

CITY COUNCIL AGENDA

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



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

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

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

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

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

Next Ordinance No. 2018-833

Next Resolution No. 2018-574

**September 25, 2018
City Council Meeting
6:00 PM**

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

AUDIENCE COMMUNICATION

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

PRESENTATIONS

- B. Proclamation: Mary Ann Heine
(*Pam Pruitt, Mayor*)

OLD BUSINESS

- C. Ordinance Amending the Mill Creek Municipal Code for the Purpose of Including Lawful Permanent Residents for Civil Service Positions
(*Greg Elwin, Chief of Police*)

NEW BUSINESS

- D. Park & Recreation Board Appointments
(Council Interview Committee: Councilmember Cavaleri and Councilmember Bond)
- E. Ordinance Adopting Requirements Regarding the Acceptance and use of Donations and Sponsorships
(Joni Kirk, Director of Communications & Marketing)
- F. Extension of a Cable Television Franchise Agreement with Frontier Communications Northwest, Inc.
(Gina Hortillosa, Director of Public Works & Development Services)

STUDY SESSION

- G. Mill Creek Sports Park Turf & Light Replacement Project Update
(Gina Hortillosa, Director of Public Works & Development Services)

CONSENT AGENDA

- H. Approval of Checks #59145 through #59208 and ACH Wire Transfers in the Amount of \$1,140,896.36
(Audit Committee: Mayor Pro Tem Holtzclaw and Councilmember Cavaleri)
- I. Payroll and Benefit ACH Payments in the Amount of \$284,267.36
(Audit Committee: Mayor Pro Tem Holtzclaw and Councilmember Cavaleri)

REPORTS

- J. Mayor/Council
- K. City Manager
 - Council Planning Schedule

AUDIENCE COMMUNICATION

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

ADJOURNMENT

Proclamation

WHEREAS, Mary Ann Heine, passed away from complications due to cancer on July 5, 2018; and

WHEREAS, Mary Ann Heine served as the Executive Administrator of the Mill Creek Community Association (MCCA) for the 20 years prior to her passing; and

WHEREAS, the MCCA is a large Community Association in the City of Mill Creek, comprising approximately one-half of the City's population; and

WHEREAS, Mary Ann Heine's passion for community service and actions to promote livability in the community have led to a strong relationship between the MCCA and City of Mill Creek, whereby we have worked together to address concerns of mutual interest and provide a community that residents are proud of; and

WHEREAS, as the Executive Administrator of the MCCA, Mary Ann Heine worked with the City of Mill Creek on many projects to enhance the livability of the City through: enhancement and maintenance of landscaping and maintenance of public and private common areas; preservation of significant trees that improve aesthetics and provide habitat for wildlife; and maintenance of private properties to enhance and maintain property values and reduce crime; and

WHEREAS, Mary Ann Heine coordinated and planned the installation of new playground equipment, park furniture, subdivision entry signs, and the display of flower baskets and holiday wreaths along the roadway, all of which improved the quality of life for the members of the MCCA and the residents of the City Mill Creek; and

WHEREAS, Mary Ann Heine left a lasting legacy of serving the community and will be missed by City staff and officials, and the City of Mill Creek community;

NOW, THEREFORE, I, Pam Pruitt, the Mayor of the City of Mill Creek, on behalf of the City Council, do hereby thank and honor Mary Ann Heine for her service to our City.



Signed this 25th day of September 2018

Pam Pruitt, Mayor

Attest _____
Gina Pfister, Acting City Clerk

Robert S. Stowe, Interim City Manager



Agenda Item # C

Meeting Date: September 25, 2018

CITY COUNCIL AGENDA SUMMARY

City of Mill Creek, Washington

AGENDA ITEM: **ORDINANCE AMENDING THE MILL CREEK MUNICIPAL CODE FOR THE PURPOSE OF INCLUDING LAWFUL PERMANENT RESIDENTS FOR CIVIL SERVICE POSITIONS**

PROPOSED MOTION:

Motion to approve Ordinance 2018-____ amending the Mill Creek Municipal Code for the purpose of including lawful permanent residents in conformance with RCW 41.12.070.

KEY FACTS AND INFORMATION SUMMARY:

Effective June 7th, 2018, Senate Bill 6145 amended several sections of the Revised Code of Washington (RCW) relating to applicants for civil service positions. For the City of Mill Creek, “civil service” positions are law enforcement positions (such as Police Officer). Prior to Senate Bill 6145, only citizens of the United States were eligible to apply for these positions. With the passage of Senate Bill 6145, and the resulting amendments to the RCW, applicants who are considered lawful permanent residents may also be eligible to apply for civil service positions such as law enforcement.

The section of Mill Creek’s Municipal Code describing qualifications of applicants for civil service positions does not include lawful permanent residents, and so is more restrictive than what the state law allows. In order to be at least as inclusive of qualified applicants as the state law allows (without impairing the City’s ability to perform thorough, complete, and appropriate background investigations of civil service applicants prior to hire) the proposed ordinance changes the Mill Creek Municipal Code to reflect the same language as seen in RCW 41.12.070 *Qualifications of applicants – Law enforcement agencies.*

CITY MANAGER RECOMMENDATION:

Approve proposed ordinance updating Civil Service requirements.

ATTACHMENTS:

- RCW 41.142.070
- Senate Bill 6145

Respectfully Submitted:

Robert S. Stowe
Interim City Manager

ORDINANCE NO. 2018-_____

AN ORDINANCE OF THE CITY OF MILL CREEK, WASHINGTON, AMENDING MILL CREEK MUNICIPAL CODE CHAPTER 4.06.070, QUALIFICATIONS OF APPLICANTS, FOR THE PURPOSE OF INCLUDING LAWFUL PERMANENT RESIDENTS IN CONFORMANCE WITH RCW 41.12.070, QUALIFICATIONS OF APPLICANTS – LAW ENFORCEMENT AGENCIES, AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, Mill Creek Municipal Code (MCMC) Chapter 4.06 provides for a system of civil service for the Mill Creek police department; and

WHEREAS, it is in the interest of the City to update from time to time its municipal code to reflect changes in laws, and to attain administrative efficiencies and consistencies between the MCMC and department practices; and

WHEREAS, Senate Bill 6145 has amended RCW 41.12.070 and other affected sections to include lawful permanent residents as eligible applicants for civil service positions.

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

Section 1. MCMC Chapter 4.06.070 (Qualifications of Applicants) is hereby amended as set forth below.

4.06.070 Qualifications of applicants.

An applicant for a position of any kind under civil service under the provisions of this chapter, must be a citizen of the United States of America or a lawful permanent resident who can read and write the English language, must be of an age suitable for the position applied for, must be in ordinary good health, and must be of good moral character and of temperate and industrious habits. These facts shall be ascertained in such manner as the commission may deem advisable.

An application for a position may be rejected if the City deems that it does not have the materials, funding, or staff time necessary to conduct the background investigation required pursuant to chapter 43.101 RCW. Nothing in this section impairs an applicant's rights under state antidiscrimination laws.

Section 2. The City Clerk is directed to take steps as required to implement and effectuate this Ordinance. The Clerk is authorized to correct or have corrected scrivener's errors, internal references, and the like.

Section 3. This Ordinance shall be in full force and effect five days after publication of a summary hereof consisting of the title of this Ordinance, in accordance with RCW 35A.13.200.

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

APPROVED:

MAYOR PAM PRUITT

ATTEST/AUTHENTICATED:

GINA PFISTER, ACTING CITY CLERK

APPROVED AS TO FORM:

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

FILED WITH THE CITY CLERK: _____

PASSED BY THE CITY COUNCIL: _____

PUBLISHED: _____

EFFECTIVE DATE: _____

ORDINANCE NO.: _____

RCW 41.12.070

Qualifications of applicants—Law enforcement agencies.

An applicant for a position of any kind under civil service under the provisions of this chapter, must be a citizen of the United States of America or a lawful permanent resident who can read and write the English language.

An applicant for a position of any kind under civil service must be of an age suitable for the position applied for, in ordinary good health, of good moral character and of temperate and industrious habits; these facts to be ascertained in such manner as the commission may deem advisable.

An application for a position with a law enforcement agency may be rejected if the law enforcement agency deems that it does not have the resources to conduct the background investigation required pursuant to chapter 43.101 RCW. Resources means materials, funding, and staff time. Nothing in this section impairs an applicant's rights under state antidiscrimination laws.

[2018 c 32 § 2; 1972 ex.s. c 37 § 3; 1963 c 95 § 2; 1937 c 13 § 7; RRS § 9558a-7.]

NOTES:

Purpose—1972 ex.s. c 37: See note following RCW 41.08.070.

CERTIFICATION OF ENROLLMENT

SENATE BILL 6145

Chapter 32, Laws of 2018

65th Legislature
2018 Regular Session

CIVIL SERVICE APPLICANTS--QUALIFICATIONS

EFFECTIVE DATE: June 7, 2018

Passed by the Senate February 7, 2018
Yeas 31 Nays 17

CYRUS HABIB
President of the Senate

Passed by the House February 27, 2018
Yeas 84 Nays 14

FRANK CHOPP
Speaker of the House of Representatives
Approved March 9, 2018 2:05 PM

JAY INSLEE
Governor of the State of Washington

CERTIFICATE

I, Brad Hendrickson, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SENATE BILL 6145** as passed by Senate and the House of Representatives on the dates hereon set forth.

BRAD HENDRICKSON
Secretary

FILED

March 9, 2018

**Secretary of State
State of Washington**

SENATE BILL 6145

Passed Legislature - 2018 Regular Session

State of Washington 65th Legislature 2018 Regular Session

By Senators Saldaña, Keiser, Dhingra, and Kuderer

Read first time 01/09/18. Referred to Committee on Law & Justice.

1 AN ACT Relating to civil service qualifications; amending RCW
2 41.08.070, 41.12.070, 41.14.100, 43.101.080, and 43.101.095; and
3 adding a new section to chapter 41.04 RCW.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 41.08.070 and 1972 ex.s. c 37 s 2 are each amended
6 to read as follows:

7 An applicant for a position of any kind under civil service under
8 the provisions of this chapter, must be a citizen of the United
9 States of America or a lawful permanent resident who can read and
10 write the English language.

11 An applicant for a position of any kind under civil service must
12 be of an age suitable for the position applied for, in ordinary good
13 health, of good moral character and of temperate and industrious
14 habits; these facts to be ascertained in such manner as the
15 commission may deem advisable.

16 **Sec. 2.** RCW 41.12.070 and 1972 ex.s. c 37 s 3 are each amended
17 to read as follows:

18 An applicant for a position of any kind under civil service under
19 the provisions of this chapter, must be a citizen of the United

1 States of America or a lawful permanent resident who can read and
2 write the English language.

3 An applicant for a position of any kind under civil service must
4 be of an age suitable for the position applied for, in ordinary good
5 health, of good moral character and of temperate and industrious
6 habits; these facts to be ascertained in such manner as the
7 commission may deem advisable.

8 An application for a position with a law enforcement agency may
9 be rejected if the law enforcement agency deems that it does not have
10 the resources to conduct the background investigation required
11 pursuant to chapter 43.101 RCW. Resources means materials, funding,
12 and staff time. Nothing in this section impairs an applicant's rights
13 under state antidiscrimination laws.

14 **Sec. 3.** RCW 41.14.100 and 1963 c 95 s 3 are each amended to read
15 as follows:

16 An applicant for a position of any kind under civil service under
17 the provisions of this chapter, must be a citizen of the United
18 States or a lawful permanent resident who can read and write the
19 English language.

20 An application for a position with a law enforcement agency may
21 be rejected if the law enforcement agency deems that it does not have
22 the resources to conduct the background investigation required
23 pursuant to chapter 43.101 RCW. Resources means materials, funding,
24 and staff time. Nothing in this section impairs an applicant's rights
25 under state antidiscrimination laws.

26 **Sec. 4.** RCW 43.101.080 and 2015 c 225 s 90 are each amended to
27 read as follows:

28 The commission shall have all of the following powers:

- 29 (1) To meet at such times and places as it may deem proper;
30 (2) To adopt any rules and regulations as it may deem necessary;
31 (3) To contract for services as it deems necessary in order to
32 carry out its duties and responsibilities;
33 (4) To cooperate with and secure the cooperation of any
34 department, agency, or instrumentality in state, county, and city
35 government, and other commissions affected by or concerned with the
36 business of the commission;



Agenda Item # D
Meeting Date: September 25, 2018

CITY COUNCIL AGENDA SUMMARY

City of Mill Creek, Washington

AGENDA ITEM: APPOINTMENTS TO THE PARK AND RECREATION BOARD

PROPOSED MOTION:

Motion to appoint three volunteers to serve a three-year term on the Park & Recreation Board.

KEY FACTS AND INFORMATION SUMMARY:

Three positions on the Park & Recreation Board, one is currently vacant and two expire on October 31, 2018. Staff conducted a recruitment process that included the following:

- The notice was posted on the bulletin boards at City Hall and at the Library.
- A press release was sent to the local newspapers.
- The notice was also posted on the City's website.
- The notice was sent out through the "Notify Me" feature on the City's website, where people interested in serving on the Park & Recreation Board have signed-up to receive notice when a vacancy occurs.
- The City's social media outlets were utilized to advertise the vacancies.

Four applicants applied for the three vacancies on the Park & Recreation Board. Interviews are scheduled for Tuesday, September 25, 2018. The Interview Committee is comprised of Councilmember Cavaleri, Councilmember Bond and Park & Recreation Board Chair Jim Erlewine.

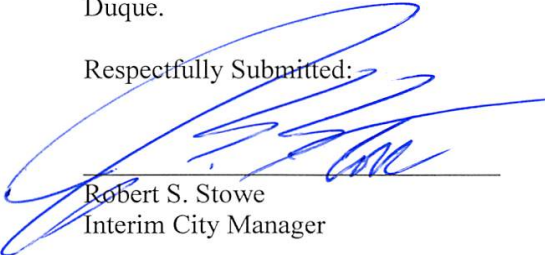
CITY MANAGER RECOMMENDATION:

N/A

ATTACHMENTS:

Park & Recreation Board applications from: Brett Nagle, Stephanie, Nancy Evans and Melissa Duque.

