Regular meetings of the Mill Creek City Council shall be held on the first, second and fourth Tuesdays of each month commencing at 6:00 p.m. in the Mill Creek Council Chambers located at 15728 Main Street, Mill Creek, Washington. Your participation and interest in these meetings are encouraged and very much appreciated. We are trying to make our public meetings accessible to all members of the public. If you require special accommodations, please call the City Clerk at (425) 921-5732 three days prior to the meeting.

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

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

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

Next Ordinance No. 2016-808
Next Resolution No. 2016-563

November 8, 2016
City Council Meeting
6:00 PM

CALL TO ORDER:
FLAG SALUTE:
ROLL CALL:
AUDIENCE COMMUNICATION:
   A. Public comment on items on or not on the agenda.
PRESENTATIONS:
   B. Employee Recognition - Veterans
      (Rebecca C. Polizzotto, City Manager)
   C. Veterans Day Events
      (Rebecca C. Polizzotto, City Manager)
NEW BUSINESS:
   D. Development Agreement Regarding Community Transit’s SWIFT II Bus Rapid Transit Program
      (Rebecca C. Polizzotto, City Manager)
CONSENT AGENDA:

E. Approval of checks #56113 through #56176 and ACH wire transfers in the amount of $162,350.12.
   (Audit Committee: Councilmember Bond and Councilmember Michelson)

F. Payroll and benefit ACH payments in the amount of $472,296.18.
   (Audit Committee: Councilmember Bond and Councilmember Michelson)

G. City Council Meeting Minutes of October 25, 2016

REPORTS:

H. Mayor/Council

I. City Manager
   • Council Planning Schedule

AUDIENCE COMMUNICATION:

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

ADJOURNMENT
CITY COUNCIL AGENDA SUMMARY
City of Mill Creek, Washington

AGENDA ITEM: DEVELOPMENT AGREEMENT REGARDING COMMUNITY TRANSIT’S SWIFT II BUS RAPID TRANSIT PROGRAM

ACTION REQUESTED:
Authorize the City Manager to execute the attached Development Agreement regarding Community Transit’s Swift II Bus Rapid Transit Program.

KEY FACTS AND INFORMATION SUMMARY:
Community Transit is currently in the design stage for the second phase of their Swift Bus Rapid Transit (BRT) Program. BRT is often described as light rail on pavement, and operates in a different manner than typical bus service. There are no scheduled stops, but a BRT coach will arrive at a station at regular intervals (i.e. every 10 minutes). Riders simply exit and enter the coach through open doors and the bus departs after a brief stop. Tickets are sold at each station but are essentially on an honor system, with occasional spot checks for enforcement.

The Swift II route will start at a new transit center next to Boeing field, run along Airport Road and 128th / 132nd Streets to SR 527, then down SR 527 to Canyon Park in Bothell. As seen on Exhibit A in the attached Development Agreement (DA), the route will have five stops in Mill Creek, with one station in each direction.

Physical improvements will be required at each intersection with a new BRT station, which are depicted in Exhibit B of the attached DA. Each location will require construction of sidewalk improvements and a standard Swift station, which will be separate from the existing transit stops. However, major changes will be done at the 164th Street intersection, including northbound and westbound lane modifications and traffic signal reconstruction to allow for a transit queue jump.

The DA for the Swift II stations in Mill Creek is required by the Federal Transit Administration, which is providing funding. The DA also memorializes several administrative matters, such as design standards, permitting and maintenance responsibilities. As part of the DA, Community Transit has agreed to pay the City a total of $25,000 to mitigate for stormwater impacts and administrative costs.

CITY MANAGER RECOMMENDATION:
The City Manager recommends approval of the attached Development Agreement regarding Community Transit’s Swift II Bus Rapid Transit Program.

ATTACHMENTS:
- Development Agreement regarding Community Transit’s Swift II Bus Rapid Transit Program, including Exhibits A – C
City Council Agenda Summary
Page 2

Respectfully Submitted:

Rebecca C. Polizzotto
City Manager

G:\EXECUTIVE\WP\COUNCIL\SUMMARY\2016\Swift 2 DA.docx
DEVELOPMENT AGREEMENT
Regarding
Community Transit's Swift II Bus Rapid Transit Program

I. Parties

This Development Agreement (Agreement) is entered into by the City of Mill Creek, Washington, a municipal corporation (City) and Snohomish County Public Transportation Benefit Area dba Community Transit (Community Transit), a municipal corporation, in consideration of the mutual benefits to be derived. The City and Community Transit are each of Party, and collectively the Parties, to this Agreement.

II. Recitals

WHEREAS, RCW 36.70B.170, et seq., MCMC 17.38.050, and other laws authorize development agreements between the City and persons having ownership or control of real property in order to establish and implement development standards that will govern and vest the development and use of real properties and provide mitigation for impacts relating thereto; and

WHEREAS, Community Transit owns real property and/or will acquire easements, and has established standard Swift II Bus Rapid Transit (BRT) Station designs for its Swift II BRT program, along SR527 within the City; and

WHEREAS, Community Transit has proposed that the City agree to apply consistent design standards and a uniform review process to the Swift II BRT program (Program) in order to ensure that future Swift II BRT Stations ("BRT Stations") along the entire transportation corridor (depicted in attached Exhibit A) are visually coherent and easily identifiable to the general public regardless of the jurisdiction in which a particular BRT Station may be located; and

WHEREAS, the Parties intend that (i) those portions of this Agreement related to authorization of BRT Station review process and construction of BRT Stations be limited to a duration of 5 years as set forth below, and (ii) those portions of this Agreement related to the land use status of the BRT Stations, easements, maintenance requirements, and other terms that by their nature comprise continuing obligations of the Parties should continue in perpetuity or until changed by the Parties; and

WHEREAS, Community Transit and the City now desire to enter into this Agreement to establish such consistent development standards and uniform review processes for Community Transit's Swift II BRT program; and

WHEREAS, the City Council has found that the proposed Agreement is consistent with the City's applicable development regulations and is in the best interests of the public and general welfare of the City;
III. Terms and Conditions of Agreement

NOW, THEREFORE, in consideration of the mutual benefits and advantages to the Parties arising from this Agreement, the Parties agree as follows:

1. Statement of Authority. This Agreement is entered into pursuant to the authorization of RCW 36.70B.170 and MCMC 17.38.050 and is intended and designed to vest the Program to the development standards and review processes set forth in this Agreement. Vesting is limited to the specific topics and subjects referenced in this Agreement. Any applicable development requirement of the City not specifically referenced herein that would thwart the Program and the intent of this Agreement shall apply based on the date of vesting as determined by the City in accordance with City regulations, ordinances and state law.

