



**CITY COUNCIL MEETING AGENDA  
Council Chambers, 1000 Laurel Street**

**January 2, 2018  
Tuesday**

**Regular Meeting  
7:00 p.m.**

- 1. Call to Order and Flag Salute**
- 2. Roll Call of Councilmembers**
- 3. Additions/Deletions**
- 4. Citizen Participation**

Citizens may comment on any topic that is not on the Regular Agenda. To comment, please raise your hand to request recognition by the Mayor. Once so recognized, please step to the podium and state your name and address for the record before making your comments. Also, please limit your comments to no more than three (3) minutes.

The public may comment on individual agenda items on the Regular Agenda prior to Council's action.

The public may also submit written communications, via letters or emails to [dperry@cityofmilton.net](mailto:dperry@cityofmilton.net). Any item received by noon on the day of the meeting will be distributed to Council.

**5. Consent Agenda**

A. Minutes – Approval of the minutes of:

- i. 12/4/2017 Regular Meeting
- ii. 12/11/2017 Special Meeting
- iii. 12/18/2017 Regular Meeting

B. Claims Approval:

- i. Approval of 2017 checks/vouchers numbered 62784-62830 in the amount of \$155,801.01.

Council may add and take action on other items not listed on this agenda.

If you need ADA accommodations, please contact City Hall at (253) 517-2705 prior to the meeting.

- ii. Approval of 2018 checks/vouchers numbered 62831-62842 in the amount of \$224,917.87.
- iii. Approval of the payroll disbursement of 12/20/2017 and related checks numbered 62773-62783 in the amount of \$167,829.66.

## **6. Regular Agenda**

- A. Selection of 2018 Mayor Pro Tem
- B. Councilmember Appointments to Regional Boards
- C. Resolution – Setting Public Hearing for Street Vacation of a Portion of Diamond Street
- D. **PUBLIC HEARING - Resolution** - Concomitant Agreement Approval – Falk Development, Inc.
- E. Grant Acceptance – Yuma Street Overlay

## **7. Council Reports**

## **8. Director's Reports**

## **9. Mayor's Report**

## **10. Adjournment**

Council may add and take action on other items not listed on this agenda.

If you need ADA accommodations, please contact City Hall at (253) 517-2705 prior to the meeting.



**Regular Meeting**  
**Monday, December 4, 2017**  
**7:00 p.m.**

**CALL TO ORDER**

Mayor Pro Tem Whalen called the Regular Meeting to order at 7:00 p.m., and led the flag salute.

**ROLL CALL**

Present: Councilmembers Johnson, Hutson, Tompkins, Ott, Morton, and Whitaker  
 (after Oath of Office)

Absent: Mayor Perry

**STAFF PRESENT**

Police Chief/City Administrator Hernandez, Finance Director Garrison, City Attorney Cameron, Public Works Director Peretti, and City Clerk Bolam

**ADDITIONS/DELETIONS**

Councilmember Johnson asked to pull 6Bi and 6Ci for discussion.

**CITIZEN PARTICIPATION**

<b>Speaker</b>	<b>Comments</b>
Tom Boyle	Tree Lighting was wonderful – great to see everyone involved – great job by the Event Committee and Public Works Discussion regarding possibility of Milton and Edgewood police departments merging – cautions Council to remember the EPFR contract and closely watch any move in that direction
Richard Cosner	Refers to the recent passing of Al Hooie - asks Council to consider memorial benches along Interurban Trail or in the Park in his honor, as well as for Lois Zaroudny, Leonard Sanderson, and all the great volunteers for our City

**PRESENTATIONS**

A. Oath of Office – Councilmember Steve Whitaker

City Clerk Bolam administered the Oath of Office to Councilmember Whitaker, who then took his Council seat.

B. Pierce County Library Strategic Plan – Director Georgia Lomax

Mayor Pro Tem Whalen welcomed Director Lomax, who provided a presentation on the Library's Strategic Plan, and answered Council's questions and received comments.