Respectfully Submitted:



Robert S. Stowe
Interim City Manager



**City of Mill Creek
Boards & Commissions Application**

Community Service

The City of Mill Creek values the residents who volunteer their time to serve on our boards and commissions. The contribution made by such members has helped make Mill Creek the great city it is today.

Application

If you are interested in serving on the Arts and Beautification Board, Parks & Recreation Board, Design Review Board, Planning Commission or Civil Service Commission, please complete this application and submit it to the City Clerk at cityclerk@cityofmillcreek.com, or by mail at:

City of Mill Creek
Attn: City Clerk
15728 Main Street
Mill Creek, WA 98012

Please fill out the following information:

First Name: Brett Last Name: Nagle

Address: 15327 25th Lane SE City: Mill Creek Zip: 98012

Email: brett@wadefense.com Phone: 425-236-3306

Please complete each of the following questions:

1. What board or commission would you like to be considered for?

Parks & Recreation Board

2. Why are you interested in serving on a board or commission?

I have served on the park board for two terms. I am proud of our accomplishments in designing Buffalo Park and our newest park at North Pointe. I also believe in our contributions in touring all of our parks each summer and reporting back to the city as to areas where we could improve or maintenance issues that need to be resolved. I would like to continue this process, and ensuring that our parks meet the expectations of our community.

3. Please explain your professional background and list any professional licenses, registrations or certificates held.

I have been an attorney for seventeen years, licensed with the Washington State Bar Association since 2001. For the past twelve years, I have run my own law practice in Lynnwood, Washington. I have served as a pro-tem judge in Snohomish County for fourteen years. I volunteer as a mock trial coach and advisor at Bothell and North Creek High Schools.

4. What are some of the most important concerns or issues that you think the City will have to face in the next 5-10 years?

First, we should update and replace equipment and a new play structure roof at Heron Park. At the same time, we need to keep our North Pointe project on task as it has fallen by the wayside this summer as construction costs have increased.

Next, we need to prioritize our list of desired improvements derived from our yearly park tour. We should follow up with the Public Works department as to their progress.

On a broader note, the Parks Department needs a director. City staff has done an admirable job keeping the department running despite multiple changes in leadership over the past few years. Our staff deserves consistency and members of the park board deserve to know that our concerns and priorities are being communicated to council.

5. What do you see as the City's best asset to bring visitors and new residents to the City?

Mill Creek Town Center.

6. Please list any other comments that would help the City Council evaluate your skills for this position.

Prior to becoming an attorney, I worked as a Park Aide for Snohomish County and later for the State of Washington. I cleaned bathrooms, mowed lawns, and interacted with the public every day. That experience has helped me to appreciate the everyday realities involved in maintaining parks to the high standards expected by our community.



**City of Mill Creek
Boards & Commissions Application**

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Application

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City of Mill Creek
Attn: City Clerk
15728 Main Street
Mill Creek, WA 98012

Please fill out the following information:

First Name: Melissa Last Name: Duque
Address: 13513 31st dr SE City: Mill Creek Zip: 98012
Email: meli.duque@gmail.com Phone: 562-537-5198

Please complete each of the following questions:

1. What board or commission would you like to be considered for?

Parks and Recreation Board

2. Why are you interested in serving on a board or commission?

I am a very proud resident of the City of Mill Creek. I have volunteered throughout my life for various nonprofits with different missions. I think its time that I use my skillsets to support my community.

I've also had the pleasure of using services/programs offered through Mill Creek's Park and Recreation (my children). I've also used and researched similar private programs and those provided by other cities.

3. Please explain your professional background and list any professional licenses, registrations or certificates held.

I am a public relations/communications specialist with a focus on nonprofits and foundations. I have held volunteer positions in relation to fundraising, data management, and have been a member of the Board of Directors for a local nonprofit.

3. What are some of the most important concerns or issues that you think the City will have to face in the next 5-10 years?

I think the largest concern is the growth of its population. As we continue to grow, which is only natural, we will need to work to maintain the vision of the city (that it's a place where people are safe, neighborhoods flourish, businesses thrive and that there are recreational opportunities). Maintenance of roads, management of traffic, and growth in services will be key.

4. What do you see as the City's best asset to bring visitors and new residents to the City?

The city's best asset to bring visitors is to have special events that highlight current programs/projects that are occurring.

For new residents, the City needs to set itself apart from bordering cities. What makes Mill Creek different and if it's not different, what can make it different? Is it the parks, playfields, how things are operated? What about the population? Are there opportunities to create projects/plans for a growth in diversity?

5. Please list any other comments that would help the City Council evaluate your skills for this position.

I've been on various teams and understand the importance of listening to get an understanding of all sides of an argument. I would absolutely be committed to my role and would come to meetings prepared.



**City of Mill Creek
Boards & Commissions Application**

Community Service

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Application

If you are interested in serving on the Arts and Beautification Board, Parks & Recreation Board, Design Review Board, Planning Commission or Civil Service Commission, please complete this application and submit it to the City Clerk at cityclerk@cityofmillcreek.com, or by mail at:

City of Mill Creek
Attn: City Clerk
15728 Main Street
Mill Creek, WA 98012

Please fill out the following information:

First Name: Nancy Last Name: Evans

Address: 15408 Main St, Unit 506 City: Mill Creek Zip: 98012

Email: nancy.evans550@gmail.com Phone: 206 542-0421

Please complete each of the following questions:

1. What board or commission would you like to be considered for?
Parks and Recreation Board

2. Why are you interested in serving on a board or commission?
I had lived in Edmonds for 35 year and moved to Mill Creek last year after retiring. When my children were small, the Edmonds parks with play areas were very necessary places where our kids who could drain their energy and both the kids and their parents could socialize with others. When my son was a pre-teen it was hard to get him to open up about school, friends, etc. However, I found that when we walked our dog through the Edmonds

parcs or trails, there was something about being in these natural calm environments that made him quite chatty! So, you can see how these open green spaces were very important to our family. My now grown kids are avid campers and hikers, and I believe that their early exposure to the neighborhood parks and trails contributed to their love of nature.

3. Please explain your professional background and list any professional licenses, registrations or certificates held.

My career was Business Management and Accounting. I was proud to work for over thirty years at two engineering firms who had as part of their mission statements the goal to do no unnecessary harm to the environment. My first twenty years was as a comptroller and small project management. For my last ten years I gravitated into contract negotiations and contract management, where my education, experience, and skills were merged. Since most of my clients were municipal and State government entities, I am familiar with working within the "bureaucracy".

4. What are some of the most important concerns or issues that you think the City will have to face in the next 5-10 years?

Population Growth - Mill Creek is a very desirable community for families and retirees. Because public transportation is consistently improving, we will be adding more commuters who work in Seattle to the South and Everett to the North, which will certainly impact the population growth in Mill Creek. It is vital that children, families, athletes, and weekend warriors have access to outdoor places to serve their various needs.

5. What do you see as the City's best asset to bring visitors and new residents to the City?

Mill Creek is fortunate to have maintained its pleasant "small town" atmosphere. I believe that all the open green spaces, parks, and recreational facilities are a large part of this asset.

6. Please list any other comments that would help the City Council evaluate your skills for this position.

In addition to my experience with contract preparation and management, my accounting background enables me to understand economic and budget issues.

I have served as an elected Board member on numerous HOA Boards for my investment properties and am currently the Board Treasurer for the HOA where I now live. This provided me experience in dealing with all types of personalities, especially since these Board's main purpose was preserving home values by responsibly spending other people's money.

Now that I am retired, I want to use my time by volunteering for issues that I care about.

enjoyment of our local parks has given me the skills that I feel would be of the most benefit to the Parks and Recreation Board.

3. Please explain your professional background and list any professional licenses, registrations or certificates held.

I have over 13 years of commercial and residential property management experience. I have managed mixed-use, commercial and residential properties where I was responsible for implementing annual operating budgets totaling millions of dollars, routine maintenance and repairs, as well as project management and construction services. I was responsible for seeking bids for services and overseeing the process to select vendors and ensure the scope of work was completed as expected. I am a team player with a proven track record of working with people who have differing personalities and backgrounds to solve problems.

4. What are some of the most important concerns or issues that you think the City will have to face in the next 5-10 years?

I feel that the most important concern the City will face in the upcoming years is the challenge to maintain our character and the quality of our parks and greenspace amongst the rapid growth that Snohomish County is facing.

5. What do you see as the City's best asset to bring visitors and new residents to the City?

I see the vast network of trails along with our protected greenspace and numerous parks as the greatest asset we have to bring visitors and residents to the City.

6. Please list any other comments that would help the City Council evaluate your skills for this position.

In my professional career I have experience in seeking bids and analyzing them to hire the best fit for landscaping as well as small construction projects. I have a background in working with people from various backgrounds and bringing them together to accomplish common goals. I enjoy solving problems and working with others. I also feel that the amount of time I spend with my daughter utilizing our parks would be a strong asset for this board.



Agenda Item # E
Meeting Date: Sept. 25, 2018

CITY COUNCIL AGENDA SUMMARY

City of Mill Creek, Washington

**AGENDA ITEM: ORDINANCE ADOPTING REQUIREMENTS REGARDING THE
ACCEPTANCE AND USE OF DONATIONS AND SPONSORSHIPS**

PROPOSED MOTION:

Motion to adopt ordinance regarding the acceptance and use of donations and sponsorships.

KEY FACTS AND INFORMATION SUMMARY:

The City of Mill Creek desires to accept appropriate donations and sponsorships in limited circumstances as a means to generate funds for improving or expanding certain City programs and services. A proposed ordinance has been created governing how the City will accept donation and sponsorships while also authorizing the City Manager to develop appropriate administrative policies and procedures regarding the acceptance of donations and sponsorships for the City.

Specifically, the proposed ordinance provides that the City Manager is authorized to accept monetary donations or sponsorships up to \$50,000 to the City, including monetary donations or sponsorships conditioned on how the monies can be spent, so long as the donation or sponsorship applies to a City-budgeted expenditure. The City Manager shall notify the Council of his or her decision, and at the Manager's discretion, may request City Council approval prior to acceptance. City Council approval shall be required for any monetary donation or sponsorship having a value over \$50,000 and/or made with specific terms or conditions outside of a City-budgeted expenditure.

The proposed ordinance also addresses the following: 1) nonmonetary donations in a similar manner as monetary donations; 2) Non-acceptance of donations and sponsorships; and 3) Acknowledgement of donations and sponsorships.

Attached for reference is a draft set of administrative policies and procedures (policies) based on the proposed Donation and Sponsorships Ordinance. The new policies ensure appropriate oversight at all levels of the City and will be finalized by the City Manager following adoption of the proposed Donation and Sponsorship Ordinance. Key highlights from the policies are provided below:

- **Donations Policy:** A donation may mean a monetary contribution, equipment, materials, artwork, real estate or services which a City department or the City has accepted and for which the donor has not received any funds, goods, or services in return.

This policy is an update of the July 2009 policy on donations (CCP 09-004). The purpose of the Donations Policy is to establish criteria for evaluating and accepting donations in a responsible, transparent, and accountable manner that is consistent with the City's goals and public accountability. Donations may be accepted only if they have a use or purpose to the City and are consistent with the proposed Ordinance.

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On a related topic, staff researched how to handle donations by foundations, specifically the Mill Creek Police Foundation. The City Attorney's office confirmed that foundations are legally separate and independent entities from the City and operate under their own policies and legal requirements. The City has no authority or ability to control them. In light of that, the Donation Policy does not incorporate language to govern or regulate activities of foundations. Instead, the new Donation Policy establishes standards for review and acceptance of proposed donations to ensure that they are consistent and compatible with the City's goals, policies, needs, and public entity obligations.

- **Sponsorship Policy:** A sponsorship is a business relationship in which the City and the external entity exchange goods, services, and donations for the public display of a message on City property acknowledging private support.

The purpose of the Sponsorship Policy is to establish criteria for considering sponsors that further the City's mission by providing monetary or in-kind support for the City's programs or services. Whenever possible, sponsorships will be linked to specific activities, events, programs or publications.

As part of the City's formalized approach, a sponsorship opportunities packet with sponsorship levels is created annually. Certain acknowledgement benefits are provided in return to sponsors, commensurate with the level of sponsorship.

Moving forward, the City will provide a quarterly report of the City's current and proposed sponsorships. The current report is attached.

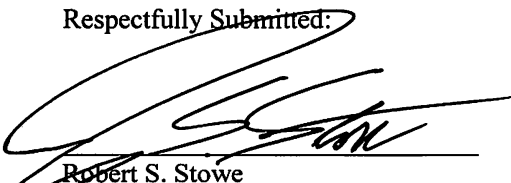
CITY MANAGER RECOMMENDATION:

Adopt the proposed ordinance establishing requirements for the acceptance and use of donations and sponsorships.

ATTACHMENTS:

- Ordinance Adopting Requirements for Acceptance and Use of Donations and Sponsorships
- Donation Administrative Policies and Procedures
- Sponsorship Administrative Policies and Procedures
- 2009 Donations Policy - CCP 09-004
- 2018 City Sponsorship Packet
- 2018 Sponsor List

Respectfully Submitted:



Robert S. Stowe
City Manager

ORDINANCE NO. 2018-_____

**AN ORDINANCE OF THE CITY OF MILL CREEK, WASHINGTON,
ADOPTING REQUIREMENTS REGARDING THE ACCEPTANCE AND
USE OF DONATIONS AND SPONSORSHIPS; AND ESTABLISHING AN
EFFECTIVE DATE**

WHEREAS, the Mill Creek City Council has determined that donations and sponsorships can enhance City programs and services which in turn support the City's vision, mission and goals; and

WHEREAS, the City of Mill Creek desires to accept appropriate donations and sponsorships in limited circumstances as a means to generate funds for improving or expanding certain City programs and services; and

WHEREAS, under RCW 35.21.100, the City of Mill Creek is required to adopt an ordinance that outlines how donations are to be accepted; and

WHEREAS, the City Council wishes to adopt the following requirements governing donations and sponsorships for the purposes set forth above;

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

Section 1. Definitions.

