Monitoring Fees - CHN 3rd Qtr Monitoring Fees - MC Police 3rd Qtr Monitoring Fees - MCSP	07/30/2020		456.90 187.96 299.34 139.23 69.62
			Total for Check Number 62349:	0.00	1,153.05
62350	XWEIHERA 2002581.002	Amy Weiher Refund Mad Science: Super Science Sampler #7	07/30/2020		205.00
			Total for Check Number 62350:	0.00	205.00
62351	WHPACIFI 169561	WHPacific, Inc Prof Svcs - SHR CM/Matis Testing 05/21 - 06/21	07/30/2020		3,671.64
			Total for Check Number 62351:	0.00	3,671.64
62352	WINSUPP 038354 01 038621 01	Winsupply Company Irrigation Supplies - MCSP Irrigation Supplies - SHR	07/30/2020		35.88 351.04
			Total for Check Number 62352:	0.00	386.92
62353	XWOOTENI 2002637.002	Emi Wooten Refund Junior Tennis Camp: 8-12 Yrs #7581 - A	07/30/2020		100.00
			Total for Check Number 62353:	0.00	100.00
			Total for 7/30/2020:	296,043.56	229,996.52
62354	911SUPPL INV-2-3309 INV-2-3957 INV-2-4136 INV-2-4170 INV-2-4269 INV-2-4270	911 Supply Inc 3 - S/S Polo Shirts & 3 Pr Pants - T Bridgman 911 Supply DCS Striping, Hero's Three 5/8" Stars 6 - Premier Gold Bullion Stars/Patch Install - S E Safariland Bullet Proof Vest - R Fleming Hero's 2 Color Stripe on Felt - S Eastman Chameleon Softshell Jacket w/Heat Press - S Ea	08/14/2020		260.63 51.68 33.15 1,327.11 27.50 181.49
			Total for Check Number 62354:	0.00	1,881.56
62355	ADPLLC 561770027	ADP, LLC ADP Workforce Now 07/13, ADP Payroll Service	08/14/2020		1,417.43
			Total for Check Number 62355:	0.00	1,417.43
62356	ALDWTR 00320003-01 01100176-01 01300169-01	Alderwood Water District Seattle Hill Rd I/R 05/21 - 07/20 Median 4 & 5 I/R 05/22 - 07/21 1901 Mill Fern Dr SE I/R Median 05/21 - 07/21	08/14/2020		72.68 75.24 220.52

AGENDA ITEM #F.

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Void Checks	Check Amount
	01550006-01	16011 28th Dr SE I/R 05/21 - 07/20			85.48
	02170002-01	Seattle Hill Rd I/R 05/21 - 07/20			72.68
	02460002-01	155 Village Grn Dr I/R 05/22 - 07/21			139.88
	02470001-01	155 Village Grn Dr/Heron Pk 05/22 - 07/21			200.74
	03050003-01	15933 29th Dr SE I/R 05/21 - 07/20			108.52
	03095000-01	16220 27th Dr SE I/R 05/21 - 07/20			72.68
	03805002-01	16217 27th Dr SE I/R 05/21 - 07/20			85.48
	03865000-01	16205 25th Dr SE I/R 05/21 - 07/20			70.36
	04900159-01	Seattle Hill Rd I/R 05/21 - 07/20			72.68
	05400166-01	Median Number 6 I/R 05/21 - 07/21			139.88
	05590004-02	15720 Mill Creek Blvd D/C 05/22 - 07/21			15.20
	05600177-03	15720 Main Street 05/22 - 07/21			535.68
	05700181-01	15728 Main St I/R 05/22 - 07/21			438.38
	05702001-01	15728 Main St D/C 05/22 - 07/21			15.20
	05705005-01	15728 Main Street 05/22 - 07/21			360.20
	06900173-02	1300 156th Pl SE I/R 05/21 - 07/21			47.72
	07850004-01	16101 Highland Blvd/Restr 05/21 - 07/20			200.74
	07855001-01	16101 28th Dr SE I/R 05/21 - 07/20			224.36
	07895001-01	16021 28th Dr SE I/R 05/21 - 07/20			77.80
	07900155-01	Seattle Hill Rd I/R 05/21 - 07/20			72.68
	08000152-01	Seattle Hill Rd I/R 05/21 - 07/20			72.68
	08300050-01	3310 157th Pl SE I/R 05/21 - 07/20			402.80
	08800024-01	Seattle Hill Rd I/R 05/21 - 07/20			72.68
	08900020-01	Seattle Hill Rd I/R 05/21 - 07/20			72.68
	09000017-01	Seattle Hill Rd I/R 05/21 - 07/20			72.68
	09080000-01	14600 Mill Creek Blvd I/R 05/22 - 07/21			52.84
	09100016-01	Seattle Hill Rd I/R 05/21 - 07/20			72.68
	13233000-01	15200 Mill Creek Blvd I/R 05/21 - 07/21			32.36
	25703000-01	14725 32nd Dr SE I/R 05/22 - 07/21			72.68
	26070000-01	15803 32nd Ave SE 05/21 - 07/20			200.74
	26467000-01	1900 164th St SE 05/21 - 07/20			72.68
	26468000-01	1900 164th St SE 05/21 - 07/20			108.52
	33254000-01	14725 32nd Dr SE 05/22 - 07/21			200.74
	34493000-01	15720 Main St I/R 05/22 - 07/21			204.80
			Total for Check Number 62356:	0.00	5,116.34
62357	INTEGRA 16971801	Allstream T-1 Monthly Chgs - August	08/14/2020		711.14
			Total for Check Number 62357:	0.00	711.14
62358	AMAZON 1479-MCX4-9MCJ 1MFN-QHPP-NWRK 1XJL-6DD1-6RYL 1YTC-VWLG-4J93	Amazon Capital Services AC Adapter - Brother P-Touch NextClimb Flat Magnetic Tape Strips - Records Jumbo Dry erase Laminated Wall Calendar-PW Yellow Reflective Foil Pavement Marking Tape	08/14/2020		26.28 32.15 46.34 59.29
			Total for Check Number 62358:	0.00	164.06
62359	APPDANST 7467	Applause Studio Inc Online - Tip Toes and Tiaras Camp: 4-7 Yrs #74	08/14/2020		56.00
			Total for Check Number 62359:	0.00	56.00
62360	BCS 2020-MC7	Bridge Coordination Services DV Services - July	08/14/2020		2,884.20
			Total for Check Number 62360:	0.00	2,884.20
62361	BRIDPETS	Bridges Pets	08/14/2020		

AP Checks by Date - Detail by Check Date (9/3/2020 5:04 PM)

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Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Void Checks	Check Amount
	8052358	1 - Sport Dog Orange Dummy - Hondo			9.82
	8052359	1 - Sport Dog Toy - Hondo			9.82
			Total for Check Number 62361:	0.00	19.64
62362	CITYWIDE 37742	City Wide Fence Company Inc Installed Bollards Around Propane Tank	08/14/2020		2,232.10
			Total for Check Number 62362:	0.00	2,232.10
62363	CODPUBCO 67436	Code Publishing Company Standard Web Hosting/Document Hosting: Polic	08/14/2020		580.00
			Total for Check Number 62363:	0.00	580.00
62364	COMCAST 849831021072434	Comcast Internet for ITS 08/14 - 09/13	08/14/2020		106.42
			Total for Check Number 62364:	0.00	106.42
62365	PIGSKIN 2020-15	Denise Freeman Uniform Repairs - M Schurmeyer	08/14/2020		86.80
			Total for Check Number 62365:	0.00	86.80
62366	DEPTECOG 2020WAR30916275	Department of Ecology SHR Pavement Preservation -Stormwater Const.	08/14/2020		52.71
			Total for Check Number 62366:	0.00	52.71
62367	DOWELLCN 2020.07.002	Andrea Dowell Prof Svcs - Financial Consultant - July	08/14/2020		3,330.00
			Total for Check Number 62367:	0.00	3,330.00
62368	EMSECDEP 20-028199-RDUC5	Employment Security Depart Work History Research, Civil Seizures - 2020-35	08/14/2020		13.50
			Total for Check Number 62368:	0.00	13.50
62369	FELDMAJ 0003 0004	Feldman & Lee, P.S. Public Defender Contract - June Public Defender Contract - July	08/14/2020		5,914.00 7,970.00
			Total for Check Number 62369:	0.00	13,884.00
62370	HEILOSTF 604641511	Heilo Staffing, Inc. Refund Overpayment - Business License	08/14/2020		50.00
			Total for Check Number 62370:	0.00	50.00
62371	ISO CW242091 CW242411	ISOsource IT Consultant & Tech Support 07/01 - 07/31 Remote Desktop Support Services - Tier 1 Supp	08/14/2020		3,631.06 7,679.01
			Total for Check Number 62371:	0.00	11,310.07
62372	KCDA 300492436	KCDA Purchasing Cooperative Post-it-Pads - PD/Admin, Chair Mat - PD Recon	08/14/2020		88.30
			Total for Check Number 62372:	0.00	88.30
62373	LISAHMSC	Lisa's HomeSchooling Services	08/14/2020		

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Void Checks	Check Amount
	604381337	Refund Overpayment - Business License			50.00
			Total for Check Number 62373:	0.00	50.00
62374	MALTBYCN 47731	Maltby Container Recycling & Demolition Demolition Services - Church Property/Cook Pr	08/14/2020		54,587.00
			Total for Check Number 62374:	0.00	54,587.00
62375	XMARQUZ 2002633.002	Michael Marquez Refund Junior Tennis Camp: 8-12 Yrs #7581 - R	08/14/2020		100.00
			Total for Check Number 62375:	0.00	100.00
62376	XMEHRABF 1019329.001 2002654.002 2002656.002	Parisa Mehrabkhani Refund Preschool Pals: Winter 2021 #7402 - Del Refund Preschool Pals: Fall 2020 #7401 - Delnis Refund Preschool Pals: Spring 2021 #7403 - Del	08/14/2020		100.00 100.00 100.00
			Total for Check Number 62376:	0.00	300.00
62377	XOKK 2002635.002	Kwang Ok Refund Junior Tennis Camp: 8-12 Yrs #7581 - Jr	08/14/2020		100.00
			Total for Check Number 62377:	0.00	100.00
62378	OREILLY 2986-263523	O'Reilly Automotive Inc 8" Brush - PW Shop Supplies	08/14/2020		14.35
			Total for Check Number 62378:	0.00	14.35
62379	Otak 000072000270 000072000270A	Otak, Inc., Prof Svcs - MC Blvd Corridor Subarea Plan Thru Prof Svcs - MC Blvd Corridor Subarea Plan Thru	08/14/2020		1,318.35 3,076.15
			Total for Check Number 62379:	0.00	4,394.50
62380	PACAIR 32032	Pacific Air Control, Inc. HVAC Repair - HHP-14	08/14/2020		969.11
			Total for Check Number 62380:	0.00	969.11
62381	ELLITIRE 064462014029	PepBoys-Remittance Dept LOF, Front Catalytic Converters, Turbos - Car #	08/14/2020		7,212.60
			Total for Check Number 62381:	0.00	7,212.60
62382	PILCHVT 680701 684130	Pilchuck Vet Hospital Medical Procedure - Hondo Recheck Exam, Bordetella - Hondo	08/14/2020		628.11 131.49
			Total for Check Number 62382:	0.00	759.60
62383	PLANTSCP 50424E 50506E 50506E1 50506E10 50506E11 50506E12 50506E13 50506E14	Plantscapes Horticultural Services Landscape Maint - Jan Landscape Maint - CHS - Feb Landscape Maint - CHN - Feb Landscape Maint - Silver Crest Park - Feb Landscape Maint - Buffalo Park - Feb Landscape Maint - R/W Medians - Feb Landscape Maint - ST Medians - Feb Landscape Maint - Interior Medians - Feb	08/14/2020		110.50 98.85 43.69 76.19 250.12 1,173.21 1,319.38 111.80