**CONSENT AGENDA**

A. Minutes – Approval of the minutes of:

1. November 20, 2017 Regular Meeting

B. Claims Approval:

1. Approval of the checks/vouchers numbered 62615-62667 in the amount of \$340,145.48.
2. Approval of the payroll disbursement of 11/20/2017 and related checks numbered 62604-62614 in the amount of \$180,056.18.

C. Contracts Approved Administratively

1. BIAS Software Annual Service Contract
2. Public Safety Testing Annual Renewal

**6Bi and 6Ci for Discussion**

Councilmember Johnson explained that one reason for voucher removal is to express concern that the Finance Committee would meet before every regular meeting to go over the vouchers. Staff answered the following questions:

- Page 13 – US Bank – PCCTA for Mayor
- Page 13 – Criminal Justice Nik Test Kits
- Page 15 – Cessco finance charges
- Page 15 – ARC/GIS ESRI
- Page 16 – Petty Cash – license registration under Small Tools
- Page 16 – TNT \$53.82 blank
- Page 13 – Tax Owed Amazon
- Page 13 – Employee Wellness duplicate from last vouchers
- Page 14 – Generator Fuel
- Page 16 – Milton Days supplies
- Page 16 – Power Pole identification
- Page 17 – Water Main Flushing
- Page 18 – State Audit

City Clerk Bolam explained the new category of “Contracts Approved Administratively” – Councilmember Johnson requested clarification on the BIAS Contract.

**COUNCILMEMBER MORTON MOVED**, seconded by Councilmember Johnson, to pass the Consent Agenda. **Passed 7/0.**

## **PUBLIC HEARINGS**

### A. 2018 Final Budget

Mayor Pro Tem Whalen opened the Public Hearing at 8:04 pm.

<b>Speaker</b>	<b>Comments</b>
Jacquelyn Whalen	Requests budget funds to upgrade the microphone system in chambers Looking for ways to notate long-term cumulative reserve funds in the budget narrative
Tom Boyle	Budgets are always “cut, cut, cut” – understanding this is a “bare bones budget” – are we going to listen to our staff, that they’ve done their best to allow for expenses – time to look at revenues – for example, 14 months ago storm water rates were raised, but since then expenses have gone up and there hasn’t been another look at raising storm water rates accordingly – if it’s costing more to do business then the citizens have to pay more – encourages Council to look for more revenue streams, pointing to sales tax, traffic infractions, etc.

Public Hearing closed at 8:10 p.m.

### B. 2017 Comprehensive Plan Amendments

Mayor Pro Tem Whalen opened the Public Hearing at 8:11 pm.

Director Peretti introduced contract Senior Planner Brittany Port, who explained this item and the necessity for the amendments. She explained that PSRC has expressed they are agreeable to a January adoption schedule if necessary.

<b>Speaker</b>	<b>Comments</b>
Jacquelyn Whalen	As Planning Commissioner, in process of editing and reviewing, expresses appreciation to Ms. Port’s attention to detail, pleasure to work with her – glad to see this issue resolved

Public Hearing closed at 8:19 p.m.

## **REGULAR AGENDA**

### A. Ordinance 1<sup>st</sup> Read – 2017 Comprehensive Plan Amendments

Ms. Port answered Council's clarifying questions as Mayor Pro Tem Whalen led the council through page-by-page.

9:08pm – Recess called – 9:17pm called back to order.

B. Ordinance 1<sup>st</sup> Read – 2017 Budget Amendment

Director Garrison explained this proposed budget amendment, the 2<sup>nd</sup> for FY2017. Discussion ensued.

C. Ordinance 2<sup>nd</sup> Read – 2018 Final Budget

**COUNCILMEMBER MORTON MOVED**, seconded by Mayor Pro Tem Whalen, to table this item until after Item 10A. **Passed 7/0.**

D. Resolution – Surplus Police Vehicle 2005 Ford Crown Victoria

Chief Hernandez explained the need to surplus this item.

**COUNCILMEMBER OTT MOVED**, seconded by Councilmember Tompkins, that the City's 2005 Ford Crown Victoria, VIN #2FAHP71W75X178514, be declared Surplus, and authorize and direct the Police Chief to dispose of the vehicle in a manner that will be to the best advantage to the City of Milton. **Passed 7/0.**

Mayor Pro Tem recessed the meeting to Executive Session at 10:07 pm for approximately 30 minutes to discuss with legal counsel a matter of potential litigation, as per RCW 42.30.110(1)(i).