- A. Donation.** As used in this ordinance, the term "donation" refers to any money or property, real or personal, donated, devised or bequeathed, with or without restriction, to the City of Mill Creek.

- B. Sponsorship.** As used in this ordinance, the term "sponsorship" refers to any money or service bequeathed, with or without restriction, to the City of Mill Creek. A sponsorship is typically a business relationship in which the City and an external entity or individual exchange goods and services for the public display of a message on City property acknowledging private support.

Section 2. Acceptance of Donations and Sponsorships Authorized.

- A. **Monetary Donations and Sponsorships.** The City Manager is authorized to accept monetary donations or sponsorships up to \$50,000 to the City, including monetary donations or sponsorships conditioned on how the monies can be spent, so long as the donation or sponsorship applies to a City-budgeted expenditure. The City Manager shall notify the Council of his or her decision, and at the Manager's discretion, may request City Council approval prior to acceptance. City Council approval shall be required for any monetary donation or sponsorship having a value over \$50,000 and/or made with specific terms or conditions outside of a City-budgeted expenditure.

- B. **Nonmonetary Donations.** The City Manager is authorized to determine the appropriateness, usefulness and value to the City of all nonmonetary donations with a fair market value of up to \$50,000, including nonmonetary donations that can and will be promptly sold or transferred by the City resulting in cash proceeds to the City, and may accept any such nonmonetary donation so long it applies to a City-budgeted expenditure. The City Manager shall notify the City Council of his or her decision regarding the value and disposition of such nonmonetary donations. City Council approval shall be required for the appropriation, retention, improvement, return to donor, transfer, trade, sale, donation to other agency, or other disposition of all other nonmonetary donations.

- C. **Nonacceptance of Donation or Sponsorship.** The City Manager shall decline to accept a donation or sponsorship if such donation or sponsorship is not consistent with the policies, plans, goals or ordinances of the City of Mill Creek, or if acceptance is contrary to law, or if the City Council decides not to accept a donation or sponsorship.

Section 3. Acknowledgment of Donations and Sponsorships. The City Manager shall, for each completed donation or sponsorship, timely communicate an acknowledgment of acceptance on behalf of the City and express appropriate appreciation therefor.

Section 4 Policies and Procedures. The City Manager shall promulgate appropriate administrative policies and procedures regarding the acceptance of donations and sponsorships for the City.

Section 5 The provisions of this ordinance are declared to be severable and in the event a court of competent jurisdiction declares any portion of this ordinance invalid, the remaining provisions shall be unaffected thereby.

Section 6. Any previously enacted ordinance, or part thereof, in conflict with the foregoing is hereby **repealed** to the extent of such conflict.

Section 7. This Ordinance shall be in full force and effect five days after publication of a summary hereof consisting of the title of this Ordinance, in accordance with RCW 35A.13.200.

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

APPROVED:

MAYOR PAMELA PRUITT

ATTEST/AUTHENTICATED:

GINA PFISTER, ACTING CITY CLERK

APPROVED AS TO FORM:

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

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



Subject CITY DONATIONS	Index: Communications & Marketing Number: 200-09
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Effective Date:	Supersedes: CCP 09-004 July 14, 2009	Staff Contact: Joni Kirk	Clerk ID Number:	Approved By and Date:
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1.0 PURPOSE:

The purpose of this administrative policy and procedure is to establish a set of criteria for evaluating and accepting donations in a responsible, transparent, and accountable manner in accordance with Ordinance No ____ concerning the acceptance of Donations and Sponsorships. The criteria herein will be used to guide the review and acceptance of donations, and to ensure the City has relevant and adequate resources to administer the donations.

In-kind contributions and sponsorships are not within the scope of this policy and procedure and are guided under the City Sponsorships Policy 200-06.

2.0 ORGANIZATIONS AFFECTED:

All City departments/divisions.

Outside parties or entities desiring to donate funds, equipment, materials, property, or services to the City of Mill Creek.

3.0 REFERENCE:

- Ordinance No. ____2018: Acceptance of Donations and Sponsorships
- Policy 200-06: City Sponsorships Policy
- Policy 09-2003: Memorial Program Policy
- Policy 09-003: Tree Donation Policy
- MCMC Chapter 16.14: Mitigation, Dedications and Contributions
- MCMC Chapter 4.30: Art and Beautification Board
- MCMC Chapter 4.30: Park and Recreation Board
- RCW 35.21.100: Donations – Authority to Accept and Use
- RCW 42.23.070: Code of Ethics – For Municipal Officers

4.0 POLICY

It is the policy of the City of Mill Creek ("City") that:

- 4.1 Donations will only be accepted using the criteria outlined herein and any other applicable legal requirements.
- 4.2 Donations will not become property of the City until accepted by the City consistent with this policy and procedure. The City has complete discretion to accept or reject donations.
- 4.3 All donations will be evaluated by the City Manager or designee prior to acceptance to determine whether the donation is in the City's best interest and is consistent with applicable City laws, policies, ordinances, and resolutions.
- 4.4 The City shall comply with all applicable laws and regulations of the Internal Revenue Service regarding the acceptance of donations.
- 4.5 A donor may place restrictions on a donation for a particular City department, location or purpose, but must advise the City of such restriction in the donation acceptance form.

5.0 DEFINITIONS:

- 5.1 **Art Donation:** Donations in the form of art pieces including, but not limited to, sculptures, statues, monuments, murals, music, or performance art.
- 5.2 **City:** The City of Mill Creek, including any office, department, division, board, committee or other entity therein.
- 5.3 **City Council:** The elected body of the City of Mill Creek.
- 5.4 **City Manager:** The City's chief executive officer.
- 5.5 **Communications and Marketing Department:** The City department that is responsible for reviewing and recommending Donations.
- 5.6 **Conflict of Interest:** It is a conflict of interest for a municipal officer to: (1) use their position to secure special privileges or exemptions for themselves or others, (2) give or receive or agree to give or receive any compensation, reward, or gratuity from a source except the employing municipality, for a matter connected to the officer's services, (3) accept employment or engage in business or professional activities that would require disclosure of confidential information, and (4) disclose confidential information gained by the officer's position or use such information for the officer's personal gain.

- 5.7 **Donation:** Donation may mean a monetary contribution, equipment, materials, artwork, real estate or services which a City department or the City has accepted and for which the donor has not received any funds, goods, or services in return. Donations will be viewed as one-time supplements and shall not be used to develop new programs or services that would require budget supplements from the City in the current or subsequent years. Donors may place restrictions that limit how the City utilizes the donation.
- 5.8 **Donation Receipt Form:** The form that must be submitted by the donor to the Director of Communication and Marketing for donations of money, equipment, materials, or services up to a value of \$50,000 and must apply to a City budgeted expenditure. The form must be signed and approved by both the Department Director and the City Manager.
- 5.9 **Donor:** The person or other legal entity that provides a Donation to the City, under this Policy.
- 5.10 **Finance and Administration Department:** The City department responsible for the City's revenue and expenses and overseeing the budget and cash management.
- 5.11 **Monetary Donation:** Donations in the form of cash, stocks, bonds, securities or other negotiable instruments, investments or bequests.
- 5.12 **External Entity:** A person or other legal entity external to the City of Mill Creek staff and elected officials.
- 5.13 **Park Amenity Donations:** Donations in the form of park facilities and amenities including, but not limited to, drinking fountains, picnic tables, playground equipment, gardens, fountains, and plazas.
- 5.14 **Public Works and Development Services Department (PWDS):** The City department responsible for the City's infrastructure, development, and maintenance functions.
- 5.15 **Sponsorship:** "Sponsorship" is the opportunity of an external entity (for-profit or not-for profit) to associate its name, products, or services with the City's programs, services or name. A sponsorship is a business relationship in which the City and the external entity exchange goods and services for the public display of a message on city property acknowledging private support. Sponsorships are administered according to the City's Donations and Sponsorships Ordinance and the City's Sponsorship Policy & Procedure.

6.0 PROCEDURES:

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6.1 Review Criteria: The following criteria, as applicable, will be used by the City to determine whether a Donation is appropriate for acceptance.

6.1.1 Donations may be accepted only if they have a use or purpose to the City, and their use is not unduly restricted. If the donation has no use to the City or would be more effectively used elsewhere or the restrictions are unacceptable to the City or the donor's mission or purpose is unacceptable to the City, the donor will be informed as soon as possible.

6.1.2 The donor has provided adequate proof of ownership as to the legal title of the donated item.

6.1.3 The donation or sponsorship applies to a City-budgeted expenditure. .

6.1.4 Restrictions on the donation are acceptable to the City Manager or designee.

6.1.5 The donation does not create or expose the City to liability that it is unwilling or unable to accept.

6.1.6 The donation does not require extensive repair or maintenance;

6.1.7 The donation does not require additional purchases to be useful and does not require additional costs such as fuel, labor, and licensing fees.

6.1.8 The donation does not present a conflict of interest for the City or its employees.

6.2 Approval Authority.

6.2.1 All proposed donations shall be reviewed by the Director of Communications and Marketing in consultation with the affected Department Directors and the City Manager, for value and restrictions. If the donation is an art donation or a park amenity donation, the City Manager may refer the donation to the Art and Beautification Board, or the Park and Recreation Board, respectively, for an approval recommendation.

6.2.2 If there is reason to believe the donation presents a potential conflict of interest, the City Manager shall determine whether the donation should be accepted, rejected, or submitted to Council for approval.

6.2.3 The City Manager may accept donations up to \$50,000 in fair market value.

6.2.4 All donations exceeding \$50,000, made with terms or conditions outside of a City budgeted expenditure, or include real property require acceptance by the City

Council, except that donations of real property that are made pursuant to the City's Development Code (MCMC Titles 14 - 18) are subject to the requirements of MCMC Chapter 16.14. For all other donations not made pursuant to the City's Development Code, City staff will draft an agenda summary for City Council that includes a description of the donation, the donor's stated value of the donation, a summary of the advantages and disadvantages of accepting the donation, and a recommendation. The City Council will take action in accordance with its rules.

6.3 Management.

6.3.1 The Director of Finance and Administration shall account for donations to respective City departments and assist Department Directors in accounting for use or expenditure of donations.

6.3.2 The Department Director to which the donation is directed or given is responsible for managing and expending the donation.

6.3.3 All donations must be accompanied by a completed Donation Receipt Form.

6.3.4 All monetary donations shall be deposited immediately with the Finance Department, which will account for the specific donation to the specific department if the donation is so restricted. If the donation is not restricted, the Finance Director shall deposit the donation in the City's General Fund, or other approved fund.

6.3.5 Each Department Director, with Finance Department assistance, shall oversee accounting and expenditures of donations that are deposited into City accounts. The City Manager shall oversee general donations to the City when a specific department is not designated by the donor.

6.3.6 Funds shall remain available until they are spent for their intended purpose. Donations may be carried over until expended.

6.3.7 Each donation shall be acknowledged by letter, thanking the donor for the donation. The signer of the acknowledgement letter shall correspond to the level of value for the donation (e.g., City Manager, or Mayor on behalf of the City Council).

6.3.8 Policies for Specific Types of Donation.

6.3.8.1 Donations of trees: For specific guidelines concerning tree donations, see City Council Policy 09-003.

6.3.8.2 Donations of memorial benches: For specific guidelines and application for memorial benches see City Council Policy 09-003.

6.3.8.3 Art Donations will be reviewed by the Art and Beautification Board in conjunction with the PWDS Director.

6.3.8.4 Park Amenity Donations will be reviewed by the Park and Recreation Board in conjunction with the PWDS Director.



Subject CITY SPONSORSHIPS	Index: Communications & Marketing Number: 200-06
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Effective Date:	Supersedes:	Staff Contact: Joni Kirk	Clerk ID Number:	Approved By and Date:
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1.0 PURPOSE:

The purpose of this administrative policy and procedure is to establish criteria by which the City may accept sponsors that further the City's mission by providing monetary or in-kind support for the City's programs or services in accordance with Ordinance No ____ concerning the acceptance of Donations and Sponsorships. The City permits private sponsorship of government programs or services in limited circumstances as a means to generate funds for improving or expanding those programs and services. The City exercises sole discretion over who is eligible to become a sponsor according to the terms of this policy.

Donations are not within the scope of this policy and are instead guided by the City's Donation Policy 200-09.

2.0 ORGANIZATIONS AFFECTED:

All City departments/divisions.

External entities desiring to donate funds or in-kind services to the City of Mill Creek.

3.0 REFERENCE:

- Ordinance No. ____ 2018: Acceptance of Donations and Sponsorships
- Policy 200-09: City Donation Policy
- MCMC Chapter 3.02: General Financial Administration

4. POLICY

It is the policy of the City of Mill Creek ("City") that:

- 4.1 Sponsorship agreements will exist only in accordance with the criteria and procedures set forth in this policy.

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- 4.2 Sponsorships must support the mission and policies of the City.
- 4.3 Whenever possible, sponsorships should be linked to specific activities, events, programs, or publications.
- 4.4 The City will neither seek nor accept sponsors that manufacture products or take positions inconsistent with local, state, or federal law or with City policies, positions, or resolutions.
- 4.5 The establishment of a sponsorship agreement shall not constitute an endorsement by the City of the sponsor's organization, products, services, positions, or statements.

5.0 DEFINITIONS:

- 5.1 **City:** The City of Mill Creek, including any office, department, division, board, committee or other entity therein.
- 5.2 **City Manager:** The City's chief executive officer.
- 5.3 **City Council:** The elected body of the City of Mill Creek.
- 5.4 **Communications and Marketing Department:** The City department that is responsible for seeking, reviewing, and recommending sponsorships.
- 5.5 **Donation:** A voluntary gift or contribution, to the City, of funds, equipment, materials, artwork, real estate, or service. Donations are administered according to Policy 200-09: City Donation Policy.
- 5.6 **Finance and Administration Department:** The City department responsible for managing the City's revenue, expenses, and overseeing the budget and cash operations.
- 5.7 **In-Kind Gifts:** A sponsorship received in the form of goods and/or services instead of than cash.
- 5.8 **External Entity:** A person or business external to the City of Mill Creek staff and elected officials.
- 5.9 **Sponsor:** An external entity that provides the City with a sponsorship by entering into a sponsorship arrangement with the City in accordance with this policy.
- 5.10 **Sponsorship:** "Sponsorship" is the opportunity for an external entity (for-profit or not-for-profit) to associate its name, products, or services with the City's programs, services, or name. Sponsorship is a business relationship in which the City and

the external entity exchange goods and services for the public display of a message on City property acknowledging private support.