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Void Checks	Check Amount
	50506E15	Landscape Maint - Nickel Creek Park - Feb			107.27
	50506E2	Landscape Maint - MC Library - Feb			94.94
	50506E3	Landscape Maint - Library Park - Feb			167.51
	50506E4	Landscape Maint - Heron Park - Feb			182.33
	50506E5	Landscape Maint - MC Sports Park - Feb			150.52
	50506E6	Landscape Maint - Highland Park - Feb			340.69
	50506E7	Landscape Maint - Pine Meadows Park - Feb			371.10
	50506E8	Landscape Maint - Cougar Park - Feb			342.20
	50506E9	Landscape Maint - Hillside Park - Feb			195.32
	50616E	Landscape Maint - CHS - March			197.71
	50616E1	Landscape Maint - CHN - March			87.38
	50616E10	Landscape Maint - Cougar Park - March			684.38
	50616E11	Landscape Maint - Hillside Park - March			390.63
	50616E12	Landscape Maint - Silver Crest Park - March			152.37
	50616E13	Landscape Maint - Buffalo Park - March			500.23
	50616E14	Landscape Maint - Exploration Park - March			682.47
	50616E15	Landscape Maint - R/W Medians - March			1,173.21
	50616E16	Landscape Maint - Interior Medians - March			111.80
	50616E17	Landscape Maint - Ditches - March			1,756.33
	50616E2	Landscape Maint - MC Public Library - March			189.88
	50616E4	Landscape Maint - Library Park - March			334.96
	50616E5	Landscape Maint - Heron Park - March			364.65
	50616E6	Landscape Maint - MC Sports Park - March			301.04
	50616E7	Landscape Maint - Highland Park - March			681.40
	50616E8	Landscape Maint - Pine Meadows Park - March			742.21
	50616E9	Landscape Maint - Nickel Creek Park - March			214.55
	50805E	Landscape Maint - CHS - Apr			395.41
	50805E1	Landscape Maint - CHN - Apr			174.77
	50805E2	Landscape Maint - MC Library - Apr			379.77
	50805E3	Landscape Maint - R/W Medians - Apr			1,173.21
	50805E4	Landscape Maint - ST Medians - Apr			1,319.37
	50805E5	Landscape Maint - Interior Median - Apr			111.80
	50805E6	Landscape Maint - Ditches - Apr			1,756.33
	50919E	Landscape Maint - CHS - May			494.27
	50919E1	Landscape Maint - CHN - May			218.46
	50919E10	Landscape Maint - Hillside Park - May			976.58
	50919E11	Landscape Maint - Silver Crest Park - May			380.93
	50919E12	Landscape Maint - Buffalo Park - May			1,250.58
	50919E13	Landscape Maint - Exploration Park - May			1,706.18
	50919E14	Landscape Maint - R/W Medians - May			1,173.21
	50919E15	Landscape Maint - Interior Medians - May			111.80
	50919E16	Landscape Maint - Ditches - May			1,756.33
	50919E2	Landscape Maint - MC Library - May			474.70
	50919E3	Landscape Maint - Library Park - May			837.56
	50919E4	Landscape Maint - Heron Park - May			911.63
	50919E5	Landscape Maint - MC Sports Park - May			752.59
	50919E6	Landscape Maint - Highland Park - May			1,703.49
	50919E7	Landscape Maint - Pine Meadows Park - May			1,855.50
	50919E8	Landscape Maint - Nickel Creek Park - May			536.38
	50919E9	Landscape Maint - Cougar Park - May			1,710.96
			Total for Check Number 62383:	0.00	35,862.63
62384	SNOCPUD	PUD No. 1 of Snohomish County	08/14/2020		
	100445053	Street Lights - 386 Lights - 100W 07/01 - 07/31			1,389.60
	105394135	15601 22nd Ct SE 06/30 - 07/27			16.96
	105397257	Street Lights - 49 Lights - 20W 07/01 - 07/31			17.15
	115296362	Street Lights - 8 Lights - 200W 07/01 - 07/31			47.68
	115296363	Street Lights - 38 Lights - 250W 07/01 - 07/31			285.38
	115296364	Street Lights - 39 Lights - 400W 07/01 - 07/31			441.48

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Void Checks	Check Amount
	115299505	902 164th St SE 07/08 - 08/05			32.34
	118607609	Street Light - 1 Light - 240W 07/01 - 07/31			7.94
	121921337	15429 1/2 Bothell Everett Hwy 07/09 - 08/04			15.89
	121922690	14600 16th Ave SE 07/08 - 08/05			18.59
	125241934	16110 1/2 29th Dr SE 07/01 - 07/29			15.66
	125245976	13332 44th Ave SE 07/02 - 08/04			58.86
	128518765	Street Lights - 91 Lights - 250W 07/01 - 07/31			985.53
	131832413	Street Lights - 189 Lights - 200W 07/01 - 07/31			1,736.91
	138341525	1700 Mill Creek Rd 06/27 - 07/28			69.24
	138346465	15429 Bothell Everett Hwy 07/09 - 08/04			17.49
	141656218	Street Lights - 841 Lights - 100W 07/01 - 07/31			5,121.69
	141657769	14729 12th Ave SE 07/02 - 07/30			15.66
	141657770	4842 SAC 07/09 - 08/04			56.46
	144987467	3401 148th St SE 06/20 - 07/24			25.15
	148280146	Street Lights - 21 Lights - 400W 07/01 - 07/31			312.90
	151577052	15510 Village Green Dr 06/30 - 07/27			15.12
	151578009	Street Lights - 17 Lights - 100W 07/01 - 07/31			52.87
	154824081	Street Lights - 6 Lights - 150W 07/01 - 07/31			28.98
	161200596	Street Light - 1 Light - 160W 07/01 - 07/31			5.18
	167642496	4560 SAC 07/02 - 08/05			43.05
			Total for Check Number 62384:	0.00	10,833.76
62385	RH2 75725	RH2 Engineering, Inc. Prof Svcs - RRFB Upgrade Project Through 01/2	08/14/2020		7,952.04
			Total for Check Number 62385:	0.00	7,952.04
62386	SANDACLN June/July May/June/July	Sanda Cleaners Uniform Dry Cleaning - S Eastman - June/July Uniform Dry Cleaning - S Conner - May/June/Ju	08/14/2020		436.21 109.38
			Total for Check Number 62386:	0.00	545.59
62387	SHI B12068664	SHI International Corp Fujitsu fi-7030 Document Scanner S/N ATPC10	08/14/2020		516.78
			Total for Check Number 62387:	0.00	516.78
62388	SILVERL	Silverlake Water District	08/14/2020		
	14112-27585	132nd & SR 527 Irrig 07/01 - 07/31			12.80
	14737-19068	13617 28th Dr SE Irrig 07/01 - 07/31			7.60
	14969-56155	13716 Bothell Everett Hwy 07/01 - 07/31			15.40
	17679-27345	15429 1/2 Bothell Everett Hwy 07/01 - 07/31			207.80
	17684-27596	15429 Bothell Way - Irrig 07/01 - 07/31			80.40
	24079-27593	Hillside Irrig 07/01 - 07/31			46.60
	32140-27632	13903 N Creek Dr - Irrig 07/01 - 07/31			192.20
	32141-27633	13903 N Creek Dr 07/01 - 07/31			75.65
	35995-27914	SR 527 - Irrig 07/01 - 07/31			7.60
	35996-27914	14600 SR 527 - Irrig 07/01 - 07/31			7.60
	35997-27914	13800 N SR 527 - Irrig 07/01 - 07/31			7.60
	35998-27914	1600 SR 527 - Irrig 07/01 - 07/31			7.60
	35999-27914	15200 SR 527 - Irrig 07/01 - 07/31			7.60
	36000-27914	15100 N SR 527 - Irrig 07/01 - 07/31			7.60
	36016-27914	SR 527 & Trillium Blvd - Irrig 07/01 - 07/31			7.60
	36025-27914	14600 SR 527 - Irrig 07/01 - 07/31			7.60
	36026-27914	SR 527 & Dumas Rd - Irrig 07/01 - 07/31			7.60
	36365-27593	Dumas Rd Irrigation 07/01 - 07/31			22.30
	37034-30017	14721 12th Ave SE - Irrig 07/01 - 07/31			77.80
	37680-27914	0 33rd Dr & Northpointe Circle - Irrig 07/01 - 0			280.60
	40191-27914	13401 44th Ave SE - Restroom 07/01 - 07/31			68.45

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Void Checks	Check Amount
			Total for Check Number 62388:	0.00	1,156.00
62389	SIPDIPND 7606	Sip Dip-n-Doodle LLC Online - Canvas Painting: Bonsai #7606	08/14/2020		49.00
			Total for Check Number 62389:	0.00	49.00
62390	SNOCOM 2720	Snohomish County 911 Dispatch Services - August	08/14/2020		21,804.54
			Total for Check Number 62390:	0.00	21,804.54
62391	SNOCOPW I000532791 I000532791A	Snohomish County Public Works Signal Maint - RR7553 Mill Cr Rd & Village Gr Signal Maint - RR7864 Dumas @ N Crk Dr Sigr	08/14/2020		226.94 561.07
			Total for Check Number 62391:	0.00	788.01
62392	SNOTREEC 1419	Snohomish Tree Company Remove - Pine Tree - Silver Crest Pond	08/14/2020		828.75
			Total for Check Number 62392:	0.00	828.75
62393	SNDPUBIN EDH904900	Sound Publishing Inc Publication of Ordinance No. 2020-863	08/14/2020		39.20
			Total for Check Number 62393:	0.00	39.20
62394	STAND 600156-0001	Standard Ins. Company RA Life, AD&D & LTD Premium - MEBT - ER - A	08/14/2020		3,476.46
			Total for Check Number 62394:	0.00	3,476.46
62395	STAND2 600156-0002	Standard Ins. Company RA Survivor Prem - MEBT - ER Paid - August	08/14/2020		1,868.11
			Total for Check Number 62395:	0.00	1,868.11
62396	STERICYC 3005202383	Stericycle Inc Biomedical Waste Services - Monthly Fee	08/14/2020		10.36
			Total for Check Number 62396:	0.00	10.36
62397	TRANSUN 07008334	Trans Union LLC Basic Service Monthly Fee 06/26 - 07/25	08/14/2020		60.78
			Total for Check Number 62397:	0.00	60.78
62398	TLOLLC 839489	TransUnion Risk and Alternative Background/Identity Investigations - July	08/14/2020		55.25
			Total for Check Number 62398:	0.00	55.25
62399	ULINE 122589306	Uline 1 Case - 1,000 Manila Evidence Tags	08/14/2020		68.27
			Total for Check Number 62399:	0.00	68.27
62400	USIC 393317 393317A	USIC Locating Services, LLC 66 Ticket Locates/9 QH 07/01 - 07/31 66 Ticket Locates/9 QH 07/01 - 07/31	08/14/2020		1,698.53 1,698.52

AGENDA ITEM #F.