2. Stormwater Measures and Mitigation Payments.

2.1 Stormwater mitigation measures, development conditions and other requirements levied pursuant to Chapter 43.21C RCW are a proper subject of development agreements pursuant to RCW 36.70B.170(3)(c) and MCMC 17.38.050. As partial consideration for this Agreement, Community Transit offers, and the City agrees to accept, a payment (Stormwater Mitigation Payment, or SMP) of $2,000 per each City-approved BRT Station. Stormwater Mitigation Payments shall be made to the City as a condition of the City's issuance of a building or other construction permit for the approved BRT Station. SMPs are in lieu of on-site stormwater improvements for any such approved BRT Station impacts, and are final and nonrefundable when made. At the City's discretion, SMPs may be applied to any of the following: an existing stormwater mitigation site within the jurisdiction of the City, a regional stormwater mitigation project, or any other stormwater quality or quantity program or project providing general stormwater benefits to the City.

2.2 Notwithstanding Section 2.1, stormwater impacts for the northbound right turn/queue bypass lane at 164th Street SE will be mitigated by Community Transit per standard City and Department of Ecology stormwater requirements.


3.1 SEPA Review. Community Transit shall be the SEPA lead agency for the Project.

3.2 CUP Review Process. Subject to Section 3.3 below, Community Transit shall prepare and apply for, and the City shall review and issue pursuant to the City's development code, one conditional use permit (CUP) inclusive of all planned BRT Stations within the City. The CUP shall establish common conditions, requirements and authorizations for the BRT Stations, inclusive of the design standards set forth herein, and shall be appealable as provided in the development code. Upon issuance of the CUP and expiration of any appeals, Community Transit may apply for individual building
permits for each planned BRT Station which permits shall be issued by the City in accordance with the CUP. The CUP issued hereunder shall survive termination of this Agreement.

3.3 **CUP Exemption.** Any BRT Station that is wholly located within (i) the public right-of-way, or (ii) Community Transit property owned in fee and/or controlled by easement, or (iii) any combination thereof, and shall be exempt from the CUP application and review process described in Section 3.2 above.

3.4 **ROW Permit.** Community Transit shall prepare and apply for, and the City shall review and issue pursuant to MCMC Chapter 12.04, one right-of-way work permit (ROW Permit) inclusive of all planned BRT Stations within the City for portions thereof located within the public right-of-way. The ROW Permit shall establish common conditions, requirements and authorizations for the BRT Stations, inclusive of the design standards set forth herein, and shall be appealable as provided for such ROW Permits. Upon issuance of the ROW Permit and expiration of any appeals, Community Transit may apply for individual building permits for each planned BRT Station which permits shall be issued by the City in accordance with the ROW Permit. The ROW Permit issued hereunder shall survive termination of this Agreement.

3.5 **Design Standards.** RCW 36.70B.180(3)(d) and MCMC 17.38.050 authorize the establishment of design standards by development agreement. For the duration of this Agreement as established in Section 8 hereof, the City agrees that the Swift II BRT Station sites at the locations shown and depicted on attached Exhibits A and B shall be constructed to incorporate the specific design features shown on attached Exhibit C, which exhibits are fully incorporated into this Agreement by this reference. The foregoing design features have been approved by the City in this Agreement to ensure the consistency of basic Swift II BRT Station design throughout the transportation corridor and to facilitate public awareness and utilization of the Swift II BRT Station program and service. Since the BRT Station improvements are to be located within the public rights-of-way and/or Community Transit property owned in fee or controlled by easement, the Swift II BRT Stations are exempt from the City's design review program except as set forth in this Agreement. The iconic markers identified in the Exhibits that are part of each BRT Station shall be reviewed and approved pursuant to this Agreement during the building permit review process with the intent of achieving the uniform look desired by Community Transit for the BRT Stations. The Design Standards approved hereunder and applied to the BRT Stations shall survive termination of this Agreement and remain applicable to the BRT Stations to the same extent as provided under the City's development code for other design standards.

3.6 **To allow for multi-agency review and coordination for the Swift II BRT Station design,** Community Transit and the City will work together to complete the CUP. ROW Permit, structural and other building reviews early in the permitting process. To facilitate this early review, the City will accept and process permit applications from Community Transit prior to Community Transit's formal ownership of each of the BRT Station sites. Individual development and building permits for a BRT Station will be
issued by the City until Community Transit has legal control of the necessary property, either by written ownership deed, authorization from the owner, or "Access and Use" stipulation or judgment.

3.7 Some of the BRT Stations may utilize easements from private property owners. The Parties agree that the area used for the BRT Station sites pursuant to the Agreement will be classified as landscaped area when determining site setbacks, lot coverage and landscaping requirements for the existing and future development of the private property adjacent to or on which the BRT Station is located.

4. **Status of BRT Stations as Conforming Uses.** The BRT Stations at the locations shown on Exhibit B shall comprise conforming uses. So long as said Stations continue to serve a transit purpose, as described and originally authorized in applicable Federal Transit Administration (FTA) or as otherwise approved by the FTA, they shall continue to be considered conforming uses.