- 5.11 **Sponsorship Agreement:** The agreement between the City and the sponsor that articulates the terms and requirements of the sponsorship, including the method and manner of sponsorships, the sponsorship level, value of the associated sponsorship or in-kind gift, and the benefits to be received by the sponsor.
- 5.12 **Sponsorship Opportunities Package:** An annually revised catalogue of the City's sponsorship needs, which may correspond to a variety of sponsorship levels.
- 5.13 **Sponsorship Criteria:** The criteria listed in Section 6.5 that is used to determine whether to accept or reject a sponsorship.

6.0 PROCEDURES:

- 6.1 Sponsorship Opportunities Package. The Director of Communications and Marketing shall develop, and then annually update as needed, the Sponsorship Opportunities Package, in conjunction with the City Manager and the Director of Finance and Administration. The annual Sponsorship Opportunities Package will be posted to the City's website.
- 6.2 Review of Proposed Sponsorships. The Director of Communications and Marketing will be responsible for seeking, reviewing, and recommending proposed sponsorships, pursuant to the Sponsorship Criteria. Sponsorship opportunities may be recommended by other City Department Directors or the City Manager.
- 6.3 Authority to Approve Proposed Sponsorships. The City Manager or designee possesses sole and final decision-making authority for determining each sponsorship relationship and reserves the right to refuse any offer of sponsorship.
- 6.4 Sponsorship Agreement Proposal Review. Sponsorship agreement proposals will be reviewed using the following procedures and guidelines. The City's determination is final and is not subject to administrative or judicial appeal or review.
 - 6.4.1 Proposed Sponsorship must be delivered in writing, either electronically or hardcopy, to the Director of Communications and Marketing.
 - 6.4.2 The proposed sponsorship applies to a City-budgeted expenditure.
 - 6.4.3 Proposed Sponsorships of up to \$50,000. These sponsorships require written approval by the City Manager.
 - 6.4.4 Proposed Sponsorships of more than \$50,000. These sponsorships

require written approval by the City Council.

6.4.5 At the discretion of the City Manager, any proposed sponsorship may be referred to the City Council for review and written approval.

6.5 Criteria of Approval for Proposed Sponsorship. Proposed sponsorships will be reviewed according to the following criteria, as determined by the City:

6.5.1 Proposed sponsorships will be reviewed on a first-come basis.

6.5.2 Proposed sponsors must demonstrate a record of integrity and business ethics, and be willing to enter into a sponsorship agreement.

6.5.3 The importance of the sponsorship to the mission of the City.

6.5.4 The level of support proposed by the sponsorship and the actual in cash, or in-kind goods, or services of the proposed sponsorship.

6.5.5 The operating and maintenance costs to the City of the proposed sponsorship.

6.5.6 Whether there are inconsistencies between City policies and the known policies or practices of the proposed sponsor.

6.5.7 Other factors that might affect public confidence in or perception of the City's impartiality, or interfere with the delivery of City services or operations, including, but not limited to, current or potential conflicts of interest between the sponsor and the City employees, officials, or affiliates; and the potential for the sponsorship to tarnish the City's standing among its citizens or otherwise affect or impair the ability of the City to govern its citizens.

6.6 Sponsorship Agreement. A sponsorship agreement is required and will be developed for each new and renewed sponsorship relationship. The agreement shall include the following information at a minimum:

6.6.1 City benefits to be given or recognized by to the proposed sponsor and the estimated monetary value of those benefits.

6.6.2 Sponsorship benefits to be given to or recognized by the City and the estimated monetary or other value of those benefits.

6.6.3 Prominence of the proposed public recognition of support.

6.6.4 Content of the proposed public recognition of support.

6.6.5 Duration of the proposed public recognition of support.

6.6.6 Duration of sponsorship and conditions under which the sponsorship agreement may be terminated, canceled, amended, or extended.

6.6.7 Sponsors are solely responsible for obtaining all necessary permission to use photographs, trademarks, trade names, copyrighted material and all other legally protected property, whether or not legally protected. The City will not be liable for unauthorized use or infringements.

6.7 Processing of Approved Sponsorships. The City will process approved sponsorships using the following procedures:

6.7.1 All sponsorship funds will be allocated only to the City's General Fund. In-kind gifts for a specific City department may be provided to that respective department for such use and benefit.

6.7.2 Sponsors will receive an invoice from the Director of Communication and Marketing for the value of the sponsorship provided.

6.7.3 The Director of Communications and Marketing will be the sponsor's point of contact with the City and will ensure the timely delivery of sponsorship benefits.

6.8 Content of Sponsorship Message. The content of the sponsorship message will be guided by the following criteria:

6.8.1 The City preserves its rights and discretion to exercise full editorial control over the placement, content, appearance, and wording of sponsorship messages.

6.8.2 Sponsorship recognition messages may identify the sponsor but should not promote or endorse the organization or its products or services. Statements that advocate, contain price information or an indication of associated savings or value, request a response, or contain comparative or qualitative descriptions of products, services, or organizations will not be accepted

6.9 Privileges and Consent:

6.9.1 By agreeing to a sponsorship, a sponsor consents to the City's use of photos, videos, or other media to memorialize the event or program, including the City's use of photos, videos, or other media to memorialize the sponsor, the sponsor's goods, services, logos, or other identifying features.

6.9.2 Providing a sponsorship shall not allow, permit, enable, impose, oblige, or entitle a sponsor to any special privileges other than those stated in the

sponsorship agreement.

- 6.10 Unexpected cancelation of sponsorship. If a benefit of the sponsorship becomes unavailable (e.g., a planned event is canceled), the Director of Communications and Marketing will endeavor to identify an alternative benefit. The Director of Finance and Administration and the City Manager must approve the alternative benefit before the Director of Communications and Marketing can offer the alternative benefit to the sponsor. If the sponsor accepts the alternative benefit, an amended sponsorship agreement must be developed and signed before the alternative benefits can be provided.

6.11 Termination:

6.11.1 The City may terminate any sponsorship agreement at any time and for any reason if the sponsorship is determined not to be in the best interests of the City. If the City elects to terminate the agreement, a prorated amount of funds or services based on the amount of the sponsorship remaining or any unused materials or services will be refunded by the City.

6.11.2 The sponsor may withdraw from the sponsorship agreement within thirty (30) days of execution of the agreement. If the sponsor elects to withdraw from the sponsorship agreement, a prorated amount of funds or services based on the amount of the sponsorship remaining or any unused materials or services will be refunded by the City.

6.12 Miscellaneous:

6.12.1 The Director of Communications and Marketing shall issue a quarterly and annual report of the City's current and proposed sponsorships.

6.12.2 Any sponsorship for City events or programs in existence prior to the effective date of this policy that does not conform to the policy may be continued for the term of any previously executed written agreement so long as the sponsorship agreement is neither expanded nor altered. Any subsequent sponsorship by current sponsors must comply with the provisions of this policy.

**CITY OF MILL CREEK POLICY
FOR
DONATIONS**

City Policy No.: CCP 09-004

Effective: July 14, 2009

DONATIONS POLICY

Section 1. Purpose. The purpose of this policy is to establish criteria and procedures for the acceptance of donations to the City and specific City departments. A uniform set of procedures shall be followed in acceptance of all unsolicited donations and proper approval shall be obtained prior to acceptance. All cash, including negotiable securities, equipment, materials and sponsorships donated to the City or City departments shall be accounted for in accordance with the procedures set forth in this policy. In kind contributions of volunteer time are not within the scope of this policy.

Section 2. Definitions.

- A. **Gift or Donation.** For purposes of this policy, the terms "gift" and "donation" shall be synonymous and may be a monetary contribution and/or equipment, materials, artwork, real estate or sponsorship which a City department or the City has accepted and for which the donor has not received any goods or services in return.
- B. **Monetary Donation.** A monetary donation means cash, stocks, bonds or other negotiable instruments or investments.
- C. **Sponsorship.** Donations that are in support of a particular event primarily sponsored by the City of Mill Creek.

Section 3. Policy.

Directors and the Park and Recreation Supervisor may accept or reject donations of money, equipment, materials or sponsorships up to \$10,000. The City Manager will accept or reject offers of donations of money, equipment, materials or sponsorships greater than \$10,000 up to \$25,000. All donations in excess of \$25,000 and all donations of real property or buildings shall be accepted or rejected by the City Council.

Donated money will be expended for general purposes within the department or specified purposes, if agreed upon with the donor.. Citizens desiring to make monetary donations for park purposes to a qualified 501(c) (3) organization should be directed to the Northwest Parks Foundation which has a contractual relationship with the City.

Donations of equipment and materials will be considered based on City/Departmental goals and needs. Each donation of equipment or materials will be evaluated for usefulness and costs of maintenance.

Sponsorships for specific events will be treated in the same way as donated funds.

For monetary, equipment, material and sponsorship donations with values over \$25,000, an agenda summary for City Council will be written outlining the purpose of the donation and the advantages and disadvantages of accepting the gift. Council will decide, on a per case basis, if money should be accepted or rejected.

Section 4. Donations to the City.

A. Accepting Donations. Donations shall be accepted only if they have a valid use to the City.

1. Donors who wish to give a gift which is not specific to a given department may give a gift to the City in general.
2. If the item obviously has no use to the City or would be more effectively used elsewhere, the donor will be informed as soon as possible.
3. Proof of ownership as to the legal title of the donated item will be required. Any donations to the City become the property of the City.
4. Donors shall be encouraged to place minimal restrictions on donated items or funds, allowing the department or the City as much flexibility as possible in determining its use.

B. Conditions for accepting/rejecting donations. Staff shall work with the donor to assure that restrictions are reasonable and do not leave the donor with unrealistic expectations regarding permanency of life of the donation. The following are criteria which may be applied in determining if a donation is appropriate for acceptance:

1. Is the use of the item or money for a designated purchase consistent with existing City policy, program outcomes and department/city goals?
2. Do restrictions upon the use of the item or funds make it practical to accept?
3. Do restrictions on disposal or retention of the item or funds make it practical to accept?
4. Will the donation expose the City to any undue liability that it is unwilling to take on or pay insurance for?
5. Would equipment require extensive repair or maintenance, and if so, is maintenance support available?

6. Does use of equipment or materials require the purchase of additional items to be useful or require the incurrence of additional costs such as maintenance, fuel, labor, licensing fees, etc.?
7. Does acceptance of money, equipment or materials present a conflict of interest for the City or its employees? Regardless of the value of the donation, if the donor is a contractor, potential contractor or there is reason to believe there may be a conflict of interest, then the City Manager will determine if the gift should be accepted, rejected or submitted to Council for approval.
8. Will the donation result in an increase to the City's budget? The City must bear in mind that donations are to be considered one-time supplements to departments and should not be used to develop new programs or services which would require budget supplements from the City in the current or subsequent years.

Section 5. Procedures Post Acceptance.

A. Responsibility. Upon acceptance responsibility for management of donations shall lie with each Department Director having authority to expend the donation. The Finance Department will account for donations for each City department and assist departments in accounting for expenditure of donations for specified purposes.

B. Gifts valued at \$25,000 or less.

1. A Donation Receipt Form will be completed when donations are received, with the form completed by City staff (Attachment A). A Donation Receipt Form will be distributed to the City Manager, relevant Department Director and to Finance.
2. The donor, not staff, must place a value on the gift.
3. Each gift will be acknowledged by letter, thanking the donor for the gift. The signer of the acknowledgement letter should correspond to the level of value for the donation, i.e. Department Director, City Manager or Mayor.
4. Sponsors of City events may be recognized on event specific banners, in the Mill Creek Recreation Guide or on the City's website. Large sponsorship donations may also be recognized by a City press release.

C. Monetary Gifts.

1. All monetary gifts shall be deposited immediately with the Finance Department and shall be accompanied by a copy of the Donation Receipt Form. Each Department Director with Finance Department assistance will oversee accounting and expenditures for donations that are deposited into City accounts. The City Manager will oversee general donations to the City when a specific department is not designated by the donor.

2. Donations of negotiable securities (stocks, bonds, etc.) may be accepted by the City. Securities that are not legal investments for the City as defined by RCW 39.59 may be sold and proceeds utilized for the donated purpose. Legal investment securities donated to the City will be transferred to the City's custody account.
3. Donations must be supported by the Donation Receipt Form which identifies the name of the donor, the amount and date of the donation, and the nature of restrictions on spending, if any.
4. A request for authorization for monetary gifts and others valued over \$25,000 should come to the Council in the form of a motion.
5. The donations may be spent when an appropriate purchase is made. Funds shall remain available until they are spent for their intended purpose. Donations can be carried over to a new biennium.

Section 6. Policies for Specific Donation Categories.

A. Tree Donations

1. For specific guidelines concerning tree donations see City Council Policy 09-003.

B. Drinking Fountains, Picnic Tables, Playground Equipment and Other Park Amenities

1. For specific guidelines and application for memorial benches see City Council Policy 09-003.
2. All park amenities will be of a design and constructed of materials selected by the Public Works Department to meet design and maintenance considerations of the City of Mill Creek.
3. Public Works staff will identify park amenities to be installed or replaced. Donors will be encouraged to support installation or replacement of amenities at these locations.
4. Donors may make suggestions for particular locations; however, placement of park amenities in the park system must meet the master plan and requirements of the particular park. Final decisions will be determined by the Public Works Department.
5. Drinking fountains, picnic tables, playground equipment and other park amenities may be removed or relocated pending redevelopment of the park by the City at any time.

6. The donor may elect to have a small plaque included on the drinking fountain, picnic table etc. The design, placement, and language must meet requirements determined by the City.