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Void Checks	Check Amount
			Total for Check Number 62400:	0.00	3,397.05
62401	UULC 0070175 0070175A	Utilities Underground Location Center On-Call Location Services - 64 Tickets On-Call Location Services - 64 Tickets	08/14/2020		82.56 82.56
			Total for Check Number 62401:	0.00	165.12
62402	VERIZON 9859234547	Verizon Wireless Access & Usage Chgs - Public Safety 06/23 - 07	08/14/2020		1,816.15
			Total for Check Number 62402:	0.00	1,816.15
62403	WWGRAIN 9579089443	W.W. Grainger, Inc. 2 Sheets Polycarbonate - COVID 19	08/14/2020		597.15
			Total for Check Number 62403:	0.00	597.15
62404	WSDA WMRS-1772	WA ST Dept of Agriculture Scale Inspection (2) - Evidence Room	08/14/2020		33.60
			Total for Check Number 62404:	0.00	33.60
62405	WALTNELS 769079	Walter E. Nelson Co. 2 Cases - Nitrile Gloves	08/14/2020		177.62
			Total for Check Number 62405:	0.00	177.62
62406	WAVEDIV 102743301000830	WaveDivision Holdings, LLC Fiber Lease - 15728 Main St to 3000 Rockefeller	08/14/2020		641.25
			Total for Check Number 62406:	0.00	641.25
62407	WHPACIFI 166815	WHPacific, Inc Prof Svcs - Seattle Hill Road Preservation 12/01	08/14/2020		18,071.99
			Total for Check Number 62407:	0.00	18,071.99
62408	AFSCME July 2020	WSCCCE, AFSCME, AFL-CIO Union Dues - AFSCME - July	08/14/2020		888.09
			Total for Check Number 62408:	0.00	888.09
62409	ZAC&THOM 20-MCR007	Zachor & Thomas, Inc., P.S. Monthly Prosecution Legal Retainer - July	08/14/2020		9,880.00
			Total for Check Number 62409:	0.00	9,880.00
			Total for 8/14/2020:	0.00	234,054.98
62410	ATHAWARE 20040885	Athletic Awards Co., Inc. 12 - 3x3 Great Garden Awards - Keepsakes	08/27/2020		279.96
			Total for Check Number 62410:	0.00	279.96
62411	BANKCARI 1 10 1A 2	Bank of America Halo Chest Seal/CAT Tourniquet MyBuildingPermit.com - Monthly Fee Use Tax Payable - Halo Chest Seal/CAT Tourniq PRA Deep Dive - P&E Records - I Heath 07/29	08/27/2020		231.11 59.95 -21.96 35.00

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Void Checks	Check Amount
3		PRA Deep Dive - P&E Records - J Lee 07/29			35.00
4		Kinetic Performance Formula Dog Food - Hondt			54.49
5		Mouse Traps - CHS			4.38
6		2 - Infrared Thermometers			110.48
7		25 Boxes - 50 Per Box - Face Mask			414.10
8		Standard SSL Renewal - ADFS			79.99
9		Rope K9 Glove			99.43
					<hr/>
				Total for Check Number 62411:	0.00 1,101.97
62412	BENEAD 2008510	Benefit Administration Co, LLC Section 125 Flexible Benefits - August	08/27/2020		112.00
					<hr/>
				Total for Check Number 62412:	0.00 112.00
62413	BANKCR20	Business Card	08/27/2020		
1		Plumbing Parts - Water Heater Repair - CHN			14.10
10		Thermal Plaster - Handicap Sign			13.93
11		Wire Fence/Cage Material - Beaver Activity			50.76
12		Laminate Signs - City Hall Closed			24.31
2		Sneeze Guard - Passports - CHS			209.95
3		Cubicle Top Clamp Mount - Council Chambers			245.56
3A		Use Tax Payable - Cubicle Top Clamp Mount - C			-23.33
4		Free Standing Bracket - Council Chambers			71.83
4A		Use Tax Payable - Free Standing Bracket - Coun			-6.83
5		Electric Mini-Tank Water Heater - CHN			263.86
6		Passport Sneeze Guard Hardware, Wasp Killer			71.41
7		Sneeze Guard Barriers - Passport & Council Cha			1,922.70
8		Free Standing Bracket - Council Chambers			235.90
8A		Use Tax Payable - Free Standing Bracket - Coun			-22.42
9		Tempered Glass Barriers - Council Chambers			96.26
					<hr/>
				Total for Check Number 62413:	0.00 3,167.99
62414	BANKCR27	Business Card	08/27/2020		
1		Mail Shipment to Olympia Crime Lab- Case #20			11.70
2		Mail Shipment to Crime Lab- Case #2020-3926			14.25
3		Mail Shipment to WSP Lab- Case #2020-6729			6.37
					<hr/>
				Total for Check Number 62414:	0.00 32.32
62415	CEEL 07295361 07295361	Center for Education & Employment Law Deskbook Encyclopedia of Public Emp Law Deskbook Encyclopedia of Public Emp Law	08/27/2020		-13.12 138.07
					<hr/>
				Total for Check Number 62415:	0.00 124.95
62416	CBALDDDES Fall/Winter	Christopher Baldwin Design Fall/Winter 2020 Rec Guide Layout	08/27/2020		800.00
					<hr/>
				Total for Check Number 62416:	0.00 800.00
62417	CITYEVE I20004304	City of Everett PSR Training - Share of Training Costs - Interloc	08/27/2020		800.00
					<hr/>
				Total for Check Number 62417:	0.00 800.00
62418	COHENLAW 3	Cohen Law Group Prof Legal Svcs - Cable Franchise Renewal	08/27/2020		2,670.00
					<hr/>
				Total for Check Number 62418:	0.00 2,670.00

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Void Checks	Check Amount
62419	COMCAST 849831021045701	Comcast High Speed Internet Fee 08/18 - 09/17	08/27/2020		191.42
			Total for Check Number 62419:	0.00	191.42
62420	DAY&NITE 039073-2	Day & Nite Plumbing & Heating Toilet Repair - CHN	08/27/2020		589.25
			Total for Check Number 62420:	0.00	589.25
62421	INNOVAC INV16181	INNOVAC Inspection PVC Storm Drain Pipe/Catch Basin -	08/27/2020		918.48
			Total for Check Number 62421:	0.00	918.48
62422	ISO CW242832	ISOOutsource IT Consultant/Tech Support 08/03 - 08/14	08/27/2020		1,232.70
			Total for Check Number 62422:	0.00	1,232.70
62423	KAMINS Pay Est #2	Kamins Construction, Inc 2020 Seattle Hill Rd Pavement Restore Project T	08/27/2020		849,224.77
			Total for Check Number 62423:	0.00	849,224.77
62424	NEPMARIN Est. #3	Neptune Marine Heron Park Play Area Upgrades - Pay Est. #3	08/27/2020		154,451.38
			Total for Check Number 62424:	0.00	154,451.38
62425	OMWATT 842222	Ogden Murphy Wallace Attorneys Prof Legal Services - Franchises - July	08/27/2020		2,461.00
			Total for Check Number 62425:	0.00	2,461.00
62426	PACAIR 32215 32345	Pacific Air Control, Inc. HVAC Repairs HHP-20 - CHN HVAC Repairs HP-12, 13 & 15 - CHN	08/27/2020		1,739.27 4,162.79
			Total for Check Number 62426:	0.00	5,902.06
62427	PACCABCN RW2020-0110	Pacific Cable Construction Inc Refund 80% ROW Permit# RW2020-0110	08/27/2020		120.00
			Total for Check Number 62427:	0.00	120.00
62428	PAWS July 2020	PAWS Animals Brought to Shelter - July	08/27/2020		187.00
			Total for Check Number 62428:	0.00	187.00
62429	ELLITIRE 064462005510 064462005520 064462014182 064462014218 Credit Memo	PepBoys-Remittance Dept 4 Tires, Wheel Balance - PW #5 4 Tires, Wheel Balance/Alignment - PW #4 1 Tire, Wheel Balance, Rebuild TPMS - Car #40 LOF - Car #50 Credit - Labor for Bucket Truck Repairs	08/27/2020		772.97 839.86 188.02 55.99 -1,145.68
			Total for Check Number 62429:	0.00	711.16
62430	PERTEET 20160281.020-5 20160281.022-6	Perteet Inc Prof Svcs - Crestview II Submittal Review 03/02 Prof Svcs - 7 C's Swim School Submittal Review	08/27/2020		435.00 795.00

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Void Checks	Check Amount
	20160281.025-2	Prof Svcs - Creekside Building 03/30 - 08/02			917.44
			Total for Check Number 62430:	0.00	2,147.44
62431	PLANTSCP	Plantscapes Horticultural Services	08/27/2020		
	51305E	Landscape Maint - CHS - June			494.27
	51305E1	Landscape Maint - CHN - June			218.46
	51305E10	Landscape Maint - Hillside Park - June			976.57
	51305E11	Landscape Maint - Silver Crest Park - June			380.93
	51305E12	Landscape Maint - Buffalo Park - June			1,250.59
	51305E13	Landscape Maint - R/W Medians - June			1,173.22
	51305E14	Landscape Maint - ST Medians - June			1,319.37
	51305E15	Landscape Maint - Interior Medians - June			111.80
	51305E16	Landscape Maint - Ditches - June			1,756.33
	51305E2	Landscape Maint - MC Public Library - June			474.70
	51305E3	Landscape Maint - Library Park - June			837.55
	51305E4	Landscape Maint - Heron Park - June			911.63
	51305E5	Landscape Maint - MCSP - June			752.59
	51305E6	Landscape Maint - Highland Park - June			1,703.49
	51305E7	Landscape Maint - Pine Meadows Park - June			1,855.50
	51305E8	Landscape Maint - Nickel Creek Park - June			536.38
	51305E9	Landscape Maint - Cougar Park - June			1,710.96
			Total for Check Number 62431:	0.00	16,464.34
62432	PLATT	Platt Electric Supply, Inc	08/27/2020		
	OL99344	Lights - Facilities			136.11
	OL99344A	Lights - Streets			255.17
	OL99467	Lights - Streets			544.51
	OM20313	Lights - Streets			215.29
	OM23254	Lights - Streets			125.45
	OQ35957	Lights - Streets			647.96
			Total for Check Number 62432:	0.00	1,924.49
62433	SNOCPUD	PUD No. 1 of Snohomish County	08/27/2020		
	111999227	15728 Main St 07/11 - 08/05			1,249.91
	112003073	2720 Seattle Hill Rd 07/15 - 08/11			15.12
	112005659	928 Dumas Rd 07/17 - 08/18			61.21
	121931366	13510 N Creek Dr 07/17 - 08/19			47.66
	125249682	2725 Seattle Hill Rd 07/15 - 08/11			15.12
	131839557	1900 164th St SE 07/10 - 08/11			29.48
	131842354	15720 Main St 07/17 - 08/14			1,558.38
	131842355	15720 Main St Unit B 07/17 - 08/14			314.47
	135141433	2024 Seattle Hill Rd 07/10 - 08/12			42.23
	138354571	13628 N Creek Dr - 1 Light 07/17 - 08/14			7.83
	141663087	14810 35th Ave SE 07/15 - 08/11			35.40
	167644841	13901 North Pointe Cir Irrig 07/10 - 08/07			15.66
			Total for Check Number 62433:	0.00	3,392.47
62434	PUGETSO	Puget Sound Energy	08/27/2020		
	200004765331	15720 Main St 07/20 - 08/18			92.83
	200004765463	15728 Main St 07/20 - 08/18			220.46
			Total for Check Number 62434:	0.00	313.29
62435	SHREDIT	Shred-It USA Inc	08/27/2020		
	8180281623	Shredding Service Fee			84.03

AGENDA ITEM #F.