Meeting called back to order at 10:32 pm.

10A. Resolution – Vacation of Portion of Emerald Street between 28<sup>th</sup> And Meridian

**COUNCILMEMBER HUTSON MOVED**, seconded by Councilmember Whitaker, adopt a resolution initiating the vacation of the unneeded portion of Emerald Street between 28<sup>th</sup> and Meridian. **Passed 7/0.**

8C. Ordinance 2<sup>nd</sup> Read – 2018 Final Budget

Mayor Pro Tem Whalen picked this item up from the table and opened for discussion, which ensued. Council suggested some of the non-number items they'd like to see changed before final adoption.

**COUNCILMEMBER MORTON MOVED**, seconded by Councilmember Johnson, to authorize Mayor Pro Tem Whalen to work with staff to change/modify the organizational chart. **Passed 6/1 (Ott).**

**COUNCILMEMBER MORTON MOVED**, seconded by Mayor Pro Tem Whalen, moved to postpone this item to the December 11 meeting, and make that a Special Meeting for the purpose of taking final action on the 2018 Budget.

Speaker	Comments
Jacquelyn Whalen	Regarding the 1 <sup>st</sup> Read of the 2017 Budget Amendment, will the 2 <sup>nd</sup> Read be scheduled next week?

**The motion was voted on and passed 7/0.**

**DIRECTOR REPORTS**

Chief Hernandez

- Vehicle accident – claims adjuster has totaled the car – it will be replaced
- Two officers down
- Murder investigation continues
- Tree Lighting was wonderful

**COUNCIL REPORTS**

None.

**ADJOURNMENT**

The next meeting is a Special Meeting on Monday, December 11, dedicated to budget review and possible adoption of the 2018 Final Budget.

The meeting was adjourned at 11:00 p.m.

\_\_\_\_\_  
Shanna Styron Sherrell, Mayor

ATTEST:

\_\_\_\_\_  
Katie Bolam, City Clerk

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**Special Meeting**  
**Monday, December 11, 2017**  
**7:00 p.m.**

**CALL TO ORDER**

Mayor Pro Tem Whalen called the Special Meeting to order at 7:00 p.m.; Councilmember Hutson led the flag salute.

**ROLL CALL**

Present: Councilmembers Johnson, Hutson, Tompkins, Ott, and Whittaker

Absent: Mayor Perry  
 Councilmember Morton (**Motion to Excuse** (Johnson/Tompkins) **Passed**)

**STAFF PRESENT**

Police Chief/City Administrator Hernandez, Finance Director Garrison, City Attorney Cameron, Public Works Director Peretti

**REGULAR AGENDA**

- A. Ordinance 2<sup>nd</sup> Read – 2017 Budget Amendment #2

Director Garrison explained that Council requested that the amendment be the same as the projected 2017 year-end column in the 2018 Budget Worksheet, so this version reflects that direction, with changes due to current activity. At Council’s request, she led discussion through the proposal.

**COUNCILMEMBER OTT MOVED**, seconded by Councilmember Johnson, to adopt the attached Ordinance amending the 2017 Budget as outlined in Exhibit A and Exhibit B.

<b>Speaker</b>	<b>Comments</b>
Shanna Styron Sherrell	Clarified that the amended numbers are to match the projected 2018 numbers.  Water salaries proposed for 2017 are lower than the YTD numbers – (error to be fixed)

It was determined that there is no Exhibit B as stated in the motion.

**The motion was voted on and failed 0/6.**

**COUNCILMEMBER OTT MOVED**, seconded by Councilmember Tompkins, to adopt the attached Ordinance amending the 2017 Budget as outlined in Exhibit A, with the correction to line item 403-534-10-10-000 to read \$153,225, and changing the ending balance as necessary. **Passed 5/1** (Johnson).

B. Ordinance 2<sup>nd</sup> Read – 2018 Final Budget

Council discussion resumed from the 12/4 meeting.