5. **FTA Status and Control.** The Swift II BRT Project is funded by the Federal Transit Administration (FTA). The City acknowledges that pursuant to FTA grant requirements, Community Transit must demonstrate and retain satisfactory continuing control over the use of the Project, related improvements and right-of-way. To address FTA continuing control requirements, BRT Stations, right-of-way acquisitions, and related improvements must remain available to be used for its originally authorized FTA grant purpose throughout its useful life, including but not limited to retaining undiminished transit function for the useful life of the Station, as defined by and in a manner satisfactory to the FTA. If a future project requires any BRT Station(s) approved pursuant to this Agreement to be modified or relocated, the project proponent will be required to obtain all applicable City permits and approvals, and will be responsible for coordinating the transportation planning and project design with Community Transit to support continued transit service at the relocated or modified facility. The City acknowledges the Federal interest in the Project property and agrees that it will take no action which compromises or otherwise diminishes such interest. The future project proponent will be charged all applicable planning, design, construction, administrative, and relocation costs, expenses and fees incurred and recoverable by the Parties in addressing the future project.

6. **Maintenance Obligations.** Community Transit shall be responsible for all routine and ongoing maintenance and all structural maintenance of the BRT Stations, loading platform and facilities. The City shall be responsible for all routine and ongoing maintenance and all structural maintenance of any new roadway, sidewalks, signals, and stormwater facilities constructed as part of the BRT Stations within the City limits and lying outside the red dotted line on Exhibit C hereto. Community Transit shall be responsible for all routine and structural maintenance for BRT Station area within the red dotted line on Exhibit C hereto.

7. **Reservation of Authority to Impose New Regulations.** The City does not waive its police power authority and specifically reserves its authority pursuant to RCW
36.70B.180(4) and its police power, to impose new or different regulations to the extent
determined necessary or advisable by the City and/or as allowed by law.

8. **Duration.** This Agreement shall vest Community Transit with the authority to
develop the BRT Stations shown and described on **Exhibits A, B and C** for a period of
five (5) years from the date of execution of this Agreement under current City
development standards and review processes and the Terms of this Agreement. These
rights may be exercised by filing fully complete building permit applications within such
five-year period in accordance with state law and City ordinance. If and when
Community Transit, in its sole discretion, deems it appropriate to terminate the Swift II
BRT program, the provisions of this Agreement shall automatically lapse, if said five-
year period has not run; provided that the terms of this Agreement identified in Section
14 hereof shall survive.

9. **Delay in Effective Date in Event of Appeal.** This Agreement relates to project
permit applications and approvals, such as building permits, conditional use, right-of-way
use and construction, and encroachment permits. Therefore, this Agreement shall be
effective upon the expiration of the appeal period provided in Chapter 36.70C RCW. In
the event of an appeal of this Agreement, if the Agreement is upheld in the final judicial
decision, the five-year period established under Section 8 shall automatically be extended
to commence upon the date of entry of such final order upholding the Agreement and to
run for a period of five years thereafter.

10. **Entire Agreement; Amendment.** This is the entire agreement between the Parties.
Any prior understandings, written or oral, shall be deemed merged with its provisions.
This Agreement shall not be amended except in writing with the express consent of the
Parties hereto. Neither Party shall be deemed the drafter of this Agreement.

11. **Effective Date; Recording.** This Agreement shall be effective when filed with the
Snohomish County Auditor in accordance with the provisions of RCW 36.70B.190
subject to the provisions of Section 8 above. This Agreement shall be promptly recorded
in the official real property records of Snohomish County. All costs of recording shall be
borne by Community Transit.

12. **Assignment.** Community Transit shall not assign, transfer, or encumber any
rights, duties or interest accruing from this Agreement without the prior written consent
of the City.

13. **Administrative Costs.** In recognition of the City's costs of entering into this
Agreement and providing administrative services related thereto, including ROW and
building permit fees, Community Transit shall reimburse the City in the amount of
$5,000. Such payment shall be made on or before issuance of the first building permit
authorized pursuant to this Agreement.

14. **Dispute Resolution.** In the event of any dispute between the Parties that remains
unresolved 45 days after written notice thereof, the Parties shall promptly engage a
professional mediator working in Seattle, Washington with JAMS, WAMS, JDR or a
similar service and shall meet in good faith with such mediator within 30 days thereafter.
Each Party shall bear its own costs, expenses, and attorney fees. Venue and jurisdiction
for any action on or arising from this Agreement shall be exclusively in Snohomish
County superior court.

15. **Survival of Terms.** The following sections of this Agreement are not limited by
the 5-year duration set forth in Section 8 and shall continue in effect until altered or
terminated by further agreement of the Parties pursuant to this Agreement: Section III.1,

16. **Exhibits.** The following exhibits are incorporated into this Agreement:
Exhibit A – Swift II BRT Corridor Map
Exhibit B – Swift II BRT Station Location Aerials
Exhibit C – Swift II BRT Station Platform Design Details
and Maintenance Limits

DATED this ____ day of _____________, 2016.

CITY OF MILL CREEK

City Manager Rebecca Polizzotto

ATTEST/AUTHENTICATED:

By: ________________
City Clerk

APPROVED AS TO FORM:

By: ________________
City Attorney

COMMUNITY TRANSIT

Emmett Heath, Chief Executive Officer
Development Agreement Regarding Community Transit's SWIFT II...
Exhibit "C"

Community Transit Maintenance Area
Date: November 8, 2016

### A/P Check Batches

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### Voided Checks

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### CLAIMS APPROVAL

We, the undersigned Finance/Audit Committee of the City of Mill Creek, recommend approval of check numbers 56113 through 56176, and Wire in the amount of $162,350.12.