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Void Checks	Check Amount
			Total for Check Number 62435:	0.00	84.03
62436	SNOCOSH1 2020-6344 2020-6360 2020-6418	Snohomish County Treasurer Inmate Medical Billing - April Inmate Medical Billing - May Inmate Medical Billing - June	08/27/2020		1,870.48 250.69 2,870.86
			Total for Check Number 62436:	0.00	4,992.03
62437	SDISTCRT 1000533475 1000533475A	South District Court Filing Fees - SD Court - July Interpreter Costs - July	08/27/2020		2,825.80 1,049.03
			Total for Check Number 62437:	0.00	3,874.83
62438	TERMINIX 399412668	Terminix Processing Center Pest Control - WO #17152145708 - MC Library	08/27/2020		95.03
			Total for Check Number 62438:	0.00	95.03
62439	THYSSEN 6000459655 6000459880	Thyssenkrupp Elevator Corp. Elevator Repair 50% - Door Restrictors - L&I C Elevator Repair 50% - Door Restrictors - L&I C	08/27/2020		2,278.51 2,278.51
			Total for Check Number 62439:	0.00	4,557.02
62440	UPS 00009X8014320	United Parcel Service UPS Chgs -Mail Package- Pigskin Uniforms - M	08/27/2020		16.84
			Total for Check Number 62440:	0.00	16.84
62441	VERIZON 9860903623	Verizon Wireless Access & Usage Chgs - City Cell Phones 07/17 -	08/27/2020		816.50
			Total for Check Number 62441:	0.00	816.50
62442	WALTNELS 770423 770597 771208	Walter E. Nelson Co. 1 Case - N95 Mask - PW Crew 2 Cases - Nitrile Gloves 1 Cases - Nitrile Gloves	08/27/2020		231.00 174.32 87.16
			Total for Check Number 62442:	0.00	492.48
62443	WINSUPP 039370 01	Winsupply Company SHR - Irrigation	08/27/2020		177.66
			Total for Check Number 62443:	0.00	177.66
62444	GTENORTH 425-745-6974	ZiPLY Fiber CC Line, Fax, Prop Rm 06/19-07/18	08/27/2020		172.45
			Total for Check Number 62444:	0.00	172.45
			Total for 8/27/2020:	0.00	1,064,599.31
			Report Total (178 checks):	296,043.56	1,528,650.81



Date: September 8, 2020

Payroll Check Batches		
Dated	Check Numbers	Amount
07/24/2020	ACH Automatic Deposit Checks	\$164,199.25
07/24/2020	ACH Wire - FWT & Medicare Taxes	\$34,007.90
07/24/2020	ACH Wire MEBT – Wilmington Trust	\$30,392.48
07/24/2020	ACH Wire – BAC – Flex Savings Acct	\$1,305.53
07/24/2020	ACH Wire – ICMA RC – Def. Comp	\$1,894.54
08/10/2020	ACH Wire-Assoc of WA Cities	\$71,631.88
08/10/2020	ACH Automatic Deposit Checks	\$138,557.62
08/10/2020	ACH Wire – FWT & Medicare Taxes	\$25,943.51
08/10/2020	ACH Wire MEBT – Wilmington Trust	\$20,112.66
08/10/2020	ACH Wire – BAC – Flex Savings Acct	\$1,300.53
08/10/2020	ACH Wire – ICMA RC – Def. Comp	\$1,894.54
08/10/2020	ACH Wire- MCPD Guild Dues	\$1,940.00
08/25/2020	ACH Automatic Deposit Checks	\$128,910.82
08/25/2020	ACH Wire – FWT & Medicare Taxes	\$23,626.43
08/25/2020	ACH Wire MEBT – Wilmington Trust	\$24,018.68
08/25/2020	ACH Wire – BAC – Flex Savings Acct	\$1,185.95
08/25/2020	ACH Wire – ICMA RC – Def. Comp	\$1,894.54
Total		\$672,816.86

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 \$672,816.86.

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\2020\Payroll Voucher Approval 08.25.2020.docx
9/3/2020

Statistical Summary

Statistical Summary

Company:A0W - City Of Mill Creek Service Center:0076 Pacific North West Status:Cycle Complete
 Week#:30 Pay Date:07/24/2020 P/E Date:07/15/2020
 Qtr/Year:3/2020 Run Time/Date:14:26:39 PM EDT 07/22/2020

Taxes Debited			
Federal Income Tax		26,636.70	
Earned Income Credit Advances		0.00	
Social Security - EE		0.00	
Social Security - ER		0.00	
Social Security Adj - EE		0.00	
Medicare - EE		3,395.31	
Medicare - ER		3,395.35	
Medicare Adj - EE		0.00	
Medicare Surtax - EE		0.00	
Medicare Surtax Adj - EE		0.00	
COBRA Premium Assistance Payments		0.00	
Federal Unemployment Tax		0.00	
Families First FMLA-PSL Payments Credit		0.00	
Families First ER Medicare Credit		0.00	
Families First FMLA-PSL Health Care Premium Credit		0.00	
CARES Retention Qualified Payments Credit		0.00	
CARES Retention Qualified Health Care Credit		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	
State Family Leave Insurance - EE		193.50	
State Family Leave Insurance - ER		0.00	
State Medical Leave Insurance - EE		174.12	
State Medical Leave Insurance - ER		212.92	
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		34,007.90	
Other Transfers	Full Service Direct Deposit	164,199.25	Total Liability
	Total Amount Debited From Your Account		198,207.15
Bank Debits & Other Liability	Checks	0.00	198,207.15
	Adjustments/Prepay/Voids	0.00	198,207.15
Taxes- Your Responsibility	None this payroll		198,207.15



Funds Transfer Request Authorization (FTRA)

Customer Information	
Name: MILL CREEK, WA CITY OF Phone: (425)921-5723	Address: 15728 MAIN ST MILL CREEK WA 980121518 US

Account Information	
Account: Account Title: CITY OF MILL CREEK TREASURER CHECKING	Requestor Name: JEFFREY VALENTINE

Wire Information	
Wire Type: DOMESTIC Country: US Currency of Recipient Account: USD Source: IN PERSON ID Verification/Type: U.S. DRIVER'S LICENSE (WITH OR WITH) ID Verification/Type: DEBIT CARD WITH VISA OR MASTERCARD	Wire Date: 07/27/2020 Wire Amount (USD): 30,392.48 ✓ Wire Fee: 30.00

Recipient Information	
Recipient Name: MATRIX TRUST COMPANY Account Number Type: ACCOUNT NUMBER Account Number: Address: COLUMBUS OHIO US	Bank Name: JPMORGAN CHASE BANK NATIONAL ASSOCIATION Bank ID: 021000021 Address: 1111 POLARIS PKWY COLUMBUS OH 43240 US
Information about payment: Purpose of Payment: OTHER	Additional Bank Instructions:
Additional Reference Information: REF: CITY MILL CREEK N3177E	Additional Bank Instructions:

Customer Approval

I authorize Bank of America to transfer my funds as set forth in the instructions herein (including debiting my account if applicable), and agree that such transfer of funds is subject to this Funds Transfer Agreement (see disclosure pages of this form) and applicable fees. If this is a foreign currency wire transfer, I accept the conversion rate provided by Bank of America at the time the wire is sent. Exchange rates are determined by Bank of America, N.A. in our sole discretion. You may be able to get a better exchange rate if you handle this transaction online instead of in the financial center. Please see the Funds Transfer Agreement for further information regarding our exchange rates. For a Consumer International wire: We rely on you, the customer, to inform us of the currency of the receiving account (denoted under 'Currency of Recipient Account') so that we may disclose the exchange rate for conversion in the wire process. If you chose to send USD rather than the foreign currency of the receiving account, we will honor your choice, however, we will not be able to provide exchange rate information. Additionally, so that we may provide required disclosures, you must remain in the financial center until we provide you the Remittance Transfer Receipt (RTR). If you leave prior to receiving the RTR, we will cancel the international remittance transfer.

Customer Signature _____

Date of Request 7/27/2020

IMPORTANT: FOR EACH WIRE Indicate Method of Signature Verification (must complete one of the below)				
Not Applicable (check box if no signature verification is required) <input type="checkbox"/>	Signature Card (check box if signature card was reviewed) <input type="checkbox"/>	Business Resolution (check box if business resolution was reviewed) <input type="checkbox"/>	Posted Check# (reference PRO for date guidelines) (complete field below) Check # _____	Leader Exception Granted (leader must place their initials or signature in box below) <div style="border: 1px solid black; height: 20px; width: 100%;"></div> Exception Reason: _____
FOR BANK USE ONLY: Financial Center Information				
Financial Center Name	MILL CREEK BANKING CENTER	Date:	July 27, 2020	
Company #/Cost Center #:	00353 0037019	Phone #:	425-481-5498	
Initiating Associate Name:	BRUNETTE, DEANDRE	Remittance ID #:	WFACRCQ2R	

Payroll 07/24/2020

MEBT ER	14,604.66
MEBT EE	15,787.82
Sub-Total	30,392.48
Less Standard Insurance	0.00
Wire Total	30,392.48 ✓

9675.09	LEO	Total
704.60	MBX	Total
14563.17	MEB	Total
478.56	MEB2	Total
41.49	MME	Total
41.49	MMR	Total
6523.87	P2E	Total
1145.77	P3E	Total
14563.17	TER	Total
47737.21	Grand Total	



Funds Transfer Request Authorization (FTRA)

Customer Information	
Name:	MILL CREEK, WA CITY OF
Address:	15728 MAIN ST MILL CREEK WA 980121518 US
Phone:	(425)921-5723

Account Information	
Account:	
Account Title:	CITY OF MILL CREEK TREASURER CHECKING
Requestor Name:	JEFFREY A BALNTINE

Wire Information			
Wire Type:	DOMESTIC	Wire Date:	07/27/2020
Country:	US	Wire Amount (USD):	1,305.53 ✓
Currency of Recipient Account:	USD	Wire Fee:	30.00
Source:	IN PERSON		
ID Verification/Type:	U.S. DRIVER'S LICENSE (WITH OR WITH		
ID Verification/Type:			

Recipient Information			
Recipient Name:	BENEFIT ADMINISTRATION COMPANY LLC	Bank Name:	SOUND CU
Account Number Type:	ACCOUNT NUMBER	Bank ID:	325183220
Account Number:		Address:	1331 BROADWAY TACOMA WA 98402 US
Address:	TACOMA WASHINGTON 98402 US		

Information about payment:

Purpose of Payment: OTHER Additional Phone Advice:

Additional Reference Information: Additional Bank Instructions:

Customer Approval

I authorize Bank of America to transfer my funds as set forth in the instructions herein (including debiting my account if applicable), and agree that such transfer of funds is subject to this Funds Transfer Agreement (see disclosure pages of this form) and applicable fees. If this is a foreign currency wire transfer, I accept the conversion rate provided by Bank of America at the time the wire is sent. Exchange rates are determined by Bank of America, N.A. in our sole discretion. You may be able to get a better exchange rate if you handle this transaction online instead of in the financial center. Please see the Funds Transfer Agreement for further information regarding our exchange rates. For a Consumer International wire: We rely on you, the customer, to inform us of the currency of the receiving account (denoted under 'Currency of Recipient Account') so that we may disclose the exchange rate for conversion in the wire process. If you chose to send USD rather than the foreign currency of the receiving account, we will honor your choice, however, we will not be able to provide exchange rate information. Additionally, so that we may provide required disclosures, you must remain in the financial center until we provide you the Remittance Transfer Receipt (RTR). If you leave prior to receiving the RTR, we will cancel the international remittance transfer.