Speaker	Comments
Shanna Styron Sherrell	Without pulling out the prior budget, can you identify just the obvious, main changes? (Director Garrison's answer = Projected year-end 2017 numbers that feed into 2018, the requested personnel change in Finance, and the Planner position reduced to 3 days per week.)

Council discussion resumed with clarifying questions.

Speaker	Comments
Shanna Styron Sherrell	Page 26 – fund balance is \$196,000, while the 2017 amendment Exhibit A, the traffic fee is \$56,000. (Director Garrison's answer = there's a typo of \$14,000 instead of \$140,000, which will be fixed.)

Council discussion resumed with clarifying questions.

Speaker	Comments
Dan Franks	Asked if the personnel costs are projected for 2018, as opposed to 2017 historical, to include union and all other pay increases factored in (Director Garrison answered they are up-to-date as of October)
Shanna Styron Sherrell	Where is the reduction of \$93,000 that is not being kicked down the road located in the 2018 budget? (Director Garrison answered pages 18-19, jail, dispatch and animal control.)

Mayor Pro Tem Whalen called on Director Peretti and Chief Hernandez for their takes on the budget. Director Peretti explained the difficulties in department-level budgeting without accurate projected beginning fund balances for the year, and expressed his appreciation for Council's work to produce that accurate starting point. Chief Hernandez expressed that the City will need to find alternative revenues, such as a public safety tax, or there will be a necessity in staff reductions and lower service levels.

Recess called at 8:39pm; meeting called back to order at 8:47pm.

Director Garrison reviewed the items on the ordinance table that will be updated based on tonight's discussion.

Speaker	Comments
Shanna Styron Sherrell	Referred to the Community Events Fund, noting that donations have been declining, but the projection is for an increase

Mayor Pro Tem Whalen reviewed the budget timeline to-date.

**COUNCILMEMBER HUTSON MOVED**, seconded by Councilmember Tompkins, to adopt the 2018 Budget Ordinance and Final Budget setting anticipated revenue, appropriating funding for expenditures, and authorizing staffing levels for 2018 as was amended in this meeting.

Speaker	Comments
Jacquelyn Whalen	Recommends waiting until next week when corrected numbers can be presented.

**The motion was voted on and passed 5/1** (Johnson).

C. Administratively Approved Contracts

Mayor Pro Tem Whalen opened the discussion with the suggestion that these come to council in the future in resolution form.

**MAYOR PRO TEM WHALEN MOVED**, seconded by Councilmember Hutson, that all contracts signed administratively by the City be presented to the Council for review in resolution form.

Councilmember Hutson suggested putting a dollar threshold in place.

City Attorney Cameron spoke to the need for a code change to allow for this action.

Mayor Pro Tem Whalen withdrew his motion.

Speaker	Comments
Katrina Asay	Respects the idea to review every contract; suggests Council review this thoroughly in Study Session to determine the levels that will work for the new mayor, council and staff in the future.

**EXECUTIVE SESSION**

Mayor Pro Tem Whalen adjourned the meeting to Executive Session in accordance with the published agenda at 9:23 pm.

Mayor Pro Tem Whalen called the meeting back to order at 10:06 pm.

**DIRECTOR REPORTS**

Chief Hernandez

- Police activity resulted in a non-violent close to a potentially violent situation

Director Peretti

- Well #10 – working with the Dept of Health for approval before drilling begins within the next month or so

### **COUNCIL REPORTS**

None.

### **ADJOURNMENT**

The next meeting is a Regular Meeting on Monday, December 18.

The meeting was adjourned at 10:11 p.m.

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Shanna Styron Sherrell, Mayor

ATTEST:

\_\_\_\_\_  
Katie Bolam, City Clerk

**Back to Agenda**



**Regular Meeting**  
**Monday, December 18, 2017**  
**7:00 p.m.**

**CALL TO ORDER**

Mayor Pro Tem Whalen called the Regular Meeting to order at 7:00 p.m., and led the flag salute.