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

---

Councilmember  

Finance Director  

Councilmember  

City Manager

F:/DATA/EXECUTIVE/WP/FORMS/FIN/Voucher Approval1.doc
Payment Details Report

Company: City of Mill Creek
Requester: Koltke, Sandy
Run Date: 10/19/2016 10:38:29 AM CDT

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

Status: Confirmed by Bank
Transaction Number: 16AJA30414Z51082

Debit Account Information
Debit Bank: 125000024
Debit Account: 00060104700
Debit Account Name: Treas Checking
Debit Currency: USD

Beneficiary Details
Beneficiary Name: 76 Fleet WEX BANK
Beneficiary Address: 87 Darling Ave.
Beneficiary City: Portland
Beneficiary Postal Code: 97160
Beneficiary Country: US - United States of America
Beneficiary Account: 4539508
Beneficiary Bank ID: 071000288
Beneficiary Bank: BMO HARRIS BANK NA
Beneficiary Address: 111 W MONROE ST
Beneficiary City: CHICAGO
Beneficiary Postal Code: 60603
Beneficiary Country: US - United States of America

Payment Details
Credit Currency: USD
Credit Amount: 3,929.13
Value Date: 10/19/2016

Optional Information
Sender's Reference Number: 16AJA30414Z51082
Beneficiary Information: 76 FLEET
Acct 0201 00 105915 3
City of Mill Creek

Additional Routing
Intermediary Bank ID:
Receiver Information:

Control Information
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Approved: sankotkke
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Confirmation #: FEDR:20161019B57HUJ2R005945
Input Time: 10/19/2016 10:39:15 AM CDT
Time: 10/19/2016 10:36:57 AM CDT
Combined Excise Tax Return

CITY OF MILL CREEK 600-598-011

Confirmation

Confirmation Number 19223849
Tax Registration Number 600598011
Reporting Period 09/2016
Payment Type EFT Debit
Date and Time Submitted 10/25/2016 3:46:59 PM
Date of Transfer 10/26/2016
Payment Amount 3,501.99
Person Completing Return Sandy Kottke
Person Authorizing Payment Sandy Kottke

Your return and payment have been submitted. For easy reference, print this page and retain it with your tax records.

For Assistance Call:
1-877-345-3353


10/25/2016
Payment Details Report
Company: City of Mill Creek
Requester: Kottke, Sandy
Run Date: 10/28/2016 6:13:05 PM CDT

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

Status: Processing by Bank
Transaction Number: 16AS10428PMC1P93

Debit Account Information
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Debit Account: 000060104700
Debit Account Name: Treas Checking
Debit Currency: USD

Beneficiary Details
Beneficiary Name: Washington State Dept. of Revenue
Beneficiary Address: PO Box 47464
Beneficiary City: Olympia
Beneficiary Postal Code: 98504
Beneficiary Country: US - United States of America

Beneficiary Account: 153910822254
Beneficiary Bank ID: 123000848

Beneficiary Information:
Beneficiary Email: 
Beneficiary Mobile Number: 

Payment Details
Credit Currency: USD
Credit Amount: 3,743.68
Value Date: 10/31/2016

Optional Information
Sender's Reference Number: Leasehold Excise
Beneficiary Information:
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2018 3rd QTR
City of Mill Creek
Tax Reg 503-000-685

Additional Routing
Intermediary Bank ID: 
Receiver Information: 

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Approved: sankottke
Input Time: 10/28/2016 6:07:54 PM CDT
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Accounts Payable

Checks by Date - Detail by Check Date

User: Jodie
Printed: 11/3/2016 9:15 AM

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AP Checks by Date - Detail by Check Date (11/3/2016 9:15 AM)
AP Checks by Date - Detail by Check Date (11/3/2016 9:15 AM)

AGENDA ITEM #E.

Approval of checks #56113 through #56176 and ACH wire transf...
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<th>Check No</th>
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AP Checks by Date - Detail by Check Date (11/3/2016 9:15 AM)
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**AGENDA ITEM #E.**

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<tr>
<td>56175</td>
<td>ZAC&amp;THON</td>
<td>Zachor &amp; Thomas, Inc., P.S.</td>
<td>10/27/2016</td>
<td>0.00</td>
<td>321.70</td>
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<tr>
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<td></td>
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<tr>
<td>56176</td>
<td></td>
<td></td>
<td></td>
<td>0.00</td>
<td>8,701.91</td>
</tr>
<tr>
<td>1210</td>
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<td></td>
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<tr>
<td>Total for Check Number 56173:</td>
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<td>140.00</td>
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<tr>
<td>Total for Check Number 56174:</td>
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<td>169.40</td>
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<td>151,175.32</td>
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</table>
Date: November 8, 2016

<table>
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<th>Payroll Check Batches</th>
<th>Check Numbers</th>
<th>Amount</th>
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<tbody>
<tr>
<td>Dated</td>
<td></td>
<td></td>
</tr>
<tr>
<td>10/06/2016</td>
<td>ACH Wire MEBT- Wilmington Trust</td>
<td>$22,976.17</td>
</tr>
<tr>
<td>10/06/2016</td>
<td>ACH Wire- ICMA RC- Def. Comp</td>
<td>$907.94</td>
</tr>
<tr>
<td>10/07/2016</td>
<td>ACH Wire- BAC- Flex Spending Acct</td>
<td>$1,197.62</td>
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<tr>
<td>10/06/2016</td>
<td>ACH Wire- MCPD Guild Dues</td>
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<td>10/06/2016</td>
<td>ACH Wire- United Way Donations</td>
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<td>ACH Wire- Assoc. of WA Cities</td>
<td>$72,843.22</td>
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<td>ACH Automatic Deposit Checks</td>
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<td>ACH Wire- FWT &amp; Medicare Taxes</td>
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<td>ACH Automatic Deposit Checks</td>
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<td>ACH Wire- BAC- Flex Spending Acct</td>
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<td>10/25/2016</td>
<td>ACH Wire MEBT- Wilmington Trust</td>
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<td>Total</td>
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<table>
<thead>
<tr>
<th>Voided Checks</th>
<th>Numbers</th>
<th>Explanation</th>
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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 $472,296.18.