Customer Signature _____

Date of Request 7/27/2020

IMPORTANT: FOR EACH WIRE Indicate Method of Signature Verification: (must complete one of the below)

Not Applicable (check box if no signature verification is required)	Signature Card (check box if signature card was reviewed)	Business Resolution (check box if business resolution was reviewed)	Posted Check# (reference PRO for date guidelines) (complete field below)	Leader Exception Granted (leader must place their initials or signature in box below)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Check # _____	<div style="border: 1px solid black; height: 20px; width: 100%;"></div>
				Exception Reason: _____

FOR BANK USE ONLY: Financial Center Information			
Financial Center Name	MILL CREEK BANKING CENTER	Date:	July 27, 2020
Company #/Cost Center #:	00353 0037019	Phone #:	425-481-5498
Initiating Associate Name:	BRUNETTE, DEANDRE	Remittance ID #:	20VK73DYD

Payroll Date 07/24/2020	Deferred	
	Healthcare	Daycare
Beagle, Nathan I	\$ 114.58	\$ 0.00
Celustka, Larry A	\$ 5.00	\$ 0.00
Eastman, Scott Michael	\$ 114.58	\$ 0.00
Fleming, Rodney J	\$ 81.94	\$ 0.00
Foutch, Bart A	\$ 114.58	\$ 0.00
Freeburg-Gunderson, Jodie A	\$ 25.00	\$ 0.00
Heath, Ilia C	\$ 105.00	\$ 0.00
Hughes, Tyrone A	\$ 110.00	\$ 0.00
Lee, Joanna M	\$ 45.00	\$ 0.00
Lockett, Grace M	\$ 27.27	\$ 0.00
Pigott, Larissa V	\$ 114.58	\$ 0.00
Rasmussen, Kristen A	\$ 35.00	\$ 208.00
Ringstad, Sherrie M	\$ 30.00	\$ 0.00
Rogers, Thomas B	\$ 62.50	\$ 0.00
Schmidt, Christi A.M.	\$ 50.00	\$ 0.00
Wright, Jere A	\$ 62.50	\$ 0.00
Grand Totals		
Total	\$ 1,097.53	\$ 208.00
Total Due to BAC	\$ 1,305.53	



Funds Transfer Request Authorization (FTRA)

Customer Information	
Name: MILL CREEK, WA CITY OF	Address: 15728 MAIN ST MILL CREEK WA 980121518 US
Phone: (425)921-5723	

Account Information	
Account:	
Account Title: CITY OF MILL CREEK TREASURER CHECKING	
Requestor Name: JEFFREY BALENTINE	

Wire Information	
Wire Type: DOMESTIC	Wire Date: 07/27/2020
Country: US	Wire Amount (USD): 1,894.54 ✓
Currency of Recipient Account: USD	Wire Fee: 30.00
Source: IN PERSON	
ID Verification/Type: U.S. DRIVER'S LICENSE (WITH OR WITH	

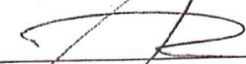
Recipient Information	
Recipient Name: ICMA RC	Bank Name: MANUFACTURERS AND TRADERS TRUST COMPANY
Account Number Type: ACCOUNT NUMBER	Bank ID: 022000046
Account Number:	Address: ONE M AND T PLAZA, 15TH FL BUFFALO NY 14203 US
Address: PO BOX 64553 BALTIMORE MARYLAND 21264 US	

Information about payment:
Purpose of Payment: SERVICES Additional Phone Advice:

Additional Reference Information: CITY OF MILL CREEK Additional Bank Instructions:

Customer Approval

I authorize Bank of America to transfer my funds as set forth in the instructions herein (including debiting my account if applicable), and agree that such transfer of funds is subject to this Funds Transfer Agreement (see disclosure pages of this form) and applicable fees. If this is a foreign currency wire transfer, I accept the conversion rate provided by Bank of America at the time the wire is sent. Exchange rates are determined by Bank of America, N.A. in our sole discretion. You may be able to get a better exchange rate if you handle this transaction online instead of in the financial center. Please see the Funds Transfer Agreement for further information regarding our exchange rates. For a Consumer International wire: We rely on you, the customer, to inform us of the currency of the receiving account (denoted under 'Currency of Recipient Account') so that we may disclose the exchange rate for conversion in the wire process. If you chose to send USD rather than the foreign currency of the receiving account, we will honor your choice, however, we will not be able to provide exchange rate information. Additionally, so that we may provide required disclosures, you must remain in the financial center until we provide you the Remittance Transfer Receipt (RTR). If you leave prior to receiving the RTR, we will cancel the international remittance transfer.

Customer Signature:  Date of Request: 7/27/2020

IMPORTANT: FOR EACH WIRE Indicate Method of Signature Verification: (must complete one of the below)

Not Applicable (check box if no signature verification is required) <input type="checkbox"/>	Signature Card (check box if signature card was reviewed) <input type="checkbox"/>	Business Resolution (check box if business resolution was reviewed) <input type="checkbox"/>	Posted Check# (reference PRO for date guidelines) (complete field below) Check # _____	Leader Exception Granted (leader must place their initials or signature in box below) <div style="border: 1px solid black; height: 20px; width: 100%;"></div> Exception Reason: _____
---	---	---	--	---

FOR BANK USE ONLY: Financial Center Information			
Financial Center Name	MILL CREEK BANKING CENTER	Date:	July 27, 2020
Company #/Cost Center #:	00353 0037019	Phone #:	425-481-5488
Initiating Associate Name:	BRUNETTE, DEANDRE	Remittance ID #:	80E3LG6ZP

Payroll Date 07/24/20	ICMA
Fleming, Rodney J	\$ 450.00
Hookland, Rebecca J	\$ 137.60
Kidwell, Tyler A	\$ 531.94
LaRose, Scot P	\$ 700.00
Ringstad, Sherrie M	\$ 25.00
White, Stanley R	\$ 50.00
Grand Totals	
Total Due to ICMA	\$ 1,894.54 ✓

Dana Volk

From: AWCTrust@vimly.com
Sent: Thursday, August 6, 2020 11:54 AM
To: Dana Volk
Subject: Simon Payment Receipt

CAUTION: This email originated from outside the City of Mill Creek. Do not click links or open attachments unless you recognize the sender and know the content is safe.

AWC Employee Benefit Trust

PO Box 6
C/o Vimly Benefit Solutions, Inc
Mukilteo, WA 98275-0006

MILL CREEK, CITY OF

15728 Main St
Mill Creek, WA 98012-1518

Billing Details

Billing ID: 4228	Month: 08/2020
Customer Ref: Pending	Invoice Date: 07/17/2020

Payment Details

Payment Amount: \$ 71,631.88 ✓	ACH Payment Ref: Pending
Settlement Date: Pending	Account Type: Checking
Date/Time Paid: 08/06/2020 11:54:21 am	Account Number: _____
Paid By: Dana Volk	Transaction Number: Pending

SIMON has processed your payment request, and it is subject to pending approval.
Once the transaction has been completed successfully, you'll receive a confirmation via email.
A copy of the receipt for the finalized transaction will also be posted to your HISTORY/BILLING page of the RECEIPTS tab in SIMON.

Statistical Summary

Statistical Summary

Company:A0W - City Of Mill Creek Service Center:0076 Pacific North West Status:Cycle Complete
 Week#:32 Pay Date:08/10/2020 P/E Date:07/31/2020
 Qtr/Year:3/2020 Run Time/Date:14:20:53 PM EDT 08/06/2020

Taxes Debited	Federal Income Tax	19,721.89		
	Earned Income Credit Advances	0.00		
	Social Security - EE	0.00		
	Social Security - ER	0.00		
	Social Security Adj - EE	0.00		
	Medicare - EE	2,837.23		
	Medicare - ER	2,837.21		
	Medicare Adj - EE	0.00		
	Medicare Surtax - EE	0.00		
	Medicare Surtax Adj - EE	0.00		
	COBRA Premium Assistance Payments	0.00		
	Federal Unemployment Tax	0.00		
	Families First FMLA-PSL Payments Credit	0.00		
	Families First ER Medicare Credit	0.00		
	Families First FMLA-PSL Health Care Premium Credit	0.00		
	CARES Retention Qualified Payments Credit	0.00		
	CARES Retention Qualified Health Care Credit	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		
	State Family Leave Insurance - EE	182.30		
	State Family Leave Insurance - ER	0.00		
	State Medical Leave Insurance - EE	164.17		
	State Medical Leave Insurance - ER	200.71		
	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		25,943.51		
Other Transfers	Full Service Direct Deposit	138,557.62		
	Total Amount Debited From Your Account		164,501.13	
Bank Debits & Other Liability	Checks	0.00		164,501.13
	Adjustments/Prepay/Voids	0.00		164,501.13
Taxes- Your Responsibility	None this payroll			164,501.13
			Total Liability	164,501.13

Payroll 08/10/2020	
MEBT ER	12,246.11
MEBT EE	13,211.12
Sub-Total	25,457.23
Less Standard Insurance	(5,344.57)
Wire Total	20,112.66 ✓

8391.53	LEO	Total
579.60	MBX	Total
12204.62	MEB	Total
385.41	MEB2	Total
41.49	MME	Total
41.49	MMR	Total
5912.92	P2E	Total
1116.16	P3E	Total
12204.62	TER	Total
40877.84	Grand Total	



Funds Transfer Request Authorization (FTRA)

Customer Information

Name: MILL CREEK, WA CITY OF Address: 16728 MAIN ST
 Phone: (425)921-5723 MILL CREEK
 WA 980121518 US

Account Information

Account: BUS_4700
 Account Title: CITY OF MILL CREEK TREASURER
 CHECKING
 Requestor Name: JEFFREY BALENTINE

Wire Information

Wire Type: DOMESTIC Wire Date: 08/10/2020
 Country: US Wire Amount (USD): 1,300.53 ✓
 Currency of Recipient Account: USD Wire Fee: 30.00
 Source: IN PERSON
 ID Verification/Type: U.S. DRIVER'S LICENSE (WITH OR WITH)
 ID Verification/Type:

Recipient Information

Recipient Name: BENEFIT ADMINISTRATION COMPANY LLC Bank Name: SOUND CU
 Account Number Type: ACCOUNT NUMBER Bank ID: 325183220
 Account Number: Address: 1331 BROADWAY
 Address: TACOMA TACOMA
 WASHINGTON 98402 US WA 98402 US

Information about payment:

Purpose of Payment: OTHER Additional Phone Advice:

Additional Reference Information: Additional Bank Instructions:

Customer Approval

I authorize Bank of America to transfer my funds as set forth in the instructions herein (including debiting my account if applicable), and agree that such transfer of funds is subject to this Funds Transfer Agreement (see disclosure pages of this form) and applicable fees. If this is a foreign currency wire transfer, I accept the conversion rate provided by Bank of America at the time the wire is sent. Exchange rates are determined by Bank of America, N.A. in our sole discretion. You may be able to get a better exchange rate if you handle this transaction online instead of in the financial center. Please see the Funds Transfer Agreement for further information regarding our exchange rates. For a Consumer International wire: We rely on you, the customer, to inform us of the currency of the receiving account (denoted under 'Currency of Recipient Account') so that we may disclose the exchange rate for conversion in the wire process. If you chose to send USD rather than the foreign currency of the receiving account, we will honor your choice, however, we will not be able to provide exchange rate information. Additionally, so that we may provide required disclosures, you must remain in the financial center until we provide you the Remittance Transfer Receipt (RTR). If you leave prior to receiving the RTR, we will cancel the international remittance transfer.