**ROLL CALL**

Present: Councilmembers Whitaker, Johnson, Ott, Tompkins, Morton (arrived at 8:00), and Hutson

Absent: Mayor Perry

**STAFF PRESENT**

Police Chief/City Administrator Hernandez, Finance Director Garrison, City Attorney Cameron, Public Works Director Peretti

**ADDITIONS/DELETIONS**

None.

**CITIZEN PARTICIPATION**

<b>Speaker</b>	<b>Comments</b>
Tom Boyle	Recognizes Mayor Pro Tem Whalen for stepping in during the Mayor's recent absences – as citizen, would like to see him continue in the role of Mayor Pro Tem

**OATHS OF OFFICE**

A. Municipal Court Judge Sandra L. Allen

Judge Allen was unable to be present – no Oath taken.

B. Councilmembers Ott, Morton, Whitaker, and Johnson

Councilmembers' Oaths were conducted by Judge Kevin Ringus in the following order: Ott, Whitaker, and Johnson; Councilmember Morton's Oath was conducted at 8:15.

C. Mayor-elect Shanna Styron Sherrell

Mayor-elect Styron Sherrell took her Oath of Office.

Recess called from 7:20-7:40pm.

**CONSENT AGENDA**

A. Minutes – Approval of the minutes of:

1. November 27, 2017 Special Meeting
2. December 4, 2017 Regular Meeting
3. December 11, 2017 Special Meeting

B. Claims Approval:

1. Approval of the checks/vouchers numbered 62703-62772 and voided check number 62737, in the amount of \$215,946.15.
2. Approval of the payroll disbursement of 12/5/2017 and related checks numbered 62668-62702, in the amount of \$277,003.90.

C. Contracts Approved Administratively

1. D.M. Disposal – Annual Rate Adjustment

Councilmember Johnson pulled the December 11 minutes, requesting that the Roll Call be clarified to show that the Council's vote of excusing an absence belongs solely to Councilmember Morton's absence, and the December 4 minutes, requesting that Councilmember Ott's name be noted as the dissenting vote on Item 8C.

**COUNCILMEMBER JOHNSON MOVED**, seconded by Councilmember Tompkins, to pass the Consent Agenda without the Dec 4 and Dec 11 minutes included. **Passed 6/0.**

**COUNCIL REPORTS**

Mayor Pro Tem Whalen

- Optimistic for the new administration
- Led a moment of silence in honor of the Amtrak train wreck this morning

Councilmember Whitaker

- Referred to recent graffiti matter

Councilmember Ott

- Son among first responders at train wreck – reported on the incredible local response
- Observed traffic problems in town, especially people running stop signs
- Confirmed that our Code Enforcement Officer is still acting in that role (confirmed by Chief)

Councilmember Tompkins

- Police Foundation banquet coming February 28
- Recent Santa Hotline was a success

- Attended Elected Officials training by AWC – very beneficial

Councilmember Hutson

- Attended Elected Officials training by AWC – interesting
- This morning, attended a committee meeting on the 911 Memorial

Councilmember Johnson

- Good to see the news reports on the heartfelt help in response to the train tragedy
- Has enjoyed her appointment to the Pierce County Citizen's Action Board
- Attended the Mt. View Community Center's Christmas event in reindeer costume – donated costume for future volunteer

**DIRECTOR REPORTS**

Director Peretti

- Staff preparing for inclement weather as well as heavy vacation time

Director Garrison

- The City has received a clean audit report

Chief Hernandez

- Thoughts and prayers extended to the families of the victims of today's train accident, as well as to the first responders

**ADJOURNMENT**

The next meeting is on Tuesday, January 2, 2018.

The meeting was adjourned at 8:20 p.m.

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Shanna Styron Sherrell, Mayor

ATTEST:

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Katie Bolam, City Clerk

**Back to Agenda**

CITY OF MILTON
PAYROLL and CLAIMS VOUCHER APPROVAL
January 2, 2018

I HEREBY CERTIFY THAT THE EXPENDITURES SHOWN BELOW REFLECT THE TRUE AND CORRECT EXPENDITURES TO THE BEST OF MY KNOWLEDGE. I FURTHER CERTIFY THE EXPENDITURES BELOW TO BE VALID AND CORRECT.