C. Gardens, Fountains and Plazas

1. Large scale physical donations are difficult to accommodate and therefore generally not encouraged. To the extent that projects of this nature are consistent with park planning processes they may be considered on a case by case basis. Donations of this magnitude will be recommended by the Park Board to the City Council.

D. Works of Art, Statues, Monuments, Murals and Sculptures

1. Conditions on Donations

- a. City staff will be responsible for the installation of all public art donations. The installation will be scheduled at a time and date as determined by the Parks Department so as not to unnecessarily interfere with routine park maintenance activities.
- b. All donated art will be installed in such a manner that will not substantially change the character of a facility or its intended use.
- c. Donated art becomes City property. The City will maintain an art donation only for the expected life cycle of the donation. If current information is on file, the City as a courtesy may contact the donor at the end of the donation's lifecycle and give the donor the opportunity to take further action at the expiration of artwork's original life cycle. (See below for additional details.)
- d. Art donations must remain in good repair. The City has an interest in ensuring that the short and long-term repair costs are reasonable. Repair parts and materials must be readily available.
- e. Donated art must be of high quality to ensure a long life, be resistant to the elements, wear and tear, and to acts of vandalism.
- f. The City will require that the donor cover the full cost of the purchase and installation. The City may require the donor to contribute funds for ongoing maintenance and upkeep of donated art during its expected life.
- g. Donation acknowledgements and memorial plaques are to be affixed on or near the donation. Plaques will be purchased through the City with donated funds. Plaques should be modest in size. Text on plaques will typically include the name or title of the art, name of the artist, name of the donor, the date of its creation, and date of installation. The Arts and Beautification Board will have final approval of all text that goes on a plaque.

The City cannot provide an absolute guarantee that a work of art will remain in a single location. The City will endeavor to keep the art in an appropriate setting if a major

alteration is necessary. The City reserves the right to remove and/or relocate donated art and associated donation plaques when they interfere with site safety, maintenance, or construction activities.

1. Making a Public Art Donation

The Arts and Beautification Board will review the proposed art donation based on the following:

- a. Does the proposed piece of art have aesthetic value and appeal?
- b. Will it be a valued addition to the art collection of the City?
- c. Is the proposed piece of art appropriate for the City and will it highlight the traditions, character, and landscape of the City.
- d. Is the art durable and sturdy? Is it susceptible to extensive weather damage, deterioration, or vandalism?
- e. Will the donor pay all the costs of fabrication, delivery, installation, and maintenance of the art?
- f. Is the proposed site appropriate and consistent with the site plan?
- g. Does the art work pose any safety or liability concerns?
- h. Does the proposed location avoid conflicts with underground utility lines or vehicle and pedestrian circulation?
- i. Will the gift of art enhance the City?
- j. Does the artwork interfere with the intended current or future use of the facility, and not require the relocation of other equipment or infrastructure?

E. Real Estate and Buildings

1. Per Section 3 all donations of real property and buildings shall be accepted or rejected by the City Council.
2. Donations of land or interests in land that are made pursuant to the City's Development Code (MCMC Titles 14 - 18) are also subject to the requirements of MCMC Chapter 16.14.
3. In determining acceptance the City Council should consider the following guidelines.
 - a. Does the property contribute towards the attainment of the City's Capital Facility Plan or Facilities Master Plan?
 - b. Will the property assist in meeting an identified community need in the present or future?
 - c. Does the property come with an unencumbered title?
 - d. Are there any use restrictions that may inhibit future public purpose uses?
 - e. Are there any delinquent taxes or liens on the property?

PASSED BY THE CITY COUNCIL OF THE CITY OF MILL CREEK, WASHINGTON THIS
14th DAY OF JULY, 2009.

APPROVED:

MAYOR TERRY Q. RYAN

ATTEST/AUTHENTICATED:

CITY CLERK KELLY M. CHELIN

APPROVED AS TO FORM:

OFFICE OF THE CITY ATTORNEY
SHORT CRESSMAN & BURGESS



DONATION RECEIPT FORM

Donation from:

Name/Organization

Address

City/State/Zip

Phone#

Email address

Donor's stated dollar value of donation

Description and intended use of proposed donation:

-----For City Use Only-----

Note: Directors and the Park and Recreation Supervisor may accept or reject donations of money, equipment, materials or sponsorships up to \$10,000. The City Manager will accept or reject offers of donations of money, equipment, materials or sponsorships greater than \$10,000 up to \$25,000. All donations in excess of \$25,000 and all donations of real property or buildings shall be accepted or rejected by the City Council.

- () Accepted
- () Not Accepted

Department Head/Date

- () Accepted
- () Not Accepted

City Manager/Date



Sponsorship Opportunities *City of Mill Creek*

Mill Creek is a unique and special place to live and work. A vibrant, safe and friendly community, Mill Creek also is a great destination for shopping and gathering. The City of Mill Creek strives to provide opportunities for people to come together, experience exciting activities and entertainment, and learn about and enjoy all the amenities that the community offers.

Community sponsorships are available to help present free community-building opportunities for all ages that enhance the quality of life in Mill Creek and South Snohomish County. These sponsorships are designed to help organizations maximize promotional opportunities while enabling the City to budget more effectively by knowing the sponsorship resources it can count on throughout the year.

By providing sponsorship opportunities across the full spectrum of activities offered and supported by the City of Mill Creek, you can raise awareness for your organization with tens of thousands of people throughout the year, including residents, visitors to Snohomish County and those living in nearby communities who attend these events.

Promotional opportunities through sponsorships include:

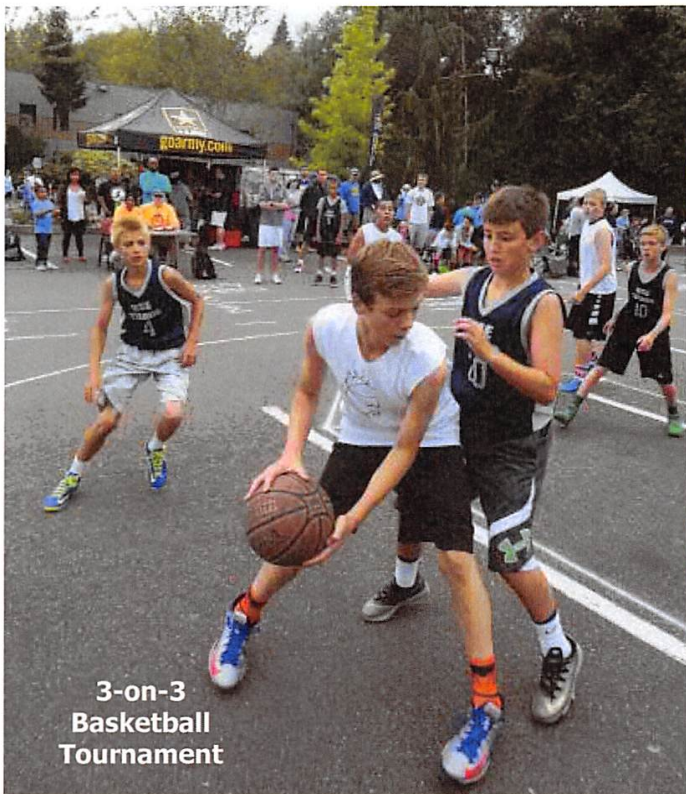
- Spring Egg Hunts
- Memorial Day Weekend Commemoration Ceremony and Parade
- Summer Party in the Parks Series
- 3-on-3 Basketball Tournament
- National Night Out
- Trunk-or-Treat
- Veterans Day Commemoration Ceremony and Parade
- Tree Lighting Activities
- Youth Basketball League
- Other key events and programs that are under development

Details about each event are online at cityofmillcreek.com/sponsorships.

15728 Main Street, Mill Creek, WA

CityofMillCreek.com

425-551-7254



**3-on-3
Basketball
Tournament**



**Memorial &
Veterans Day
Parades**

"Mill Creek events are always well done and lots of fun!"



**Trunk-or-
Treat**



**Spring Egg
Hunts**



**Holiday
Tree
Lighting**

Sponsorship Levels

	Platinum \$10,000+	Gold \$7,500+	Silver \$3,500+	Bronze \$1,500+	Individual Event \$500+	One-Time Donation <\$499
Identified as a signature sponsor for all City events in City event press releases	✓					
Sponsorship placard on the Mill Creek Sports Park Scoreboard (24'x2')	✓					
Logo listed on all City-produced marketing materials for events, including event flyers and posters	✓					
A full-page advertisement in City Connection, the City's quarterly publication.	✓					
Promotional event booth space at all free community events	✓	✓				
Sponsorship placard on the Sports Park Scoreboard (12'x2') and logo from Sports Park website linked to your page		✓				
Listed as a sponsor and inclusion of your logo in the City's Recreation Guide	✓	✓				
Sponsorship banner at events	✓	✓				
Logo on the City's Community Sponsor page linked to your website	✓	✓	✓			
Name on community events sponsor banner	✓	✓	✓			
Listed as a sponsor in the City's Recreation Guide	✓	✓	✓	✓		
Name announced during events equipped with PA system	✓	✓	✓	✓	✓	
Name on the City's Community Sponsor page	✓	✓	✓	✓	✓	✓
Logo listed on all event-specific City-produced marketing materials	✓	✓	✓	✓	✓	✓
Booth at single event of your choice	✓	✓	✓	✓	✓	✓



Sponsorship Commitment Form

Select Level of Sponsorship:

- Platinum: _____
- Gold: _____
- Silver: _____
- Bronze: _____
- Individual Event: _____
- List Desired Event: _____
- One-Time Donation \$499 and Under: _____

In-Kind Services or Goods Sponsor

Those organizations donating in-kind services or goods at the monetary values up to Gold level will be identified as a sponsor at the accompanying level.

- In-Kind Sponsor: _____
- Value Amount: _____
- Type of goods or services to be provided:

Sponsor Information

Organization Name
 (As you want listed on promotional materials)

Contact Person for Your Organization

Mailing Address

City _____ **State** _____ **Zip** _____

Phone Number

Email Address

Payment Information

The City of Mill Creek accepts VISA, MasterCard, cash or check. Cash should be provided in person.

Checks may be mailed to:
City of Mill Creek
Attention: Kristen Rasmussen
15728 Main Street, Mill Creek, WA 98012

Credit card information may be provided in person or over the phone to Kristen Rasmussen at 425-921-5779.

Please note business is responsible for:

- All necessary event set-up (tent, tables, chairs, banners, display, etc.)
- Give-aways, handouts or activities during event to entice participants to stop by your table.
- Providing print-ready logo artwork for promotional materials/products.

I, the undersigned, assume all risks and hazards incidental to participating in City of Mill Creek activities and do hereby waive, release, absolve, indemnify, and agree to hold harmless the City of Mill Creek and its employees, supervisors, participants and instructors for any claim arising out of injury, damage, or personal loss incurred to myself or my employees in connection with the activities sponsored or co-sponsored by the City of Mill Creek. I, the undersigned, am fully aware of the potential dangers and risk inherent in these activities, including physical injury, death or other consequences that may arise or result directly or indirectly from participation in these activities. I agree that any images of myself or my employees/co-workers may be used by the City of Mill Creek and may be included in promotional materials, newspaper articles and/or newsletters relating to City of Mill Creek activities.

 Sponsor Signature Date



2018 City of Mill Creek Sponsors by Level

Levels are based on value of cash or in-kind services

Platinum (\$10,000 annually)

Sprouts Farmers Market

Gold (\$7,500 annually)

Community Transit

Waste Management

Silver (\$3,500 annually)

Central Market

Primrose School of Mill Creek

Bronze (\$1,500 annually)

Boston's Restaurant

Fred Meyer

Mill Creek Rotary

Nancy's Noah's Ark

Starbucks

Windermere Real Estate Mill Creek

Individual Event (\$500+)

Copiers Etcetera

Dentist of Mill Creek

Mathnasium

Mill Creek Chamber of Commerce

Sullivan Orthodontics

The Goddard School

Washington Energy Service

WMST Drive

One-Time Donation (<\$499)

None



Agenda Item # F
Meeting Date: September 25, 2018

CITY COUNCIL AGENDA SUMMARY
City of Mill Creek, Washington

AGENDA ITEM: **EXTENSION OF A CABLE TELEVISION FRANCHISE
AGREEMENT WITH FRONTIER COMMUNICATIONS
NORTHWEST, INC.**

PROPOSED MOTION:

Motion to adopt Ordinance 2018-____ extending the cable television franchise with Frontier Communications Northwest, Inc. for one year.

KEY FACTS AND INFORMATION SUMMARY:

The City of Mill Creek granted a cable television franchise to Verizon Northwest, Inc. (Verizon NW) by way of Ordinance No. 2008-687, on October 28, 2008. Verizon NW changed its name to Frontier Communications Northwest, Inc. and became a wholly owned subsidiary of Frontier Communications Corporation. The City approved the transfer of control of Verizon NW to Frontier Communications Corporation by way of Resolution No. 2009 -434, dated August 31, 2009. The franchise granted by Ordinance No. 2009-687 will expire on November 7, 2018.

The City and Frontier Communications Northwest have initiated a renewal of the franchise agreement. The negotiation of the new agreement will not be completed prior to the November 7, 2018 expiration date. As such, staff has prepared, with the concurrence of Frontier Communications Northwest, Inc., an ordinance extending the existing franchise agreement through November 7, 2019, giving the parties the time necessary to negotiate a new franchise agreement.

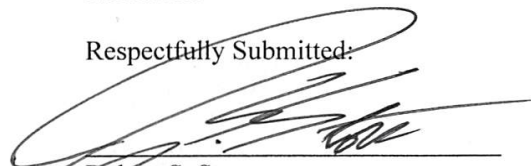
CITY MANAGER RECOMMENDATION:

Approve the attached ordinance extending the cable television franchise with Frontier Communications Northwest, Inc.