Customer Signature _____ Date of Request ____/____/____

IMPORTANT: FOR EACH WIRE Indicate Method of Signature Verification: (must complete one of the below)

Not Applicable (check box if no signature verification is required) <input type="checkbox"/>	Signature Card (check box if signature card was reviewed) <input checked="" type="checkbox"/>	Business Resolution (check box if business resolution was reviewed) <input type="checkbox"/>	Posted Check# (reference PRO for date guidelines) (complete field below) _____ Check #	Leader Exception Granted (leader must place their initials or signature in box below) <div style="border: 1px solid black; height: 20px; width: 100%;"></div> Exception Reason: _____
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FOR BANK USE ONLY: Financial Center Information

Financial Center Name	MILL CREEK BANKING CENTER	Date:	August 10, 2020
Company #/Cost Center #:	00353 0037019	Phone #:	425-357-3609
Initiating Associate Name:	MAGRISO, IZZET	Remittance ID #:	8ABCKUPVM

Payroll Date 08/10/2020	Deferred Daycare	Deferred Healthcare
Beagle, Nathan I	\$ 0.00	\$ 114.58
Eastman, Scott Michael	\$ 0.00	\$ 114.58
Fleming, Rodney J	\$ 0.00	\$ 81.94
Foutch, Bart A	\$ 0.00	\$ 114.58
Freeburg-Gunderson, Jodie A	\$ 0.00	\$ 25.00
Heath, Ilia C	\$ 0.00	\$ 105.00
Hughes, Tyrone A	\$ 0.00	\$ 110.00
Lee, Joanna M	\$ 0.00	\$ 45.00
Lockett, Grace M	\$ 0.00	\$ 27.27
Pigott, Larissa V	\$ 0.00	\$ 114.58
Rasmussen, Kristen A	\$ 208.00	\$ 35.00
Ringstad, Sherrie M	\$ 0.00	\$ 30.00
Rogers, Thomas B	\$ 0.00	\$ 62.50
Schmidt, Christi A.M.	\$ 0.00	\$ 50.00
Wright, Jere A	\$ 0.00	\$ 62.50
Grand Totals	\$ 208.00	\$ 1,092.53
Total	\$ 208.00	\$ 1,092.53
Total Due to BAC	\$ 1,300.53	

Payroll Date 08/10/20

ICMA

Fleming, Rodney J	\$ 450.00
Hookland, Rebecca J	\$ 137.60
Kidwell, Tyler A	\$ 531.94
LaRose, Scot P	\$ 700.00
Ringstad, Sherrie M	\$ 25.00
White, Stanley R	\$ 50.00

Total \$ 1,894.54 ✓

Police Guild Dues for July 2020

Payroll Name	Guild Dues
Bittinger, Tony M	\$ 100.00
Bridgman, Todd M	\$ 100.00
Conner, Sean A	\$ 100.00
Durkee, Ian M	\$ 100.00
Eikenberry, Tobias	\$ 100.00
Fleming, Rodney J	\$ 100.00
Foutch, Bart A	\$ 100.00
Hughes, Kyle C	\$ 100.00
Hughes, Tyrone A	\$ 100.00
Kidwell, Tyler A	\$ 100.00
LaRose, Scot P	\$ 100.00
Lerma, Nathan S	\$ 100.00
Mack, Jesse H	\$ 20.00
Mundwiler, Rory P	\$ 100.00
Phillips, Robert	\$ 100.00
Schuermeyer, Marc B	\$ 100.00
Smith, Steven C	\$ 20.00
Thompson, Brett L	\$ 100.00
White, Christine D	\$ 100.00
Saga, Joshua L	\$ 100.00
White, Stanley R	\$ 100.00
Grand Totals	
Total	\$ 1,940.00 ✓

Jul-20

Statistical Summary

Statistical Summary

Company:A0W - City Of Mill Creek Service Center:0076 Pacific North West Status:Cycle Complete
 Week#:35 Pay Date:08/25/2020 P/E Date:08/15/2020
 Qtr/Year:3/2020 Run Time/Date:19:02:07 PM EDT 08/21/2020

Taxes Debited	Federal Income Tax	17,802.30		
	Earned Income Credit Advances	0.00		
	Social Security - EE	0.00		
	Social Security - ER	0.00		
	Social Security Adj - EE	0.00		
	Medicare - EE	2,650.98		
	Medicare - ER	2,651.03		
	Medicare Adj - EE	0.00		
	Medicare Surtax - EE	0.00		
	Medicare Surtax Adj - EE	0.00		
	COBRA Premium Assistance Payments	0.00		
	Federal Unemployment Tax	0.00		
	Families First FMLA-PSL Payments Credit	0.00		
	Families First ER Medicare Credit	0.00		
	Families First FMLA-PSL Health Care Premium Credit	0.00		
	CARES Retention Qualified Payments Credit	0.00		
	CARES Retention Qualified Health Care Credit	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		
	State Family Leave Insurance - EE	173.96		
	State Family Leave Insurance - ER	0.00		
	State Medical Leave Insurance - EE	156.66		
	State Medical Leave Insurance - ER	191.50		
	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		23,626.43		
Other Transfers	Full Service Direct Deposits	128,910.82		
	Total Amount Debited From Your Account		152,537.25	
Bank Debits & Other Liability	Checks	0.00	152,537.25	
	Adjustments/Prepay/Voids	0.00	152,537.25	
Taxes- Your Responsibility	None this payroll		152,537.25	
			Total Liability	
			152,537.25	



Funds Transfer Request Authorization (FTRA)

Customer Information

Name: MILL CREEK, WA CITY OF Address: 15728 MAIN ST
 Phone: (425)921-5723 MILL CREEK
 WA 980121518 US

Account Information

Account: BUS_4700
 Account Title: CITY OF MILL CREEK TREASURER
 CHECKING
 Requestor Name: MICHAEL CIARAVINO

Wire Information

Wire Type: DOMESTIC Wire Date: 08/27/2020
 Country: US Wire Amount (USD): 24,018.68 ✓
 Currency of Recipient Account: USD Wire Fee: 30.00
 Source: IN PERSON
 ID Verification/Type: U.S. DRIVER'S LICENSE (WITH OR WITH)
 ID Verification/Type: MAJOR CREDIT CARD FROM ANOTHER FINA

Recipient Information

Recipient Name: MATRIX TRUST COMPANY Bank Name: JPMORGAN CHASE BANK NATIONAL ASSOCIATION
 Account Number Type: ACCOUNT NUMBER Bank ID: 021000021
 Account Number: 530354845 Address: 1111 POLARIS PKWY
 Address: COLUMBUS
 OHIO US OH 43240 US

Information about payment:

Purpose of Payment: OTHER Additional Phone Advice:

Additional Reference Information: REF: CITY MILL CREEK N3177E Additional Bank Instructions:

Customer Approval

I authorize Bank of America to transfer my funds as set forth in the instructions herein (including debiting my account if applicable), and agree that such transfer of funds is subject to this Funds Transfer Agreement (see disclosure pages of this form) and applicable fees. If this is a foreign currency wire transfer, I accept the conversion rate provided by Bank of America at the time the wire is sent. Exchange rates are determined by Bank of America, N.A. in our sole discretion. You may be able to get a better exchange rate if you handle this transaction online instead of in the financial center. Please see the Funds Transfer Agreement for further information regarding our exchange rates. For a Consumer International wire: We rely on you, the customer, to inform us of the currency of the receiving account (denoted under 'Currency of Recipient Account') so that we may disclose the exchange rate for conversion in the wire process. If you chose to send USD rather than the foreign currency of the receiving account, we will honor your choice, however, we will not be able to provide exchange rate information. Additionally, so that we may provide required disclosures, you must remain in the financial center until we provide you the Remittance Transfer Receipt (RTR). If you leave prior to receiving the RTR, we will cancel the international remittance transfer.

Customer Signature _____

City of Mill Creek

Date of Request 8/27/20

IMPORTANT: FOR EACH WIRE Indicate Method of Signature Verification: (must complete one of the below)

Not Applicable (check box if no signature verification is required) <input type="checkbox"/>	Signature Card (check box if signature card was reviewed) <input type="checkbox"/>	Business Resolution (check box if business resolution was reviewed) <input type="checkbox"/>	Posted Check# (reference PRO for date guidelines) (complete field below) Check # _____	Leader Exception Granted (leader must place their initials or signature in box below) <div style="border: 1px solid black; height: 30px; width: 100%;"></div> Exception Reason: _____
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FOR BANK USE ONLY: Financial Center Information

Financial Center Name	MILL CREEK BANKING CENTER	Date:	August 27, 2020
Company #/Cost Center #:	00353 0037019	Phone #:	425-481-5498
Initiating Associate Name:	DAO, JUSTIN THINH	Remittance ID #:	D98AK6NH2

Payroll 08/25/2020

MEBT ER	11,603.77
MEBT EE	12,414.91
Sub-Total	24,018.68
Less Standard Insurance	0.00
Wire Total	24,018.68 ✓

8573.99	LEO	Total
579.60	MBX	Total
11562.28	MEB	Total
231.54	MEB2	Total
41.49	MME	Total
41.49	MMR	Total
5249.82	P2E	Total
1116.16	P3E	Total
11562.28	TER	Total
38958.65	Grand Total	



Funds Transfer Request Authorization (FTRA)

Customer Information

Name: MILL CREEK, WA CITY OF Address: 15728 MAIN ST
 Phone: (425)921-5723 MILL CREEK
 WA 980121518 US

Account Information

Account: BUS_4700
 Account Title: CITY OF MILL CREEK TREASURER
 CHECKING
 Requestor Name: MICHEAL CIARAVINO

Wire Information

Wire Type: DOMESTIC Wire Date: 08/27/2020
 Country: US Wire Amount (USD): 1,185.95
 Currency of Recipient Account: USD Wire Fee: 30.00
 Source: IN PERSON
 ID Verification/Type: U.S. DRIVER'S LICENSE (WITH OR WITH)

Recipient Information

Recipient Name: BENEFIT ADMINISTRATION COMPANY LLC Bank Name: SOUND CU
 Account Number Type: ACCOUNT NUMBER Bank ID: 325183220
 Account Number: 1119165809 Address: 1331 BROADWAY
 Address: TACOMA TACOMA
 WASHINGTON US WA 98402 US

Information about payment:
 Purpose of Payment: OTHER Additional Phone Advice:

Additional Reference Information: Additional Bank Instructions:

Customer Approval

I authorize Bank of America to transfer my funds as set forth in the instructions herein (including debiting my account if applicable), and agree that such transfer of funds is subject to this Funds Transfer Agreement (see disclosure pages of this form) and applicable fees. If this is a foreign currency wire transfer, I accept the conversion rate provided by Bank of America at the time the wire is sent. Exchange rates are determined by Bank of America, N.A. in our sole discretion. You may be able to get a better exchange rate if you handle this transaction online instead of in the financial center. Please see the Funds Transfer Agreement for further information regarding our exchange rates. For a Consumer International wire: We rely on you, the customer, to inform us of the currency of the receiving account (denoted under 'Currency of Recipient Account') so that we may disclose the exchange rate for conversion in the wire process. If you chose to send USD rather than the foreign currency of the receiving account, we will honor your choice, however, we will not be able to provide exchange rate information. Additionally, so that we may provide required disclosures, you must remain in the financial center until we provide you the Remittance Transfer Receipt (RTR). If you leave prior to receiving the RTR, we will cancel the international remittance transfer.