Table with columns: Finance Director, Date, Claim Vouchers (Dates, Check #, Amount), Payroll Disbursements (Date, Check #, Amount), Total Accounts Payable, Total Payroll. Includes sub-totals for voids and printer error checks.

WE, THE UNDERSIGNED COUNCILMEMBERS OF THE CITY OF MILTON, WASHINGTON, DO HEREBY CERTIFY AND APPROVE THE PAYROLL AND CLAIM VOUCHERS FOR THE TOTAL AMOUNT OF: \$ 323,630.67 Dated: January 2, 2018

COUNCILMEMBER COUNCILMEMBER
COUNCILMEMBER COUNCILMEMBER

# CHECK REGISTER

City Of Milton  
MCAG #: 0590

12/19/2017 To: 12/30/2017

Time: 15:41:35 Date: 12/28/2017  
Page: 1

Trans Date	Type	Acct #	Chk #	Claimant	Amount	Memo
<b>7676</b>	<b>12/27/2017</b>	<b>Claims</b>	<b>1</b>	<b>E62784 COLUMBIA BANK</b>	<b>393.23</b>	<b>Service Charges</b>
		001 - 512 50 41 000 - Professional Services			27.58	Service Charges
		001 - 514 20 41 000 - Professional Services			105.84	Service Charges
		406 - 531 10 41 000 - Professional Services			51.97	Service Charges
		401 - 533 10 41 000 - Professional Services			103.92	Service Charges
		403 - 534 10 41 000 - Professional Services			103.92	Service Charges
<b>7677</b>	<b>12/27/2017</b>	<b>Claims</b>	<b>1</b>	<b>62785 JET CHEVROLET INC.</b>	<b>33,992.21</b>	<b>Truck Purchase</b>
		403 - 534 50 35 001 - Machinery & Equipment			33,992.21	2017 Chevrolet 1500 Pickup Truck
<b>7678</b>	<b>12/27/2017</b>	<b>Claims</b>	<b>1</b>	<b>E62786 LOWES CREDIT CARD</b>	<b>1,149.82</b>	
		406 - 531 30 35 000 - Small Tools and Equipment			518.32	Tools - Wrenches, Stud Finder, Chisels Sets, Screw Drivers, Pliers & Misc.
		116 - 573 93 31 000 - Tree Lighting - Supplies			631.50	Light Bulbs City Hall Christmas Tree Lighting
<b>7679</b>	<b>12/27/2017</b>	<b>Claims</b>	<b>1</b>	<b>E62787 MERCHANT CARD SVCS</b>	<b>22.40</b>	<b>Merchant Fees</b>
		001 - 512 50 41 000 - Professional Services			22.40	Court Credit Card Fees
<b>7680</b>	<b>12/27/2017</b>	<b>Claims</b>	<b>1</b>	<b>62788 PIERCE COUNTY AUDITOR</b>	<b>81.00</b>	<b>Recording Fee</b>
		001 - 524 60 00 000 - Enforcement Of Codes & Reg			81.00	Recording Fees 1011 Milton Way
<b>7681</b>	<b>12/27/2017</b>	<b>Claims</b>	<b>1</b>	<b>E62789 SHELL FLEET PLUS</b>	<b>3,970.36</b>	<b>Fuel</b>
		001 - 518 30 32 000 - Operating Supplies/Fuel			6.09	Fuel