ATTACHMENTS:

Proposed Ordinance extending the cable franchise agreement with Frontier Communications Northwest

Respectfully Submitted:



Robert S. Stowe
Interim City Manager

ORDINANCE NO. 2018-____

**AN ORDINANCE OF THE CITY OF MILL CREEK, WASHINGTON,
GRANTING A CABLE TELEVISION FRANCHISE EXTENSION TO
FRONTIER COMMUNICATIONS NORTHWEST, INC., AND FIXING AN
EFFECTIVE DATE.**

WHEREAS, the City of Mill Creek (the "City") granted a cable franchise (the "Franchise") to Verizon Northwest Inc. ("Verizon NW") by way of Ordinance No. 2008-687 dated October 28, 2008; and

WHEREAS, the City approved the transfer of control of Verizon NW to Frontier Communications Corporation, by way of Resolution No. 434 dated August 31, 2009; and

WHEREAS, Verizon NW changed its name to Frontier Communications Northwest, Inc. ("Frontier"); and became a wholly owned subsidiary of Frontier Communications Corporation; and

WHEREAS, Frontier Communications Northwest, Inc. is the "Franchisee" as that term is defined in the Franchise; and

WHEREAS, the Franchise granted by Ordinance No. 2008-687 is scheduled to expire on November 7, 2018; and

WHEREAS, Frontier and the City find it mutually beneficial to extend the existing Franchise for a reasonable period of time in order to promote and facilitate an orderly franchise renewal process;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF Mill Creek, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Franchise Extension. The term of the cable television franchise

granted under Ordinance No. 2008-687 (the “Franchise”), transferred pursuant to Resolution No. 2009-434 and currently held by Frontier Communications Northwest, Inc. (“Frontier”) is hereby extended up to and through November 7, 2019, or until such time as the City of Mill Creek (the “City”) has adopted a further franchise ordinance that supersedes this Ordinance, whichever occurs sooner.

Section 2. Compliance with Franchise Terms. As a condition of the extension granted by this Ordinance, Frontier shall provide its written and acknowledged unconditional acceptance and promise to comply with all provisions, terms and conditions of the Franchise during this extension period. By the adoption of this Ordinance, the City agrees to comply with all provisions, terms and conditions of the Franchise during the extension period. All previous provisions in the Franchise shall remain in effect throughout the duration of the Franchise extension as identified in this Ordinance, except the provision for the duration of the Franchise which will be extended to November 7, 2019.

Section 3. Performance Bond and Insurance. The Performance Bond and insurance policies provided by Frontier pursuant to the Franchise shall remain in effect during the extension period.

Section 4. Acceptance. The rights and privileges granted pursuant to this Ordinance shall not become effective until its terms and conditions are accepted by Frontier. Acceptance shall be accomplished by the submission of a written instrument, executed and sworn to by a corporate officer of Frontier before a Notary Public, and filed with the City within sixty (60) days after the effective date of this Ordinance. Such instrument shall evidence the unconditional acceptance of the terms hereof and a promise to comply with and abide by the provisions, terms and conditions hereof.

Section 5. Reservation of Rights. Both the City and Frontier reserve and retain all of their rights under both the formal renewal process and informal renewal process under 47 U.S.C. § 546.

Section 6. Severability. If any section, sentence, clause or phrase of this Ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance.

Section 7. Effective Date. This Ordinance, shall take effect five (5) days after passage and publication of an approved summary thereof consisting of the title. This extension is expressly conditioned upon the City's receipt of Frontier's written acceptance as described in Section 4.

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

APPROVED:

MAYOR PAM PRUITT

ATTEST/AUTHENTICATED:

GINA PFISTER, ACTING CITY CLERK

APPROVED AS TO FORM:

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

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

ACKNOWLEDGEMENT OF EXTENSION OF FRANCHISE

This Acknowledgement of Extension of Franchise is made this ____ day of _____, _____, by and between Frontier Communications Northwest, Inc. ("Frontier") and the City of _____, Washington, a Washington municipal corporation (the "City").

Frontier and the City acknowledge and agree as follows:

1. **Term.** The Franchise is hereby acknowledged and agreed to be extended until _____ or until such time as the City has adopted a new franchise ordinance, whichever occurs sooner.
2. **Ratification.** All terms and conditions of the Franchise are hereby ratified and confirmed, except the provision for the duration of the Franchise which is hereby extended to _____. Frontier hereby unconditionally accepts and promises to comply with all provisions, terms and conditions of the Franchise during the extension period, and shall maintain during this extended term the Performance Bond and insurance policies as described in the Franchise.

CITY OF _____

By: _____
MAYOR

Dated: _____

FRONTIER COMMUNICATIONS NORTHWEST, INC.

By: _____
Its: _____
Dated: _____

[Notarized on the Following Page]



Agenda Item # G

Meeting Date: September 25, 2018

CITY COUNCIL AGENDA SUMMARY

City of Mill Creek, Washington

AGENDA ITEM: MILL CREEK SPORTS PARK TURF & LIGHT REPLACEMENT PROJECT UPDATE

PROPOSED MOTION:

Council concurrence to advertise project in October and, if necessary, amend the project’s budget after bid opening.

KEY FACTS AND INFORMATION SUMMARY:

Mill Creek Sports Park has been the City of Mill Creek’s most popular recreational facility since it opened in 2004. The park serves approximately 3,800 youth annually. The field is rented an average of 2,661 hours over the course of 330 days by local youth sports organizations. It serves as the only all-weather synthetic turf baseball and soccer field in the City.

The Mill Creek Sports Park Turf and Light Replacement Project will replace the original 64,000 square foot field turf which is in poor condition and retro-fit and upgrade the existing park lighting system at the field, skate park, and parking lot. The new light emitting diode (LED) lighting system will also include a new control system. Existing light poles will remain. The City will be adding a 60-inch Americans with Disabilities (ADA) compliant gate that will serve as a primary entrance from the main parking lot. A new plaque will be installed to acknowledge funding partners.

Funding

The construction budget per the adopted 2017-2018 Capital Improvement Plan is \$775,000. This includes a \$250,000 grant from the Washington State Recreation and Conservation Office (RCO) to be used towards design and construction costs. Additionally, in March of 2018, the City was awarded \$100,000 by Snohomish County via an interlocal agreement. Internal to the City, \$160,000 from the City equipment replacement fund have been transferred to the Sports Park Project. Thus, increasing the total City project contribution to \$685,000 and the total project budget to \$1,035,000.

Table 1. Current project budget and funding sources

Funding Source	Funding Amount	Status
RCO	\$250,000	Executed July 2018
Snohomish County	\$100,000	Executed March 2018
City Local Funds	\$685,000	Local Funds
Total	\$1,035,000	

On June 19th, Council awarded a contract to Bruce Dees & Associates for design services. Their current consultant design budget is \$66,000. Thus, the construction phase budget is \$969,000.

Construction Estimate

The total construction phase estimated cost, including inspection and contingency, is between \$950,000 and \$1,250,000. This cost range is for a *base bid* that includes, but is not limited to, the following items:

- Musco lighting system (or equivalent)
The existing lights are failing at a high rate causing safety issues due to low and uneven light levels on the field. The new Musco LED lighting system will be an improvement to the existing lighting at the field and, unlike other competitors, it offers very limited glare from offsite viewing locations –in particular the Nature Landing home across the street. It comes with a 25 year warranty, which covers parts, labor, and equipment if anything fails.
- Synthetic turf with crumb rubber and sand infill
The crumb rubber and sand infill becomes harder over time, and will require annual G-max testing for the expected ten year life span of the turf to ensure that it meets safety standards that have been established by the Synthetic Turf industry. If the field tests harder than allowed, additional rubber will be added to the field until it falls within the recommended range. G-max is a unit of measurement that tests the level of shock absorbency. A field with a high G-max level loses its ability to absorb the force and places more impact on the athlete during a collision, which puts the City at a risk of liability, while a field with a low G-max level absorbs more force. ASTM (American Society for Testing and Materials) testing methods requires G-max not to exceed 200 at each test point, and the Synthetic Turf Council's guideline for synthetic turf performance suggests a G-max below 165 for the life of the field. As part of the contract, the contractor must ensure the field meets G-max requirement for the first 8 years at no cost to the City.

Based on feedback from staff and park users, the project team developed a list of four independent alternate bid items. The *total* estimated cost for the four alternate items below is \$100,000 to \$140,000:

- Public address system improvements: replace two existing speakers with three new ones.
- Chain link fabric replacement at the skate park and specific sections in poor condition.
- Netting demo and replacement at wing walls, skate park and score board.
- Wood kick walls behind soccer goals, left field and right field. These will protect fence from damage caused by soccer balls.
- Play area canopy. This will protect the play area entirely from errant balls.

Funding Shortfall

The basis of contract award will be on the lowest *base bid* received. Depending on the bids received, a budget amendment *may* be needed in order to award the *base bid* (only) project. Beyond the base bid, the budget amendment amount would be directly co-related to Alternate options awarded by Council.

Milestones

Following is a summary of significant milestones:

- October 2018 – Advertise for construction
- November 2018 – Bid opening and award
- December 2018 through March 2019 – Construction Period
- April 2019 – Construction completed and open to public

Meeting these milestones is important since it could have a significant impact on the user groups.

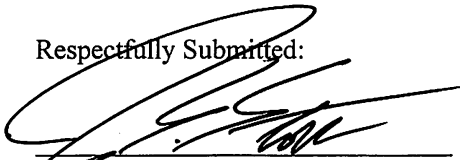
CITY MANAGER RECOMMENDATION:

Council concurrence to advertise the project in October and, if necessary, amend the project's budget after bid opening.

ATTACHMENTS:

N/A

Respectfully Submitted:



Robert S. Stowe
Interim City Manager



Mill Creek
WASHINGTON

Date: September 25th, 2018

A/P Check Batches		
Dated	Check Numbers	Amount
09/17/2018	59145-59208	\$1,135,642.43
09/17/2018	ACH-Union 76 Fleet-Aug	\$5,253.93
Total		\$1,140,896.36

Voided Checks	
Numbers	Explanation

CLAIMS APPROVAL

We, the undersigned Finance/Audit Committee of the City of Mill Creek, recommend approval of check numbers 59145 through 59208, in the amount of \$1,140,896.36.

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

Councilmember

Councilmember

Finance Director

Interim City Manager

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

RptBatchSumViewForm

Page 1 of 1

ACH Cash Pro Online
City of Mill Creek

Report Date: 09/14/2018
Report Time: 10:48:44 AM

Batch Summary Report by ID Number

Company Name:	City of Mill 01	Effective Date:	09/17/2018
ACH ID:	2911225895	Batch Sequence:	1
Application Name:	CCD Payments and Collections	Database Name:	76
Batch Status:	Released	Created By:	SANKOTTKE
Released By:	SANKOTTKE		

<u>Name</u>	<u>ID</u>	<u>Amount</u>	<u>D/C</u>	<u>Bank ID</u>	<u>Account #</u>	<u>Acct Type</u>	<u>Trace #</u>
76 FLEET WEX BANK	0201-00-1059153	\$5,253.93	C	071000288	4539508	C	

Total Amount in Batch

Total Count in Batch

Debits	\$0.00	0
Credits	\$5,253.93	1
Prenotes	\$0.00	0

Grand Total Amount

Grand Total Count

Debits	\$0.00	0
Credits	\$5,253.93	1
Prenotes	\$0.00	0

*chr
9/17*

Accounts Payable

Checks by Date - Detail by Check Date

User: Jodieg
 Printed: 9/20/2018 11:43 AM



Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Void Checks	Check Amount
59145	911SUPPL	911 Supply Inc	09/17/2018		
	64197	2pr Taclite Pants-T Hoflack			110.38
	64198	HNT-T Hoflack			75.04
	64200	1-Dress Uniform Shirt-S Eastman			49.67
	64201	2 Inner Belt/2 Outer Belt/1 Flashlight Holder-Ph			179.07
	64644	Dress Uniform Coat, L/S Shirt-N Lewis			420.60
		Total for Check Number 59145:		0.00	834.76
59146	ADLFSASC	ESA	09/17/2018		
	139398	Prof Serv-The Farm 08/01-08/31			1,112.50
	139399	Prof Serv-Cubes Self Storage Review 08/01-08/31			863.75
		Total for Check Number 59146:		0.00	1,976.25
59147	AFSCME	WSCCCE, AFSCME, AFL-CIO	09/17/2018		
	August	Union Dues-AFSCME-Aug			1,252.42
		Total for Check Number 59147:		0.00	1,252.42
59148	ALLBATRY	All Battery Sales & Service	09/17/2018		
	800-10039173	Battery - Car #44			231.78
		Total for Check Number 59148:		0.00	231.78
59149	AMTESTIN	Am Test, Inc	09/17/2018		
	106668	5-Fecal Coliform Analysis			125.00
		Total for Check Number 59149:		0.00	125.00
59150	CARLSONJ	Jessica Carlson	09/17/2018		
	6797	Adventures in Art-Around the World Art Camp C			1,106.00
		Total for Check Number 59150:		0.00	1,106.00
59151	CBRDDYN	cBoard Dynamic Displays	09/17/2018		
	1294	System Use & Service Aug-Nov Lobby Info Scr			200.00
		Total for Check Number 59151:		0.00	200.00
59152	CDW	CDW Government	09/17/2018		
	PDG8166	Annual Renewal-Symantec Protection Suite Ent			2,285.06
		Total for Check Number 59152:		0.00	2,285.06
59153	CENTRAL	Central Welding Supply	09/17/2018		
	LY 265735	Helium Tank Refill - Used for Community Even			235.88
		Total for Check Number 59153:		0.00	235.88
59154	CIEDMOND	City of Edmonds	09/17/2018		
	RGG-180059	Domestic Violence Coordinator-Sept			1,116.85

AGENDA ITEM #H.