Customer Signature _____ Date of Request ____/____/____

IMPORTANT: FOR EACH WIRE Indicate Method of Signature Verification: (must complete one of the below)

<p>Not Applicable (check box if no signature verification is required)</p> <input type="checkbox"/>	<p>Signature Card (check box if signature card was reviewed)</p> <input type="checkbox"/>	<p>Business Resolution (check box if business resolution was reviewed)</p> <input type="checkbox"/>	<p>Posted Check# (reference PRO for date guidelines)</p> <p>(complete field below)</p> <p>_____</p> <p>Check # _____</p>	<p>Leader Exception Granted (leader must place their initials or signature in box below)</p> <div style="border: 1px solid black; height: 20px; width: 100%;"></div> <p>Exception Reason: _____</p>
--	--	--	---	--

FOR BANK USE ONLY: Financial Center Information

Financial Center Name	MILL CREEK BANKING CENTER	Date:	August 27, 2020
Company #/Cost Center #:	00353 0037019	Phone #:	425-481-5498
Initiating Associate Name:	DAO, JUSTIN THINH	Remittance ID #:	ZD52VX44N

Payroll Date 08/25/20	Deferred	
	Healthcare	Daycare
Eastman, Scott Michael	\$ 114.58	\$ 0.00
Fleming, Rodney J	\$ 81.94	\$ 0.00
Foutch, Bart A	\$ 114.58	\$ 0.00
Freeburg-Gunderson, Jodie A	\$ 25.00	\$ 0.00
Heath, Ilia C	\$ 105.00	\$ 0.00
Hughes, Tyrone A	\$ 110.00	\$ 0.00
Lee, Joanna M	\$ 45.00	\$ 0.00
Lockett, Grace M	\$ 27.27	\$ 0.00
Pigott, Larissa V	\$ 114.58	\$ 0.00
Rasmussen, Kristen A	\$ 35.00	\$ 208.00
Ringstad, Sherrie M	\$ 30.00	\$ 0.00
Rogers, Thomas B	\$ 62.50	\$ 0.00
Schmidt, Christi A.M.	\$ 50.00	\$ 0.00
Wright, Jere A	\$ 62.50	\$ 0.00
Grand Totals		
Total	\$ 977.95	\$ 208.00
Total Due to BAC	\$ 1,185.95 ✓	



Funds Transfer Request Authorization (FTRA)

Customer Information

Name: MILL CREEK, WA CITY OF Address: 15728 MAIN ST
 Phone: (425)921-5723 MILL CREEK
 WA 980121518 US

Account Information

Account: BUS_4700
 Account Title: CITY OF MILL CREEK TREASURER
 CHECKING
 Requestor Name: MICHAEL CIARAVINO

Wire Information

Wire Type: DOMESTIC Wire Date: 08/27/2020
 Country: US Wire Amount (USD): 1,894.54 ✓
 Currency of Recipient Account: USD Wire Fee: 30.00
 Source: IN PERSON
 ID Verification/Type: U.S. DRIVER'S LICENSE (WITH OR WITH)

Recipient Information

Recipient Name: ICMA RC Bank Name: MANUFACTURERS AND TRADERS TRUST
 COMPANY
 Account Number Type: ACCOUNT NUMBER Bank ID: 022000046
 Account Number: 42538001 Address: ONE M AND T PLAZA, 15TH FL
 Address: BALTIMORE BUFFALO
 MARYLAND US NY 14203 US

Information about payment:
 Purpose of Payment: SERVICES Additional Phone Advice:
 Additional Reference Information: CITY OF MILL CREEK Additional Bank Instructions:

Customer Approval

I authorize Bank of America to transfer my funds as set forth in the instructions herein (including debiting my account if applicable), and agree that such transfer of funds is subject to this Funds Transfer Agreement (see disclosure pages of this form) and applicable fees. If this is a foreign currency wire transfer, I accept the conversion rate provided by Bank of America at the time the wire is sent. Exchange rates are determined by Bank of America, N.A. in our sole discretion. You may be able to get a better exchange rate if you handle this transaction online instead of in the financial center. Please see the Funds Transfer Agreement for further information regarding our exchange rates. For a Consumer International wire: We rely on you, the customer, to inform us of the currency of the receiving account (denoted under 'Currency of Recipient Account') so that we may disclose the exchange rate for conversion in the wire process. If you chose to send USD rather than the foreign currency of the receiving account, we will honor your choice, however, we will not be able to provide exchange rate information. Additionally, so that we may provide required disclosures, you must remain in the financial center until we provide you the Remittance Transfer Receipt (RTR). If you leave prior to receiving the RTR, we will cancel the international remittance transfer.

Customer Signature: *[Signature]* City Manager Date of Request: 8/27/20

IMPORTANT: FOR EACH WIRE Indicate Method of Signature Verification: (must complete one of the below)

Not Applicable (check box if no signature verification is required) <input type="checkbox"/>	Signature Card (check box if signature card was reviewed) <input type="checkbox"/>	Business Resolution (check box if business resolution was reviewed) <input type="checkbox"/>	Posted Check# (reference PRO for date guidelines) (complete field below) Check # _____ <input type="checkbox"/>	Leader Exception Granted (leader must place their initials or signature in box below) <input type="text"/> Exception Reason: _____
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FOR BANK USE ONLY: Financial Center Information

Financial Center Name	MILL CREEK BANKING CENTER	Date:	August 27, 2020
Company #/Cost Center #:	00353 0037019	Phone #:	425-481-5498
Initiating Associate Name:	DAO, JUSTIN THINH	Remittance ID #:	YWPFGPMG2

Payroll Date 08/25/20	ICMA
Fleming, Rodney J	\$ 450.00
Hookland, Rebecca J	\$ 137.60
Kidwell, Tyler A	\$ 531.94
LaRose, Scot P	\$ 700.00
Ringstad, Sherrie M	\$ 25.00
White, Stanley R	\$ 50.00
Grand Totals	
Total Due to ICMA	\$ 1,894.54 ✓



MINUTES

City Council Special Meeting

6:00 PM - Tuesday, August 25, 2020

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

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

A recording of this City Council meeting can be found here: Part 1, Part 2
The agenda packet for this City Council meeting can be found here.

CALL TO ORDER

Mayor Pro Tem Holtzclaw called the meeting of the Mill Creek City Council to order at 6:00 p.m.

ROLL CALL

Councilmembers Present:

Councilmembers Absent:

Brian Holtzclaw, Mayor Pro Tem
Vince Cavaleri, Councilmember
Mike Todd, Councilmember
Mark Bond, Councilmember
John Steckler, Councilmember
Stephanie Vignal, Councilmember

ANNOUNCEMENTS FROM THE MAYOR PRO TEM

- A.** Mayor Pro Tem Holtzclaw requested that Grant Degginger, Interim City Attorney summarize the next steps in light of the recent resignation of Mayor Pam Pruitt.

Interim City Attorney Grant Degginger briefed members of Council with the next steps to fill the vacancy for Council Position #3 due to Mayor Pruitt's resignation effective August 24, 2020. Mr Degginger explained that as per [RCW 42.12.030](#), whenever any officer resigns his or her office before the expiration of his or her term, or the office becomes vacant from any other cause, and at a subsequent special election such vacancy is filled, the person so elected to fill such vacancy shall hold office for the remainder of the unexpired term.

Mayor Pro Tem Holtzclaw proposed to include an item on the September Council meeting agenda to discuss the timeline and process of filling the Council Position #3 vacancy.

Mayor Pro Tem Holtzclaw began discussion with logistics before going into executive session and proposed the possible extension of the Special Meeting until 10:00 p.m. and the extension of executive session until 8:00 p.m.

August 25, 2020 SPECIAL COUNCIL MEETING MINUTES

Councilmember Todd made a motion to extend the Special Meeting until 10:00 p.m. Councilmember Cavaleri seconded the motion. The motion passed unanimously.

RECESS TO EXECUTIVE SESSION

(Confidential Session of the Council)

- B.** Mayor Pro Tem Holtzclaw recessed into executive session to discuss of the performance of a public employee per RCW 42.30.110 (1)(g) until 8:00 p.m. No action will be taken.

At 8:00 p.m. with no objection, Mayor Pro Tem Holtzclaw extended executive session until 9:00 p.m.

At 9:00 p.m. with no objection, Mayor Pro Tem Holtzclaw extended executive session until 10:00 p.m.

At 9:56 p.m. with no objection, Mayor Pro Tem Holtzclaw extended the Special meeting until 11:00 p.m. and executive session until 10:30 p.m.

ADJOURNMENT

With no objection, Mayor Pro Tem Holtzclaw adjourned the meeting at 10:30 p.m.

Brian Holtzclaw, Mayor

Naomi Fay, Interim City Clerk



MINUTES

City Council Regular Meeting

6:00 PM - Tuesday, September 1, 2020

Virtual and Audio Meeting Format during COVID-19 Pandemic

Minutes are the official record of Mill Creek City Council meetings. Minutes summarize the council meeting and documents any actions taken by City Council.

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

CITY COUNCIL VIRTUAL MEETING INFORMATION

A. Tue, Sep 1, 2020 6:00 PM - 8:30 PM (PDT)

Please join my meeting from your computer, tablet or smartphone.

<https://global.gotomeeting.com/join/405900509>

You can also dial in using your phone.
(For supported devices, tap a one-touch number below to join instantly.)

United States: +1 (669) 224-3412
- One-touch: tel:+16692243412,,405900509#

Access Code: 405-900-509

CALL TO ORDER

Mayor Pro Tem Holtzclaw called the meeting of the Mill Creek City Council to order at 6:00 p.m.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Councilmember Steckler.

ROLL CALL

Councilmembers Present:

Councilmembers Absent:

Brian Holtzclaw, Mayor Pro Tem
Vince Cavaleri, Councilmember
Mike Todd, Councilmember
Mark Bond, Councilmember
John Steckler, Councilmember
Stephanie Vignal, Councilmember

AUDIENCE COMMUNICATION

September 1, 2020 REGULAR COUNCIL MEETING MINUTES

- B. There were no public comments on items on or not on the agenda.

NEW BUSINESS

C. Process and Timeline for filling the vacant Council Position #3

Mill Creek City Council Position #3 is currently vacant. The City Manager Ciaravino discussed the plan to accept applications from those interested in filling a vacancy on the Mill Creek City Council, Position #3. City Manager Michael Ciaravino informed Council that staff will develop a plan for advertising and accepting applications or letters of intent with interviews to follow and will present at the next Council meeting. Council engaged in discussion.

ELECTION OF MAYOR

D. Election of Mayor and Oath of Office

(Naomi Fay, Interim City Clerk)

Mayor Pro Tem Holtzclaw opened the discussion by explaining the [rules for election](#).

The Council engaged in discussion and put forth a nomination for Mayor.

Councilmember Todd nominated Brian Holtzclaw for the position of Mayor through the term ending December 31, 2021. Councilmember Cavaleri seconded the nomination. The motion passed 5-0-1 with Mayor Pro Tem Holtzclaw in abstention.

Interim City Clerk Naomi Fay performed the Oath of Office and Mayor Holtzclaw was officially sworn into office.

ELECTION OF MAYOR PRO TEM

E. Election of Mayor Pro Tem and Oath of Office

(Naomi Fay, Interim City Clerk)

Mayor Holtzclaw opened the discussion by explaining the rules for election. The Council engaged in discussion and put forth a nomination for Mayor Pro Tem.

Councilmember Cavaleri nominated Councilmember Vignal for the position of Mayor Pro Tem through the term ending December 31, 2021. Councilmember Todd seconded the motion. The motion passed unanimously.

Interim City Clerk Naomi Fay performed the Oath of Office and Mayor Pro Tem Vignal was officially sworn into office.

OLD BUSINESS

F. Extension of Public Health Emergency Proclamation for COVID-19

(Michael Ciaravino, City Manager)

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City Manager Michael Ciaravino informed members of Council that the current Proclamation for the Public Health Emergency for COVID-19 is due to expire September 1, 2020. Due to the impact and the current status of COVID-19 in the state, the City Manager respectfully asked Council to extend the Proclamation of Emergency to October 1, 2020, which is consistent with the State Legislature and Governor Inslee.