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

Councilmember

Finance Director

Councilmember

City Manager
Payment Approval Confirmation
Company: City of Mill Creek
Requester: Kottke, Sandy
Run Date: 10/06/2016 5:38:21 PM CDT

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

Status: Processing by Bank
Transaction Number: 16A6H141ECD41E85
Template Name: WILTRUST
Template Code: WILTRUST

Debit Account Information
Debit Bank: [redacted]
Debit Account: [redacted]
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: [redacted]
Beneficiary Bank ID: MANUFACTURERS AND TRADERS TR C
Beneficiary Information: ONE M AND T PLAZA, 15TH FL
Beneficiary Bank: BUFFALO
Beneficiary Email: US - United States of America

Payment Details
Credit Currency: USD
Credit Amount: 22,976.17
Value Date: 10/07/2016

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:2016100600355203

Input Time: 10/06/2016 5:14:30 PM CDT
Time: 10/06/2016 5:37:59 PM CDT
Payment Approval Confirmation

Company: City of Mill Creek
Requester: Kottke, Sandy
Run Date: 10/06/2016 5:38:21 PM CDT

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

Status: Processing by Bank
Transaction Number: 16A6H15489220U15

Debit Account Information
Debit Bank: 
Debit Account: 
Debit Account Name: Treas Checking
Debit Currency: USD

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

Beneficiary Account: 
Beneficiary Bank ID: 
Beneficiary Bank Name: MANUFACTURERS AND TRADERS TR C
Beneficiary Address: ONE M AND T PLAZA, 15TH FL
Beneficiary City: BUFFALO
Beneficiary Postal Code: 21264-4553
Beneficiary Country: US - United States of America
Beneficiary Email: 
Beneficiary Mobile Number: 

Payment Details
Credit Currency: USD
Credit Amount: 907.94
Value Date: 10/07/2016

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:201610060355204
Input Time: 10/06/2016 5:15:54 PM CDT
Time: 10/06/2016 5:37:59 PM CDT
Payment Approval Confirmation

Company: City of Mill Creek
Requester: Kotike, Sandy
Run Date: 10/07/2016 1:43:32 PM CDT

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

Debit Account Information
Debit Bank: Bank of America
Debit Account: 1234567890
Debit Account Name: Treas Checking
Debit Currency: USD

Beneficiary Details
Beneficiary Name: Benefit Administration Company
Beneficiary Address: PO Box 550
Beneficiary City: Seattle
Beneficiary Postal Code: 98101-0550
Beneficiary Country: US - United States of America

Beneficiary Account: 0123456789
Beneficiary Bank ID: 0123456789
Beneficiary Bank: THE BANK OF WASHINGTON
Beneficiary Address: 5901 196TH ST SW LYNWOOD
Beneficiary City: US - United States of America
Beneficiary Email: slt@bank.com
Beneficiary Mobile Number:

Payment Details
Credit Currency: USD
Credit Amount: 1,197.62
Value Date: 10/07/2016

Optional Information
Sender's Reference Number: Daycare/Health
Beneficiary Information: City of Mill Creek

Additional Routing
Intermediary Bank ID:
Receiver Information:

Control Information
Input: sankottke
Approved: sankottke
Initial Confirmation: WTX:2016100700230382
Confirmation #: FEDR:2016100700230382

Input Time: 10/07/2016 1:38:37 PM CDT
Time: 10/07/2016 1:42:55 PM CDT

AGENDA ITEM #F.
Payroll and benefit ACH payments in the amount of $472,296.1... Page 33 of 47
Payment Approval Confirmation

Company: City of Mill Creek
Requester: Kottke, Sandy
Run Date: 10/06/2016 5:38:21 PM CDT

Domestic High Value (Wire)
Payment Category: Urgent Wire

Status: Processing by Bank
Transaction Number: 1BA8H19377P91G83

Template Name: GUILD DUES
Template Code: GUILD

Debit Account Information
Debit Bank: 4IE8000Q4
Debit Account: BBG000HH0IF00
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: 98032
Beneficiary Country: US - United States of America

Beneficiary Account: 4000000000000000
Beneficiary Bank ID: 1404
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: 1,940.00
Value Date: 10/07/2016

Optional Information
Senders Reference Number: Police Guild
Beneficiary Information: Police Guild Dues Direct Deposit

Additional Routing
Intermediary Bank ID: ""
Receiver Information: ""

Control Information
Input: sankottke
Approved: sankottke
Initial Confirmation: WTX:2016100600355201

Input Time: 10/06/2016 5:19:44 PM CDT
Approved Time: 10/06/2016 5:37:59 PM CDT
Payment Approval Confirmation

Company: City of Mill Creek
Requester: Kottke, Sandy
Run Date: 10/06/2016 5:38:21 PM CDT

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

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<td>Template Code: United Way</td>
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Debit Account Information

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<thead>
<tr>
<th>Debit Bank:</th>
<th>Debit Account Name: Treas Checking</th>
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<tbody>
<tr>
<td>Debit Account:</td>
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<tr>
<td>Debit Currency: USD</td>
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</tr>
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Beneficiary Details

| Beneficiary Name: United Way of Snohomish County |
| Beneficiary Address: 3120 McDougall Ave, STE 200 |
| Beneficiary City: Everett |
| Beneficiary Postal Code: 98201 |
| Beneficiary Country: US - United States of America |

<table>
<thead>
<tr>
<th>Beneficiary Account:</th>
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</thead>
<tbody>
<tr>
<td>Beneficiary Bank ID:</td>
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<tr>
<td>UNION BANK, N.A.</td>
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<tr>
<td>130343 CANDWOOD ST, STE 100</td>
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<tr>
<td>AGOURA HILLS</td>
</tr>
<tr>
<td>US - United States of America</td>
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</tbody>
</table>