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Void Checks	Check Amount
			Total for Check Number 59154:	0.00	1,116.85
59155	CINTAS 460412590 460412590a 460450333 460450333a	Cintas Corporation Loc. #460 Floor Mat Service 07/06 Floor Mat Service 07/06 Floor Mat Service 08/31 Floor Mat Service 08/31	09/17/2018		96.19 56.03 96.19 56.03
			Total for Check Number 59155:	0.00	304.44
59156	CODPUBCO 61201 61201a	Code Publishing Company Annual Fee-Documnt Hosting: Policies and Pro MC Municipal Code-Web Hosting 08/2018-08/2	09/17/2018		100.00 350.00
			Total for Check Number 59156:	0.00	450.00
59157	COMCAST 0457011 0724345	Comcast High Speed Internet Fee 09/18-10/17 Internet for ITS 09/14-10/13	09/17/2018		191.40 116.40
			Total for Check Number 59157:	0.00	307.80
59158	DANAT 6777	Trudy Dana Babysitting Safety Class (Aug) 08/28-08/30 #67	09/17/2018		1,078.00
			Total for Check Number 59158:	0.00	1,078.00
59159	DEPTECOG FY 2019	Department of Ecology WSDOE Stormwater Permit #WAR045529	09/17/2018		15,761.48
			Total for Check Number 59159:	0.00	15,761.48
59160	ELLITIRE 064462003687 064462003707	PepBoys-Remittance Dept LOF, Front & Rear Brakes - Car #40 Battery Installation - Car #44	09/17/2018		1,264.55 117.49
			Total for Check Number 59160:	0.00	1,382.04
59161	EPICFORD 135703	Epic Ford Vehicle Check-Car #45	09/17/2018		53.82
			Total for Check Number 59161:	0.00	53.82
59162	EVERGR 85763	Evergreen Fire and Safety, Inc Fire Extinguisher-City Events Trailer	09/17/2018		36.21
			Total for Check Number 59162:	0.00	36.21
59163	EVERMARK 53483	Ever-Mark, LLC Utility Boxes-Graphics Wrap Installation	09/17/2018		3,802.56
			Total for Check Number 59163:	0.00	3,802.56
59164	FELDMAJ August 2018	Feldman & Lee, P.S. Public Defender Contract Flat Fee-Aug	09/17/2018		9,000.00
			Total for Check Number 59164:	0.00	9,000.00
59165	HARISUZU ITCS479835	Harris Isuzu Cooling System Sensor/Engine Check-PW #9	09/17/2018		330.84

AGENDA ITEM #H.

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Void Checks	Check Amount
			Total for Check Number 59165:	0.00	330.84
59166	INTEGRA 15522980	Allstream T-1 Monthly Chgs-Sept	09/17/2018		648.65
			Total for Check Number 59166:	0.00	648.65
59167	KIDZLOVS 6822 6824 6828 6829 6830 6834 6835 6836 6839 6840 6841 6844 6845 6847	North American Youth Activities, LLC KLS Soccer: Mommy & Me (Summer, Tue-9:30 KLS Soccer: Mommy & Me (Summer, Sat-9:05 KLS Soccer: Tot-Soccer (Summer, Tue-10:10am KLS Soccer: Tot-Soccer (Summer, Tue-4:40pm) KLS Soccer: Tot-Soccer (Summer, Sat-9:45am) KLS Soccer: Pre-Soccer (Summer, Tue-10:40am KLS Soccer: Pre-Soccer (Summer, Tue-5:10pm) KLS Soccer: Pre-Soccer (Summer, Sat-10:15am KLS Soccer 1: (Summer, Tue-11:15am) 07/10-0 KLS Soccer 1: (Summer, Tue-5:45pm) 07/10-08 KLS Soccer 1: (Summer, Sat 10:50am) 07/14-08 KLS Soccer: Soccer 2 (Summer, Tue-6:30pm) 0 KLS Soccer: Soccer 2 (Summer, Sat-11:35am) 0 KLS Soccer 3: Match Play (Summer, Tue 7:15pm	09/17/2018		448.00 1,104.30 616.00 448.00 464.10 336.00 567.00 952.00 224.00 1,176.00 1,127.00 840.00 280.00 392.00
			Total for Check Number 59167:	0.00	8,974.40
59168	KIRKJ Per Diem Per Diem1 Per Diem2 Per Diem3	Joni Kirk Meals 09/04 3CMA Conf-J Kirk Meals 09/05 3CMA Conf-J Kirk Meals 09/06 3CMA Conf-J Kirk Meals 09/07 3CMA Conf-J Kirk	09/17/2018		44.00 59.00 28.00 44.00
			Total for Check Number 59168:	0.00	175.00
59169	KPFFCON 218250 224785	KPFF Consulting Engineers Prof Serv-35th Ave Recon 05/31-06/29 Prof Serv-35th Ave Recon 07/02-07/26	09/17/2018		770.75 3,263.61
			Total for Check Number 59169:	0.00	4,034.36
59170	LEADONLN 247320	LeadsOnline LLC Annual Renewal-Online Investigations System 1	09/17/2018		948.00
			Total for Check Number 59170:	0.00	948.00
59171	LESSCHW 39500406534	Les Schwab 2 Tires-PW #3	09/17/2018		337.98
			Total for Check Number 59171:	0.00	337.98
59172	LEXNEXIS 3091629153	RELX Inc LexisNexis Monthly Chgs 08/01-08/31	09/17/2018		186.09
			Total for Check Number 59172:	0.00	186.09
59173	MAHMOUD Mileage Reimb	Kamal Mahmoud Sports Park Turf Tour 07/26-Mahmoud, Rasmus:	09/17/2018		47.91
			Total for Check Number 59173:	0.00	47.91
59174	MONLANDS IN000020681	Monarch Landscape Holdings, LLC Prof Serv-Northpointe Irrigation Repair	09/17/2018		662.40

AGENDA ITEM #H.

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Void Checks	Check Amount
			Total for Check Number 59174:	0.00	662.40
59175	OMWATT	Ogden Murphy Wallace Attorneys	09/17/2018		
	814938	Prof Legal Services-Council-July			3,162.00
	814941	Prof Legal Services-Exec-July			248.00
	814942	Prof Legal Services-CHN-July			434.00
	814943	Prof Legal Services-W Trimm DRS Audit-July			2,644.30
	814943a	Prof Legal Services-Finance-July			1,823.00
	814944	Prof Legal Services-HR-July			477.85
	814945	Prof Legal Services-Police-July			1,077.75
	814946	Prof Legal Services-City Clerk/PRA-July			991.45
			Total for Check Number 59175:	0.00	10,858.35
59176	OREILLY	O'Reilly Automotive Inc	09/17/2018		
	2986-174493	Wiper Blade-PW #8			46.08
	2986-175831	Adhesive Remover			11.58
	2986-177281	New Starter-Bucket Truck			180.48
	2986-177298	New Starter Part-Bucket Truck			3.85
			Total for Check Number 59176:	0.00	241.99
59177	PACAIR	Pacific Air Control, Inc.	09/17/2018		
	14407	HVAC Repair-Library			1,314.92
			Total for Check Number 59177:	0.00	1,314.92
59178	PACTOP	Pacific Topsoils, Inc.	09/17/2018		
	1-T1065883	Medium Grade Bark-Heron Park			82.80
	1-T1065906	Medium Grade Bark-Heron Park			110.40
	1-T1065951	Medium Grade Bark-Heron Park			82.80
	1-T1066291	5/8" Crushed Rock-Heron Park Trail			23.74
			Total for Check Number 59178:	0.00	299.74
59179	PCC	Precision Concrete Cutting	09/17/2018		
	WA25851KE	Concrete Shaving-Sidewalk Raised Joints			847.76
			Total for Check Number 59179:	0.00	847.76
59180	PITNEYB	Pitney Bowes Global Financial Services	09/17/2018		
	3306952537	Lease Postage Machine, Meter & Scale 06/30-05			466.24
			Total for Check Number 59180:	0.00	466.24
59181	POWERDMS	PowerDMS	09/17/2018		
	23069	Annual Subscription Fee/WASPC Accreditation			4,281.31
			Total for Check Number 59181:	0.00	4,281.31
59182	PUGETSO	Puget Sound Energy	09/17/2018		
	200004765463	15728 Main St 07/18-08/17			61.42
			Total for Check Number 59182:	0.00	61.42
59183	RAMERJ	Jon Ramer	09/17/2018		
	2018-07	Consulting Services-Veterans Day Parade			2,000.00
			Total for Check Number 59183:	0.00	2,000.00
59184	SANDIEPE	San Diego Police Equipment Co.	09/17/2018		

AGENDA ITEM #H.

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Void Checks	Check Amount
	634127	5 Cs-40 S&W 180GR-Duty Ammo			1,320.38
	634234	10 Cs-223 55GR FMJ-Ammo			1,733.06
			Total for Check Number 59184:	0.00	3,053.44
59185	SCFIRDS MC-18-03	Sno County Fire District #7 Fire Interlocal Agreement-3rd Qtr	09/17/2018		930,227.25
			Total for Check Number 59185:	0.00	930,227.25
59186	SHERWILL 7748-2	The Sherwin-Williams Co Curb Striping	09/17/2018		27.78
			Total for Check Number 59186:	0.00	27.78
59187	SILVERL 14112-27585 14737-19068 17679-27345 17684-27596 24079-27593 32140-27632 32141-27633 35995-27914 35996-27914 35997-27914 35998-27914 35999-27914 36000-27914 36016-27914 36025-27914 36026-27914 36365-27593 37034-30017 37680-27914 40191-27914	Silverlake Water District 132nd & SR527 Irrig 08/01-08/31 13617 28th Dr Se Irrig 08/01-08/31 15429 1/2 Bothell Everett Hwy 08/01-08/30 15429 Bothell Way-Irrig 08/01-08/31 Hillside Irrig 08/01-08/31 13903 N Creek Dr-Irrig 08/01-08/31 13903 N Creek Dr 08/01-08/31 SR-527-Irrig 08/01-08/31 14600 SR 527-Irrig 08/01-08/31 13800 N SR 527-Irrig 08/01-08/31 1600 SR 527-Irrig 08/01-08/31 15200 SR 527-Irrig 08/01-08/31 15100 N SR 527-Irrig 08/01-08/31 SR 527 & Trillium Blvd-Irrig 08/01-08/31 14600 SR 527-Irrig 08/01-08/31 SR 527 & Dumas Rd-Irrig 08/01-08/31 Dumas Rd Irrig 08/01-08/31 14721 12th Ave SE-Irrig 08/01-08/31 0 33rd Dr & Northpointe Circle-Irrig 08/01-08/31 13315 45th Ave SE-Restroom 08/01-08/31	09/17/2018		32.10 7.60 154.60 191.35 198.70 318.75 71.40 7.60 7.60 213.40 7.60 7.60 7.60 7.60 7.60 41.90 63.95 22.30 7.60 80.95 65.50
			Total for Check Number 59187:	0.00	1,515.70
59188	SMARSH INV00401231 INV00401231a	Smarsh Inc Text Archiving Platform-Verizon Monthly 08/01- Use Tax, Text Archiving Platform-Verizon Mont	09/17/2018		273.72 -10.92
			Total for Check Number 59188:	0.00	262.80
59189	SMITHBRO Refund	Smith Brothers Refund Market Cancellation 08/31	09/17/2018		30.00
			Total for Check Number 59189:	0.00	30.00
59190	SNOCOC 2018-4582	Snohomish County Corrections Jail Service Fees-July	09/17/2018		9,052.08
			Total for Check Number 59190:	0.00	9,052.08
59191	SNOCOM 714	Snohomish County 911 Dispatch Services-September	09/17/2018		30,014.58
			Total for Check Number 59191:	0.00	30,014.58
59192	SNOCOPW I000478398	Snohomish County Public Works RR7797-Aid Agreement-July	09/17/2018		14,058.72

AGENDA ITEM #H.

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Void Checks	Check Amount
	1000478399	RR7769-Mill Creek Blvd at Main-July			47.88
			Total for Check Number 59192:	0.00	14,106.60
59193	SNOCPUD	PUD No. 1 of Snohomish County	09/17/2018		
	200743599	Street Lights-190 Lights-200W 08/01-08/31			1,736.91
	201353968	15728 Main St 08/07-09/05			1,591.29
	201367745	902 164th St SE 08/07-09/06			34.79
	201663515	14600 16th Ave SE 08/04-08/31			18.86
	201669280	16110 1/2 29th Dr SE 07/27-08/24			22.39
	201752961	15429 1/2 Bothell Everett Hwy 08/08-09/06			17.66
	201781135	2701 155th St SE 07/28-08/28			30.91
	201898053	1700 Mill Creek Rd 07/26-08/22			63.15
	202529210	Street Lights-386 Lights-100W 08/01-08/31			1,389.60
	202570776	Street Lights-87 Lights-250W 08/01-08/31			942.21
	202624391	Street Lights-841 Lights-100W 08/01-08/31			6,021.56
	202767935	Street Lights-21 Lights-400W 08/01-08/31			312.90
	202909941	Street Lights-6 Lights-150W 08/01-08/31			28.98
	202926333	Hillside Park 07/27-08/25			16.20
	202959052	4842 SAC 08/08-09/06			66.33
	203028121	4560 SAC 08/04-09/05			45.30
	203251632	15510 Village Green Dr 07/28-08/28			17.28
	203388152	15429 Bothell Everett Hwy 08/08-09/06			16.20
	204717524	Street Lights-8 Lights-200W 08/01-08/31			47.68
	204717532	Street Lights-38 Lights-250W 08/01-08/31			285.38
	204717540	Street Lights-39 Lights-400W 08/01-08/31			441.48
	205087232	Street Lights-17 Lights-100W 08/01-08/31			52.87
	205495328	Street Lights-49 Lights-20W 08/01-08/31			17.15
	220317390	Street Lights-1 Light-240W 08/01-08/31			7.94
	220612410	15601 22nd Ct SE 07/27-08/28			20.89
	220763510	13332 44th Ave SE 08/03-09/04			57.32
	221293111	Street Lights-1 Light-100W 08/01-08/31			5.18
			Total for Check Number 59193:	0.00	13,308.41
59194	STAPLEAD	Staples Advantage	09/17/2018		
	1620897246	Copy Paper, Tape			444.12
	1620897246a	General Supplies-Scissors			4.68
	1620897246b	CD-R Spindle			33.11
			Total for Check Number 59194:	0.00	481.91
59195	STERICYC	Stericycle Inc	09/17/2018		
	3004390403	Biomedical Waste Services-Monthly Fee			10.36
			Total for Check Number 59195:	0.00	10.36
59196	STOWE	Stowe Development & Strategies, LLC	09/17/2018		
	MI ICM 003	Interim City Manager Services 08/02-08/31			25,575.00
			Total for Check Number 59196:	0.00	25,575.00
59197	TLOLLC	TransUnion Risk and Alternative	09/17/2018		
	839489	Background/Identity Investigations-Aug			27.61
			Total for Check Number 59197:	0.00	27.61
59198	TRANSUN	Trans Union LLC	09/17/2018		
	08810413	Basic Service Monthly Fee-Credit Checks 07/26			44.16
			Total for Check Number 59198:	0.00	44.16

AGENDA ITEM #H.