		107 - 521 20 32 000 - Fuel			2,250.46	Fuel
		406 - 531 30 32 000 - Fuel			365.57	Fuel
		401 - 533 50 32 000 - Fuel			338.68	Fuel
		403 - 534 50 32 000 - Fuel			783.95	Fuel
		101 - 542 30 32 000 - Operating Supplies/Fuel			138.93	Fuel
		001 - 576 80 32 000 - Fuel			86.68	Fuel
<b>7711</b>	<b>12/28/2017</b>	<b>Claims</b>	<b>1</b>	<b>E62790 US BANK PROCUREMENT CARD</b>	<b>13,253.36</b>	
		001 - 511 60 43 000 - Travel			25.00	Chamber Lunch - Whitaker
		001 - 511 60 49 002 - Misc/Trng,Registrations			36.00	Elected Officials Training - Tompkins, Whitaker
		001 - 511 60 49 002 - Misc/Trng,Registrations			80.00	City Action Days - Johnson
		001 - 513 10 43 000 - Travel			25.00	Chamber Lunch - Mayor
		001 - 513 10 43 000 - Travel			25.00	Chamber Lunch - Mayor
		001 - 513 10 49 002 - Misc/Trng, Registrations			18.00	Elected Officials Training - Styron-Sherrell
		001 - 513 10 49 002 - Misc/Trng, Registrations			80.00	City Action Days - Styron-Sherrell
		001 - 514 20 31 000 - Office and Operating Supplie			8.71	Ledger Paper For Budget Documents
		001 - 514 20 49 002 - Misc/Trng,Registrations			25.00	PSFOA Monthly Mtg - Garrison
		001 - 517 90 31 000 - Supplies - Employee Wellnes			25.00	Wellness Prize For Halloween Costume Contest
		001 - 518 30 31 000 - Operating Supplies			41.51	Dri-Z Air Supplies
		001 - 518 30 31 000 - Operating Supplies			14.92	Electric Battery
		001 - 518 30 31 000 - Operating Supplies			20.94	Shims & Electric Tape
		001 - 518 30 31 000 - Operating Supplies			11.51	Safety Glasses
		001 - 518 30 32 000 - Operating Supplies/Fuel			4.07	Fuel
		001 - 518 30 49 002 - Misc/Training, Registration			9.00	WSU Pesticide Pre-License Course - Thompson & Russell
		001 - 518 30 49 002 - Misc/Training, Registration			3.44	Study Material Pesticide Lic Course - Thompson & Russell
		503 - 518 80 31 000 - Office & Operating Supplies			14.98	IPhone Supplies
		503 - 518 80 49 004 - Software Licenses/Subscriptio			2,372.39	Adobe Software
		107 - 521 20 31 000 - Office and Operating Supplie			19.98	Monthly Thumbnail Images
		107 - 521 20 31 000 - Office and Operating Supplie			8.69	Ledger Paper For Budget Documents
		001 - 518 30 40 31 000 - Office and Operating Supplie			180.62	Flashlight, Pens, Batteries & Windup