Beneficiary Email: United Way from City of Mill Creek

<table>
<thead>
<tr>
<th>Payment Details</th>
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<tbody>
<tr>
<td>Credit Currency: USD</td>
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<tr>
<td>Credit Amount: 605.76</td>
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<tr>
<td>Value Date: 10/07/2016</td>
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Optional Information

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<tr>
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Additional Routing

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Control Information

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Payroll and benefit ACH payments in the amount of $472,296.1...
ASSOCIATION OF WASHINGTON CITIES
MILL CREEK, CITY OF

ACCOUNT SUMMARY - contains all changes to this account as of 10/06/2016 03:13:52 PM

FUND: 100
ACCOUNT NUMBER: 186 L

BILL MONTH: 10/2016
COVERAGE MONTH: 10/2016
PAYMENT DUE BY: 10/10/2016
CURRENT BILLING AMOUNT: $72,843.22
PRIOR OVERAGE OR SHORTAGE: $0.00
ADJUSTMENTS: $0.00
TOTAL AMOUNT DUE: $72,843.22

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
### Statistical Summary

**Company:** A0W - City Of Mill Creek Service Center: 0076 Pacific North West  
**Week:** #40  
**Pay Date:** 10/07/2016  
**Run Time/Date:** 13:25:45 PM EDT 10/05/2016  
**Status:** Cycle Complete  
**P/E Date:** 09/30/2016

#### Taxes Debited

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<tbody>
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<td>22,486.32</td>
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<tr>
<td>Earned Income Credit Advances</td>
<td>0.00</td>
</tr>
<tr>
<td>Social Security - EE</td>
<td>0.00</td>
</tr>
<tr>
<td>Social Security - ER</td>
<td>0.00</td>
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<tr>
<td>Social Security Adj - EE</td>
<td>0.00</td>
</tr>
<tr>
<td>Medicare - EE</td>
<td>2,961.96</td>
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<tr>
<td>Medicare - ER</td>
<td>2,961.96</td>
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<tr>
<td>Medicare Adj - EE</td>
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</tr>
<tr>
<td>Medicare Surtax - EE</td>
<td>0.00</td>
</tr>
<tr>
<td>Medicare Surtax Adj - EE</td>
<td>0.00</td>
</tr>
<tr>
<td>COBRA Premium Assistance Payments</td>
<td>0.00</td>
</tr>
<tr>
<td>Federal Unemployment Tax</td>
<td>0.00</td>
</tr>
<tr>
<td>State Income Tax</td>
<td>0.00</td>
</tr>
<tr>
<td>Non Resident State Income Tax</td>
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<tr>
<td>State Unemployment Insurance - EE</td>
<td>0.00</td>
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<tr>
<td>State Unemployment Insurance Adj - EE</td>
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<tr>
<td>State Disability Insurance - EE</td>
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</tr>
<tr>
<td>State Unemployment/Disability Ins - ER</td>
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</tr>
<tr>
<td>Workers' Benefit Fund Assessment - EE</td>
<td>0.00</td>
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<tr>
<td>Workers' Benefit Fund Assessment - ER</td>
<td>0.00</td>
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<tr>
<td>Local Income Tax</td>
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<tr>
<td>School District Tax</td>
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</table>

**Total Taxes Debited:** 28,360.66

#### Other Transfers

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<tbody>
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<td>142,974.80</td>
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**Total Amount Debited From Your Account:** 171,335.46  
**Total Liability:** 171,335.46

#### Bank Debits & Other Liability

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<td>Checks</td>
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<td>Adjustments/Prepay/Voids</td>
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</table>

**Taxes- Your Responsibility:** None this payroll

**Total Liability:** 171,335.46

---

Payroll and benefit ACH payments in the amount of $472,296.1...
## Payroll and Benefit ACH Payments

Payroll and benefit ACH payments in the amount of $472,296.1...

---

### Statistical Summary

#### Company Information:
- **A0W - City Of Mill Creek Service Center:** 0076 Pacific North West
- **Week:** #43
- **Quart/Year:** 4/2016
- **Pay Date:** 10/25/2016
- **Run Time/Date:** 18:48:03 PM EDT 10/21/2016

#### Status: Cycle Complete
- **P/E Date:** 10/15/2016

### Taxes Debited

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<tr>
<td>Social Security - ER</td>
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<tr>
<td>Social Security Adj - EE</td>
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<td>Medicare Surtax Adj - EE</td>
<td>0.00</td>
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<tr>
<td>COBRA Premium Assistance Payments</td>
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<tr>
<td>Federal Unemployment Tax</td>
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<tr>
<td>State Income Tax</td>
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<tr>
<td>Non Resident State Income Tax</td>
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<td>State Unemployment Insurance - EE</td>
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<td>State Unemployment Insurance Adj - EE</td>
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<td>State Disability Insurance - EE</td>
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<tr>
<td>State Unemployment/Disability Ins - ER</td>
<td>0.00</td>
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<tr>
<td>Workers' Benefit Fund Assessment - EE</td>
<td>0.00</td>
</tr>
<tr>
<td>Workers' Benefit Fund Assessment - ER</td>
<td>0.00</td>
</tr>
<tr>
<td>Local Income Tax</td>
<td>0.00</td>
</tr>
<tr>
<td>School District Tax</td>
<td>0.00</td>
</tr>
</tbody>
</table>

**Total Taxes Debited:** 28,188.26

### Other Transfers

- **Full Service Direct Deposit Acct. No.:** 000060104700Tran/ABA125000024
- **Total Amount Debited From Your Account:** 141,404.11

**Total Liability:** 169,512.37

### Bank Debits & Other Liability

- **Checks:** 0.00
- **Adjustments/Prepay/Voids:** 0.00

### Taxes - Your Responsibility

- **None this payroll**

---

**AGENDA ITEM #F.**
Payment Confirmation
Company: City of Mill Creek
Requester: Kotlke, Sandy
Run Date: 10/25/2016 1:54:36 PM CDT