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Void Checks	Check Amount
59199	TURPINJ	Jamie Turpin	09/17/2018		
	Reimb	POP Supplies-Peat Pots			11.03
	Reimb1	POP Supplies-Cups			6.50
	Reimb2	POP Supplies-Cups, Rubber Bands			3.31
	Reimb3	POP Supplies-Nightcrawlers			13.13
	Reimb4	POP Supplies-Cups, Crayons			3.31
	Reimb5	POP Supplies-Cucumbers			9.16
	Reimb6	POP Supplies-Dairy Samples			4.40
	Reimb7	POP Supplies-Vegetables			15.47
	Reimb8	POP Supplies-Seeds			8.67
			Total for Check Number 59199:	0.00	74.98
59200	UNWAYSNC 9/10/18	United Way of Snohomish County United Way EE for September 2018	09/17/2018		312.00
			Total for Check Number 59200:	0.00	312.00
59201	USBANK XXXXXXXX139	US Bank NA - Custody Investment Custody Charges 08/01-08/31	09/17/2018		34.00
			Total for Check Number 59201:	0.00	34.00
59202	VERIZON 9813137820	Verizon Wireless Access & Usage Chgs 07/21-08/20-City Cell Ph	09/17/2018		2,179.97
			Total for Check Number 59202:	0.00	2,179.97
59203	WALTNELS 665723	Walter E. Nelson Co. Lock & Key Set	09/17/2018		29.59
			Total for Check Number 59203:	0.00	29.59
59204	WASPHALT 21524	WA Asphalt Pavement Assoc Asphalt Workshops/Training-K Mahmoud & L C	09/17/2018		380.00
			Total for Check Number 59204:	0.00	380.00
59205	WASTPAT I19001463 I19001463a	Washington State Patrol Background Checks-Aug Background Check-J Sandstrom	09/17/2018		72.00 20.00
			Total for Check Number 59205:	0.00	92.00
59206	WHPACIFI IN63955W	WHPacific, Inc Prof Serv Thru 8/19-Seattle Hill Rd Overlay	09/17/2018		26,145.65
			Total for Check Number 59206:	0.00	26,145.65
59207	WINSUPP 026910 00	Winsupply Company Hillside Park Repair	09/17/2018		20.30
			Total for Check Number 59207:	0.00	20.30
59208	WWGRAIN 9886541771 9892119141 9893645953	W.W. Grainger, Inc. Emergency Light/Safety Equipment 2 Tool Bucket Organizers -Street Light Ballast R 12 - Std Cap. Pleated Filter-HVAC Supplies	09/17/2018		249.87 77.01 51.67
			Total for Check Number 59208:	0.00	378.55

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Void Checks	Check Amount
Total for 9/17/2018:				0.00	1,135,642.43
Report Total (64 checks):				0.00	1,135,642.43



Date: September 24, 2018

Payroll Check Batches		
Dated	Check Numbers	Amount
09/10/2018	ACH Wire- Assoc. of WA Cities	\$83,479.47
09/10/2018	ACH Automatic Deposit Checks	\$149,718.21
09/10/2018	ACH Wire- FWT & Medicare Taxes	\$25,077.11
09/10/2018	ACH Wire MEBT- Wilmington Trust	\$20,743.45
09/10/2018	ACH Wire- ICMA RC- Def. Comp	\$1,717.52
09/10/2018	ACH Wire- BAC- Flex Spending Acct	\$1,491.60
09/10/2018	ACH Wire- MCPD Guild Dues	\$2,040.00
Total		\$284,267.36

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 \$284,267.36.

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

Councilmember

Councilmember

Financial Director

City Manager

ASSOCIATION OF WASHINGTON CITIES

MILL CREEK, CITY OF

ACCOUNT SUMMARY - contains all changes to this account as of 09/07/2018 11:48:03 AM

FUND: 100

ACCOUNT NUMBER: 186 L

BILL MONTH: 09/2018
COVERAGE MONTH: 09/2018
PAYMENT DUE BY: **09/10/2018**
CURRENT BILLING AMOUNT: \$82,289.14
PRIOR OVERAGE OR SHORTAGE: \$0.00
ADJUSTMENTS: \$1,190.33
TOTAL AMOUNT DUE: **\$83,479.47**

100 186 L 092018 0

Fund	Account Number	Bill Month	Amount Paid
100	186 L	09/2018	\$ <u>83,479.47</u>

If you have questions concerning your billing, please contact the Association of Washington Cities Office at (800) 562-8981 or (360) 753-4137 or Northwest Administrators, Inc. at (206) 726-3345.

MAIL PAYMENT TO: *If payment is made by check, please print a copy of this page and mail it with your payment to the following address.*

ASSOCIATION OF WASHINGTON CITIES
PO BOX 84303
SEATTLE, WA 98124-5603

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9/10*

Statistical Summary

Statistical Summary

Company:A0W - City Of Mill Creek Service Center:0076 Pacific North West Status:Under Review
 Week#:36 Pay Date:09/10/2018 P/E Date:08/31/2018
 Qtr/Year:3/2018 Run Time/Date:14:03:53 PM EDT 09/05/2018

Taxes Debited	Federal Income Tax	19,013.86		
	Earned Income Credit Advances	0.00		
	Social Security - EE	0.00		
	Social Security - ER	0.00		
	Social Security Adj - EE	0.00		
	Medicare - EE	3,031.39		
	Medicare - ER	3,031.86		
	Medicare Adj - EE	0.00		
	Medicare Surtax - EE	0.00		
	Medicare Surtax Adj - EE	0.00		
	COBRA Premium Assistance Payments	0.00		
	Federal Unemployment Tax	0.00		
	State Income Tax	0.00		
	Non Resident State Income Tax	0.00		
	State Unemployment Insurance - EE	0.00		
	State Unemployment Insurance Adj - EE	0.00		
	State Disability Insurance - EE	0.00		
	State Disability Insurance Adj - EE	0.00		
	State Unemployment/Disability Ins - ER	0.00		
	Workers' Benefit Fund Assessment - EE	0.00		
	Workers' Benefit Fund Assessment - ER	0.00		
	Local Income Tax	0.00		
	School District Tax	0.00		
		Total Taxes Debited	25,077.11	
	Other Transfers	Full Service Direct Deposit Acct. No.000060104700Tran/ABA125000024	149,718.21	
	Total Amount Debited From Your Account		174,795.32	
Bank Debits & Other Liability	Checks	0.00		
	Adjustments/Prepay/Voids	0.00		
Taxes- Your Responsibility	None this payroll			
			174,795.32	
			Total Liability	
			174,795.32	

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Payment Approval Confirmation



Company: City of Mill Creek
Requester: Kottke, Sandy
Run Date: 09/10/2018 12:34:19 PM CDT

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

Status: Processing by Bank
Transaction Number: 189AD25126HW3049

Template Name: MATRIX/MEBT
Template Code: WILTRUST

Debit Account Information

Debit Bank: 125000024
Debit Account: 000060104700
Debit Account Name: Treas Checking
Debit Currency: USD

Beneficiary Details

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

Beneficiary Account: 530354845
Beneficiary Bank ID: 021000021
JPMORGAN CHASE BANK, NA
1111 POLARIS PKWY
COLUMBUS
US - United States of America

Beneficiary Email:
Beneficiary Mobile Number:

Payment Details

Credit Currency: USD
Credit Amount: 20,743.45

Value Date: 09/10/2018

Optional Information

Sender's Reference Number: CITY MILL CREEK

Beneficiary Information: City of Mill Creek n3177e

Additional Routing

Intermediary Bank ID:

Receiver Information:

Control Information

Input: sankottke
Approved: sankottke
Initial Confirmation: WTX:2018091000358600

Input Time: 09/10/2018 12:25:18 PM CDT
Time: 09/10/2018 12:34:01 PM CDT

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9/10*

Payment Approval Confirmation



Company: City of Mill Creek
Requester: Kottke, Sandy
Run Date: 09/10/2018 12:34:19 PM CDT

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

Status: Processing by Bank
Transaction Number: 189AD2410JLY2169

Template Name: ICMA 457 Plan
Template Code: ICMA

Debit Account Information

Debit Bank: 125000024
Debit Account: 000060104700
Debit Account Name: Treas Checking
Debit Currency: USD

Beneficiary Details

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

Beneficiary Account: 42538001
Beneficiary Bank ID: 022000046
MANUFACTURERS AND TRADERS TR C
ONE M AND T PLAZA, 15TH FL
BUFFALO
US - United States of America
Beneficiary Email:
Beneficiary Mobile Number:

Payment Details

Credit Currency: USD
Credit Amount: 1,717.52

Value Date: 09/10/2018

Optional Information

Sender's Reference Number: 302029

Beneficiary Information: City of Mill Creek 302029

Additional Routing

Intermediary Bank ID:

Receiver Information:

Control Information

Input: sankottke
Approved: sankottke
Initial Confirmation: WTX:2018091000358599

Input Time: 09/10/2018 12:24:17 PM CDT
Time: 09/10/2018 12:34:01 PM CDT

Handwritten initials and date: JS 9/10

RptBatchSumViewForm

Page 1 of 1

ACH Cash Pro Online
City of Mill Creek

Report Date: 09/10/2018
Report Time: 12:43:50 PM

Batch Summary Report by ID Number

Company Name: City of Mill 01 Effective Date: 09/11/2018
 ACH ID: 2911225895 Batch Sequence: 1
 Application Name: CCD Payments and Collections Database Name: BAC
 Batch Status: Released Created By: SANKOTTKE
 Released By: SANKOTTKE

<u>Name</u>	<u>ID</u>	<u>Amount</u>	<u>D/C</u>	<u>Bank ID</u>	<u>Account #</u>	<u>Acct Type</u>	<u>Trace #</u>
BAC	BENEFIT ADMIN C	\$1,491.60	C	125108366	310005566	C	
		<u>Total Amount in Batch</u>		<u>Total Count in Batch</u>			
	Debits			\$0.00		0	
	Credits			\$1,491.60		1	
	Prenotes			\$0.00		0	
		<u>Grand Total Amount</u>		<u>Grand Total Count</u>			
	Debits			\$0.00		0	
	Credits			\$1,491.60		1	
	Prenotes			\$0.00		0	

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9/11*

Payment Approval Confirmation

Company: City of Mill Creek
Requester: Kottke, Sandy
Run Date: 09/10/2018 12:34:19 PM CDT



Domestic High Value (Wire)

Payment Category: Urgent/Wire

Status: Confirmed by Bank
Transaction Number: 189AD2310DCY1263

Template Name: GUILD DUES
Template Code: GUILD

Debit Account Information

Debit Bank: 125000024
Debit Account: 000060104700
Debit Account Name: Treas Checking
Debit Currency: USD

Beneficiary Details

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

Beneficiary Account: 000060159001
Beneficiary Bank ID: 125000024
BANK OF AMERICA, NA
1424 164TH ST SW
LYNNWOOD
US - United States of America

Beneficiary Email:
Beneficiary Mobile Number:

Payment Details

Credit Currency: USD
Credit Amount: 2,040.00

Value Date: 09/10/2018

Optional Information

Sender's Reference Number: Police Guild

Beneficiary Information: Police Guild Dues Direct Deposit

Additional Routing

Intermediary Bank ID:

Receiver Information:

Control Information

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

Tentative Council Meeting Agendas
Subject to change without notice

Last updated: September 20, 2018

October 2, 2018

(Agenda Summary due September 18)

- Terry Ryan Check Presentation – 35th Ave
- Design Review Board Appointments
- Art & Beautification Board Appointments
- Design Contract Award for Surface Water Aging Infrastructure (F Failures)
- Ordinance: Interfund transfer to Surface Water
- Budget: Preliminary Revenue & Expenses
- Study Session: Ordinance: Decrease Speed on SR 96
- Study Session: Adoption of HR Policies
- Report: Farmers Market Recap

October 9, 2018

(Agenda Summary due September 25)

- Public Hearing & Adoption: TIP
- Study Session: Proposed CIP
- Study Session: Traffic Impact Fees – Perteeet Presentation
- ILA – Traffic Impact Fees
- Adoption of HR Policies
- Ordinance: Decrease Speed on SR 96
- Report: Veterans Day Events

October 23, 2018

(Agenda Summary due October 9)

- Adoption of CIP
- Study Session: EGUV Development Agreement
- Study Session: Panhandler Ordinance
- Study Session: Surface Water Rate Adjustment
- Report: Pursuit Policy

November 6, 2018

(Agenda Summary due October 23)

- Terry Ryan Check Presentation – Historical Preservation Panels
- EGUV Development Agreement Authorization
- 2017-2018 Budget Amendments
- Public Hearing: Preliminary Budget & Property Tax Levy

November 13, 2018

(Agenda Summary due October 30)

- Public Hearing: Preliminary Budget & Surface Water Utility Rate

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

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

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

November 27, 2018

(Agenda Summary due November 13)

- Discussion of the Preliminary Budget

December 4, 2018

(Agenda Summary due November 20)

- Adoption of 2019-2020 Budget

December 11, 2018

(Agenda Summary due November 27)

- Terry Ryan Check Presentation – Exploration Park

Work in Progress – Upcoming Agenda Items

- Beaver Management Plan

Possible Work Session Topics for Discussion

- Business signs
- MCCA storm water discussions
- Utility Project Management
- Hotel/Motel Theater Tax
- Mill Creek Blvd Vision
- Adoption of business license ordinance
- ST3 Stations