Council engaged in discussion. Councilmember Todd suggested the extension be granted until October 6, 2020 so that the Council may take appropriate action, if needed, at the first regularly scheduled meeting in October without having the proclamation expire or cause a need for a special council meeting. This would avoid the expiration of the proclamation before the first Council Meeting or the need for a Special Council Meeting.

PROPOSED NEW INITIATIVES

- G.** Mayor Holtzclaw proposed changes in processes and procedures for adding new topics to the Council Meeting agenda titled "Proposed New Initiatives". He recommended that ideas by Councilmembers, the City Manager, and staff be brought to Council Leadership with backup materials, prior to staff work commencing, to ensure that Council agrees with the topic being added to the agenda and everyone receives clear and timely materials distribution.

Council engaged in discussion.

H. [Governance Manual](#)

Mayor Holtzclaw began the conversation regarding the need to update the City's outdated Governance Manual. He asked that a study session be placed on the next available agenda to begin discussing the existing document as well as looking at examples from other cities. Mayor Holtzclaw envisions that next steps would be to break the Council down into subgroups to amend sections of the manual.

Council engaged in discussion.

- I.** Request from Mr. Terry Ryan, Snohomish County Aerospace Economic Development Director

Mayor Holtzclaw brought a request from the County to allow Snohomish County to use the City of Mill Creek's logos to show support to keep the Boeing production line of the 787 aircraft at Paine Field instead of moving the line to South Carolina.

Council engaged in discussion.

- J.** City Council Meeting Structure - Regular and Study Sessions

City Manager Michael Ciaravino reminded Council of a topic that was discussed at the previous Council Retreat last spring whereby Council would take action during the last two City Council Meeting with the first meeting of the month be dedicated to Study Sessions only. City Manager Ciaravino said that while it is an excellent idea, he requests Council to be flexible in case action would need to be taken on the first

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meeting due to the current emergency conditions of COVID-19.

Council engaged in discussion.

STUDY SESSION

K. Update on Body Worn Cameras
(Scott Eastman, Interim Chief of Police)

City Manager Michael Ciaravino opened the conversation by stating that when he first started at the City of Mill Creek he asked the Police Chief where the City was with respect to body worn cameras (BWC). The decision to pursue BWC's for the City of Mill Creek is hindered less by the cost of the equipment and more by public records disclosure laws and the costs associated with them.

Interim Police Chief Scott Eastman gave his presentation on body worn cameras including:

- History and the 2016 trial evaluation of 3 officers for 3 months
- Transparency and Accountability
- Equipment capabilities and costs
- Redaction software
- Disclosure requirements of the Public Records Act RCW 42.56.240(14)
- Retention requirements for body worn camera recordings
- Cost study needed to determine actual costs for redaction of body worn camera footage
- Next Steps including:
 - Equipment
 - Personnel
 - Policy
 - Budget

Council engaged in discussion.

[AIS - Update on Body-Worn Cameras](#)

[Attachment A - Update on Body-Worn Cameras 090120](#)

[Attachment B - WASPC 2020 0625 Gov Inslee House Senate Reforms](#)

[Attachment C - RCW 42.56.240](#)

[Attachment D - BWC Considerations](#)

CONSENT AGENDA

- L. City Council Meeting Minutes of [Regular Meeting July 28, 2020](#)
[Special Meeting August 18, 2020](#)

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

REPORTS

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M. Mayor/Council

Mayor Holtzclaw reported that he participated in a tele-meeting of mayors and leaders last week related to the status of COVID-19 and noted that the COVID-19 numbers are beginning to trend downwards but are still not low enough to move into phase three.

Mayor Holtzclaw also reported that the County Executive will be reconvening the Housing Association Regional Task Force (HART) on September 28, 2020 to discuss homelessness and low income housing. Mayor Pro Tem Vignal will attend the meeting.

Mayor Holtzclaw has been informed that it is very unlikely that there will be additional money available through the CARES Act.

Councilmember Steckler received updated census data from Michael Kidd and stated that Washington State is in third place overall nation-wide with 92.6% of the households counted. Of these, 71% were self-responses and 21% were responses through census takers. He further noted that Snohomish County's self-response rate was 74.7% and Mill Creek's was 79.6%.

Councilmember Cavaleri praised the Park and Recreation Board for their great work during COVID-19.

Mayor Pro Tem Vignal expressed her happiness at seeing Heron Park open and that the project was completed on time. She acknowledged staff in the Public Works Department for their hard work. Mayor Pro Tem Vignal asked if there would be a ribbon cutting event or if COVID-19 would prevent this from happening.

Mayor Pro Tem Vignal reported that the YMCA and Boys and Girls Clubs are working on putting together programs to help working parents in need of childcare and assistance with keeping kids on track with virtual learning.

Councilmember Todd reported that the Snohomish County Committee on Improved Transportation (SCCIT) meeting last week. Sound Transit continues to work on their Lynnwood to Everett realignment regional project through ST3. Councilmember Todd emphasized the importance of regional involvement in this project.

Councilmember Todd reported on the Light Rail Communities Project Online Workshop Survey. He encouraged everyone to participate as Mill Creek will be impacted by stations at I-5 and 164th and I-5 and 128th. This is open to the public until September 25, 2020. More information can be find [here](#).

Mayor Holtzclaw reported that there will be discussion at a City Council Meeting regarding attorney's fees and what is driving them.

N. City Manager

- CARES ACT Funding Update

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- Fire District Update

City Manager Michael Ciaravino responded to Mayor Pro Tem Vignal's question about a ribbon cutting at Heron Park. He stated that staff is working on setting up a grand opening within COVID-19 guidelines to have a safe celebration.

Manager Ciaravino welcomed Director of Finance Jeff Balentine back to the City of Mill Creek and asked Mr. Balentine to share the most recent revenue data.

Director of Finance Jeff Balentine shared:

- The most recent revenue report noting that new construction in the City continues to account for the increase in sales tax revenues.
- Budget requests are being sent to departments by September 8, 2020 and upcoming study sessions related to the biennial budget will be scheduled
- That a determination for expending the balance of the CARE Act funds is needed

Council engaged in discussion.

City Manager Michael Ciaravino stated that they would be bringing the CARES Act presentation back to Council for discussion and approval.

City Manager Ciaravino provided an update on the Snohomish County Fire District 7 contract negotiations.

City Manager Ciaravino reported that the City of Mill Creek has submitted its Public Records Act annual JLARC report in compliance with RCW 42.56.

Council engaged in discussion.

O. Staff

- Update on Mill Creek Boulevard Subarea Plan
(Tom Rogers, Planning Supervisor)

Planning Supervisor Tom Rogers provided Council with an update on Mill Creek Boulevard Sub Area Plan Planning Advisory Committee including:

- The work currently being done
 - Vision Statement
 - Residential and land use studies
- Status and next steps
 - Meetings and discussions canceled due to Covid-19
 - Plan to go back to Council on September 22, 2020 for input on mixed use or other residential options
 - Council approval of a contract addendum to extend the contract
- The \$300,000 grant
 - Still usable and intact

City Manager Michael Ciaravino and Planning Supervisor Rogers discussed efforts made to assist local restaurants with options for things like outdoor seating. Every restaurant in Mill Creek was surveyed.

AUDIENCE COMMUNICATION

- P.** Public comment on items on or not on the agenda
Barbara Heidel, a Mill Creek resident, stated that she was glad the Council was going to update the Governance Manual and that she was thrilled to hear that Jeff Balentine is back.

Carmen Fisher, a Mill Creek resident, congratulated Mayor Holtzclaw and Mayor Pro Tem Vignal on their new roles. Ms. Fisher stated that she agrees that updates to the Governance Manual need to be made. Ms. Fisher thanked Interim Police Chief Eastman for his presentation this evening. Ms. Fisher concluded by saying she is glad Jeff Balentine is back and thanked Tom Rogers for his presentation.

RECESS TO EXECUTIVE SESSION

- Q.** At 8:00 p.m. Council recessed into executive session until 8:15 p.m. with no action being taken to discuss the performance of a public employee per RCW 42.30.110 (1)(g). No action is to be taken.

At 8:15 p.m. without objection, Mayor Holtzclaw extended the regular meeting until 9:00 p.m. and executive session until 8:45 PM.

At 8:44 p.m. without objection, Mayor Holtzclaw extended the executive session until 8:50 p.m..

Executive session was adjourned without objection at 8:49 p.m.

ADJOURNMENT

With no objection, Mayor Holtzclaw adjourned the meeting at 8:50 PM

Brian Holtzclaw, Mayor

Naomi Fay, Interim City Clerk

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

**Park & Recreation Board Meeting Minutes
August 5, 2020**

Members:

Peter Lalic
Tyler Hogan
Bridget Casey
Jim Erlewine
Ryan Nichols
Michael Bauer
Vince Cavaleri, Council Representative

Not Present:

Melissa Duque, Chair

Also Present:

Jay Sandstrom, Recreation Coordinator
Matthew Combs, Public Works Supervisor
Laura Anderegg, Youth Advisory Board Representative

CALL TO ORDER

Member Hogan called the meeting to order at 5:03pm. Members and staff were present as noted above.

YOUTH ADVISORY BOARD UPDATES

Youth Advisory Board (YAB) member Laura Anderegg shared recent YAB projects with the Board. While finding opportunities to volunteer and give back to their community has been different during COVID-19, YAB has been working hard to find a variety of different options for members to participate in. These include:

- Help with distributing COVID-19 supplies to the homeless
- Promoting for an upcoming Blood Drive
- Working with the Jackson High School Honors Society to set up a tutoring program for younger students
- Volunteering at the Mill Creek Food Bank

OLD BUSINESS

Board Chair Appointment

Member Melissa Duque was appointed with a unanimous vote at the March, 2020 meeting.

Heron Park Play Area Upgrades Project Update

Recreation Coordinator Jay Sandstrom shared notes from Project Engineer Irving Trejo about the Hero Park upgrade project. As of this meeting, the majority of work has been completed. Notable items include:

- New picnic shelter paint and roof
- New water fountain
- ADA ramp and parking

The new playground equipment will be put together within the next few weeks, and is expected to be complete sometime mid-August.

NEW BUSINESS

Board Vice Chair Appointment

Member Tyler Hogan nominated Member Ryan Nichols for the vacant Vice Chair position. This nomination was seconded by Member Bridget Casey. Vote was unanimous by all present.

Park Tour Recap

The board reviewed the Park Tour notes with Public Works Supervisor Matthew Combs on the call. The board presented the findings it felt most important to be addressed in our City parks to Matthew for his team to address in the future. Supervisor Combs was a valuable resource providing insight into why things may look a certain way and if they can be addressed easily. The Board will aim to follow up on these recommendations in the near future.

Park Tour – building a recommendation list for future amenities

Topic tabled for September meeting.

Park Signage – official recommendation from the Board

Topic tabled for September meeting.


FOR THE GOOD OF THE ORDER

Recreation Coordinator Sandstrom reviewed the plan for offering only virtual programming for the upcoming Fall/Winter 2020-2021 Recreation Guide. He was excited to have a variety of programs for the City to offer, and is looking forward to having more time to promote these virtual offerings to the community.

ADJOURNMENT

Vice Chair Nichols moved to adjourn the meeting at 6:03pm, seconded by Member Lalic. The motion passed unanimously. The next meeting is scheduled for September 2, 2020, at 5 p.m. virtually via Go To Meeting.

Submitted by:



Jay Sandstrom, Recreation Coordinator