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

Status: Pending Approval
Transaction Number: 16APD5356JI02C84
Template Name: ICMA 457 Plan
Template Code: ICMA

Debit Account Information
Debit Bank: (redacted)
Debit Account: (redacted)
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: (redacted)
Beneficiary Bank: MANUFACTURERS AND TRADERS TR C
Beneficiary Bank ID: ONE M AND T PLAZA, 15TH FL
Beneficiary City: BUFFALO
Beneficiary Postal Code: 21264-4553
Beneficiary Country: US - United States of America
Beneficiary Email: (redacted)
Beneficiary Mobile Number: (redacted)

Payment Details
Credit Currency: USD
Credit Amount: 907.94
Value Date: 10/25/2016

Optional Information
Sender's Reference Number: 302029
Beneficiary Information: City of Mill Creek 302029

Additional Routing
Intermediate Bank ID: (redacted)
Receiver Information: (redacted)

Control Information
Input: sankottke
Input Time: 10/25/2016 1:54:06 PM CDT
### Batch Summary Report by ID Number

**Company Name:** City of Mill 01  
**Effective Date:** 10/27/2016

**ACH ID:** 2911225895  
**Batch Sequence:** 2

**Application Name:** CCD Payments and Collections  
**Database Name:** BAC

**Batch Status:** Released  
**Created By:** SANKOTTKE

**Released By:** SANKOTTKE

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<th>Name</th>
<th>ID</th>
<th>Amount</th>
<th>D/C</th>
<th>Bank ID</th>
<th>Account #</th>
<th>Acct Type</th>
<th>Trace #</th>
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<tbody>
<tr>
<td>BAC</td>
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<td>$1,197.62</td>
<td>C</td>
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<td>C</td>
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</table>

<table>
<thead>
<tr>
<th>Total Amount in Batch</th>
<th>Total Count in Batch</th>
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<tbody>
<tr>
<td>Debits: $0.00</td>
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<tr>
<td>Credits: $1,197.62</td>
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<tr>
<td>Prenotes: $0.00</td>
<td>0</td>
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<th>Grand Total Amount</th>
<th>Grand Total Count</th>
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<td>1</td>
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<td>Prenotes: $0.00</td>
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Payment Confirmation

Company: City of Mill Creek
Requester: Kottke, Sandy
Run Date: 10/25/2016 1:55:57 PM CDT

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

Status: Pending Approval
Transaction Number: 16APD5522PPC1883
Template Name: WILTRUST
Template Code: WILTRUST

Debit Account Information
Debit Bank: Bank of America
Debit Account: 1234567890
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: 0000000000
Beneficiary Bank ID: 0000000000
Beneficiary Bank: MANUFACTURERS AND TRADERS TR C
Beneficiary Information: One M and T Plaza, 15th FL
Beneficiary Email: NA
Beneficiary Mobile Number: NA

Payment Details
Credit Currency: USD
Credit Amount: 28,872.08
Value Date: 10/25/2016

Optional Information
Sender’s Reference Number: CITY MILL CREEK
Beneficiary Information: City of Mill Creek n3177e

Additional Routing
Intermediary Bank ID: NA
Receiver Information: NA

Control Information
Input: sankottke
Input Time: 10/25/2016 1:55:37 PM CDT
CALL TO ORDER
Mayor Pruitt called the meeting to order at 6:00 p.m.

FLAG SALUTE
Flag Salute was conducted.

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

City Manager Polizzotto stated the staff has contacted the County about the quality of the chip seal in some areas in the City. The staff will work with the Council on alternatives to chip seal, perhaps slurry seal. More information will come to the Council about options and costs in 2017. The process will be open to the public for input.

AUDIENCE COMMUNICATION:
Bundie Olsen
16304 21st Drive SE
Mill Creek, Washington 98012

Ms. Olsen stated that she lives in the Wildflower division. She believes the chip seal that was recently done in her neighborhood has downgraded and damaged her division. She submitted a petition signed by her neighbors to have the chip seal replaced. Ms. Olsen passed out photos of the damage to the Council. She asked the Council to have the replacement be a priority in Spring of 2017. She is asking that funds be put aside now in the budget to fix the problem.

Jon Erickson
16323 17th Avenue SE
Mill Creek, Washington 98012

Mr. Erickson lives in Amberleigh and is the President of the Mill Creek Community Association. He stated that the chip seal is terrible. The residents are demanding that it be re-done and replaced. He stated that it’s difficult for kids to ride their bikes with all the rocks and uneven surfaces.
Allen Gibbs  
16228 21st Drive SE  
Mill Creek, Washington 98012  

Mr. Gibbs lives in the Wildflower division. He stated that he is waiting for the City to restore the asphalt they had previously. He said that the chip seal is inappropriate and inadequate.

Gordan LeBar  
2014 163rd Street SE  
Mill Creek, Washington 98012  

Mr. LeBar lives in the Wildflower division. Mr. LeBar stated that the streets in Wildflower were old but still in good shape. After the chip seal, the kids can’t play in the neighborhood. He believes the County did a lousy job with the chip seal and it’s a mess. He stated that the chip seal is ruining tires and kids are getting more injuries.

John Finch  
2018 163rd Street SE  
Mill Creek, Washington 98012  

Mr. Finch also lives in Wildflower. Mr. Finch stated that he is not happy with the chip seal. He said the tar and gravel is a mess. He urged the Council to fix the problem and adopt a policy for pavement preservation.

Charles Doepp  
2103 140th Place SE  
Mill Creek, Washington 98012  

Mr. Doepp stated that he has lived in Mill Creek for 18 years. He believes the chip seal is not an appropriate project for the City of Mill Creek. He stated that the City will be a less desirable place to live with chip seal.

Susan Paschke  
13621 26th Avenue SE  
Mill Creek, Washington 98012  

Ms. Paschke stated that she had chip seal put down in her neighborhood in 2014. She said chip seal is terrible. She is upset that the County laid the chip seal when it was raining. She urged the Council to re-do the chip seal in all neighborhoods that have it.

Didrik Voss  
15226 12th Drive SE  
Mill Creek, Washington 98012  

Mr. Voss stated that he is a civil engineer and evaluates streets in the City and the County. He stated that chip seal is not good in a City environment. He said slurry seal would be better and cheaper.
AGENDA ITEM #G.

Council Meeting Minutes
October 25, 2016
Page 3

Kathy Nielsen
3015 146th Place SE
Mill Creek, Washington 98012

Ms. Nielsen stated that she was at the last meeting where job descriptions and salaries were reviewed with the Council. She stated she is concerned about all of the changes. She specifically talked about the Recreation and Tourism Manager position. She stated that the City is about community and not about tourism.

Brian O'Reilly
16227 22nd Drive
Mill Creek, Washington 98012

Mr. O'Reilly thanked everyone that showed up tonight. He urged the Council to fix the streets with chip seal.

Hassan Woorbakhsh
2024 162nd Place SE
Mill Creek, Washington 98012

Mr. Woorbakhsh stated that he does not want to live with chip seal. He believes the market value of homes is going to drop.

Mayor Pruitt thanked everyone that came down and stated that the Council has heard the concerns. This will be addressed in 2017.

Councilmember Bond thanked the citizens for coming down. He said he believes that the City failed in the chip seal program and we need to fix it. He apologized to the citizens.

NEW BUSINESS:
2017-2018 Budget Review:
Capital Improvement Plan
(Rebecca C. Polizzotto, City Manager)

The following agenda summary information was presented:
The budget is an economic plan that focuses the entity's financial and human resources on the accomplishment of specific goals and objectives established by the policy makers. During Part I of the 2017-2018 Biennial Budget Presentation, the City Manager reviewed with the City Council the goals established by the Council during their annual retreat this year and discussed how those goals facilitate budgeting planning. The City Manager also presented for discussion with the City Council proposed financial goals that serve as the framework for revenue and expenditure forecasting. In Part II of the 2017-2018 Biennial Budget Presentation, the City Manager reviewed the proposed Pay & Classification Plan for the upcoming biennium and how that Pay & Classification Plan provides the framework for achievement of the Council's goals and departmental strategic objectives. In Part III of the 2017-2018 Biennial Budget Presentation, the City Manager will review the proposed Capital Improvement Plan. To create a sustainable capital plan, the City must consider all capital needs as a whole, assess fiscal capacity, and understand the impact on
reserves and operating budgets. Capital planning policies provide an essential framework for managing these tasks and for ensuring that capital plans are consistent with overall organizational goals. Towards that end, the City Manager has drafted for Council consideration capital planning policies to guide the City's capital planning efforts. Those policies will be discussed during the presentation.

Discussion.
The Council and staff discussed the projects in the Capital Improvement Plan. The Council asked the City Manager to put in place holders for project costs. These project cost estimates will be brought back to the next meeting. The Council also discussed the chip seal project and the concerns that were addressed tonight. The Council agreed to address these concerns in the first quarter of 2017 with enough time to fix the issues by Spring of 2017.

MOTION: At 8:30 p.m., Mayor Pruitt extended the meeting to 9:30 p.m., Councilmember Michelson seconded the motion. The motion passed unanimously.

CONSENT AGENDA:
Approval of Checks #56055 through #56112 and ACH Wire Transfers in the Amount of $148,452.03.
(Audit Committee: Mayor Pruitt and Councilmember Bond)

City Council Meeting Minutes of October 4, 2016

City Council Meeting Minutes of October 11, 2016

There were no exceptions from the audit committee.

MOTION: Councilmember Bond made a motion to approve the consent agenda, Councilmember Kelly seconded the motion. The motion passed unanimously.

REPORTS:
Mayor Pro Tem Holtzclaw reported that the SCT Steering Committee meeting is scheduled for tomorrow night.

City Manager Polizzotto reported that she is working with a developer next to the Gateway Shopping Center for an arena sports complex.

Police Chief Elwin gave an update on the postal keys that were stolen from a mail carrier recently.

AUDIENCE COMMUNICATION:
There were no comments from the audience.

MOTION: At 9:20 p.m., Councilmember Todd made a motion to extend the meeting to 10:00 p.m., Councilmember Cavaleri seconded the motion. The motion passed unanimously.
RECESS TO EXECUTIVE SESSION:
The meeting recessed to executive session at 9:21 p.m. to discuss performance of a public employee per RCW 42.30.110 (g) for approximately 30 minutes; which was subsequently extended.

ADJOURNMENT
With no objection, Mayor Pruitt adjourned the meeting at 10:56 p.m.

______________________________
Pam Pruitt, Mayor

______________________________
Kelly M. Chelin, City Clerk
Tentative Council Meeting Agendas
Subject to change without notice
Last updated: November 2, 2016

November 22, 2016
- Preliminary Budget Presentation
  - Revenue Projections
  - Personnel Projections
  - Contracted Expenses
  - Operating Expenses
- Property & EMS Tax Levy Public Hearing
  - Notice to be published on November 13
  - Certified Ordinances to County by November 30
- EMS Tax
- Planning Commission appointment

December 6, 2016
- Budget Adoption Public Hearing (Notice published on November 23 & November 29)

December 13, 2016
- Presentation: Fire Department Contract Analysis

December 20, 2016

Work in Progress – Upcoming Agenda Items
- Social Media Policy
- Code Revision – Repeal of Board of Appeals/Adjustment
- City Wide 911 Addressing Issues
- City Hall North HVAC Control System Replacement Contract
- Fire Contract
- Public Works Shop Design
- Code Revision – Low impact development requirements
- Harms plat – Final plat