# CHECK REGISTER

City Of Milton  
MCAG #: 0590

12/19/2017 To: 12/30/2017

Time: 15:41:35 Date: 12/28/2017  
Page: 2

Trans Date	Type	Acct #	Chk #	Claimant	Amount	Memo
	107 - 521 20 31 000 - Office and Operating Supplie				359.60	RCW Booklets
	107 - 521 20 31 000 - Office and Operating Supplie				14.91	Batteries
	107 - 521 20 31 000 - Office and Operating Supplie				71.47	Thumb Drives, Notebooks For Investiation
	107 - 521 20 32 000 - Fuel				296.34	Fuel
	107 - 521 20 32 000 - Fuel				236.06	Fuel
	107 - 521 20 32 000 - Fuel				48.88	Fuel
	107 - 521 20 32 000 - Fuel				30.09	Fuel
	107 - 521 20 41 000 - Professional Services				119.90	Investigative Services
	107 - 521 20 41 000 - Professional Services				159.01	Language Line
	107 - 521 20 41 000 - Professional Services				19.95	Monthly Mobilelock
	107 - 521 20 42 000 - Communication				5.75	Postage
	107 - 521 20 42 000 - Communication				3.16	Postage
	107 - 521 20 43 000 - Travel				58.95	Food - Homicide Investigation Team
	107 - 521 20 43 000 - Travel				42.87	Food - Homicide Investigation Team
	107 - 521 20 43 000 - Travel				116.02	Food - Homicide Investigation Team
	107 - 521 20 43 000 - Travel				43.05	Food - Homicide Investigation Team
	107 - 521 20 43 000 - Travel				30.33	Food - Homicide Investigation Team
	107 - 521 20 43 000 - Travel				110.42	Food - Homicide Investigation Team
	107 - 521 20 43 000 - Travel				35.06	Food - Homicide Investigation Team
	107 - 521 20 43 000 - Travel				990.10	Delta Airlines Ticket - Johnson
	107 - 521 20 43 000 - Travel				990.10	Delta Airlines Ticket - Byerley
	107 - 521 20 43 000 - Travel				25.00	Delta Baggage Fees
	107 - 521 20 43 000 - Travel				64.75	Dinner - Johnson/Byerley
	107 - 521 20 43 000 - Travel				44.16	Dinner - Johnson/Byerley
	107 - 521 20 43 000 - Travel				281.75	National Car Rental
	107 - 521 20 43 000 - Travel				72.00	Public Parking
	107 - 521 20 43 000 - Travel				210.39	Hyatt Regency Lodging
	107 - 521 20 43 000 - Travel				50.00	Delta Baggage Fees
	107 - 521 20 43 000 - Travel				8.99	Airline Meal - Byerley
	107 - 521 20 43 000 - Travel				10.99	Airline Meal - Johnson
	107 - 521 20 48 001 - Vehicle Repairs and Mainten:				10.00	Car Wash For Santa Run
	406 - 531 10 31 000 - Office and Operating Supplie				8.71	Ledger Paper For Budget Documents
	406 - 531 10 49 001 - Misc/Dues & Memberships				30.00	MRSC Rosters Annual Fee
	406 - 531 10 49 002 - Misc/Trng, Registrations				27.00	Elected Officials Training - Styron-Sherrell, Tompkins, Whitaker
	406 - 531 10 49 002 - Misc/Trng, Registrations				80.00	City Action Days - Styron-Sherrell, Johnson
	406 - 531 30 31 000 - Operating Supplies				6.40	Dymo Label Printer
	406 - 531 30 32 000 - Fuel				21.99	Fuel
	406 - 531 30 32 000 - Fuel				50.02	#16 Fuel
	406 - 531 30 35 000 - Small Tools and Equipment				362.66	Socket Set
	406 - 531 30 35 000 - Small Tools and Equipment				248.30	Pry Bar Set, Drill/Drive Set, Ratchet, Nutdriver
	406 - 531 30 35 000 - Small Tools and Equipment				49.44	Impact Socket Set
	406 - 531 30 48 001 - Vehicle Repair & Maint				48.36	#39 Door Replacement
	406 - 531 30 49 002 - Misc/Trng, Registrations				129.60	WSU Pesticide Pre-License Course - Thompson & Russell
	406 - 531 30 49 002 - Misc/Trng, Registrations				49.56	Study Material Pesticide Lic Course - Thompson & Russell
	401 - 533 10 31 000 - Office and Operating Supplie				8.71	Ledger Paper For Budget Documents
	401 - 533 10 49 001 - Misc/Dues & Memberships				30.00	MRSC Rosters Annual Fee
	401 - 533 10 49 002 - Misc/Trng, Registrations				27.00	Elected Officials Training - Styron-Sherrell, Tompkins, Whitaker
	401 - 533 10 49 002 - Misc/Trng, Registrations				80.00	City Action Days - Styron-Sherrell, Johnson
	401 - 533 50 31 000 - Operating Supplies				93.68	Wrenches & Knife Sharpener
	401 - 533 50 31 000 - Operating Supplies				4.99	IPhone Supplies
	401 - 533 50 31 000 - Operating Supplies				66.02	Gloves - Leather & Rubber Dipped

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		401 - 533 50 31 000		Operating Supplies	25.60	Dymo Label Printer
		401 - 533 50 32 000		Fuel	21.17	Fuel
		401 - 533 50 35 000		Small Tools and Equipment	129.76	#29 Tools For Truck - Wrenches, Ratchet & Sockets
		401 - 533 50 43 000		Travel	58.48	Overtime Meals - Phillips, Zumach, Jones, Lee
		401 - 533 50 49 002		Misc/Trng, Registrations	680.00	NWPPA Foreman Leadership - Lee
		401 - 533 50 49 002		Misc/Trng, Registrations	40.80	WSU Pesticide Pre-License Course - Thompson & Russell
		401 - 533 50 49 002		Misc/Trng, Registrations	15.60	Study Material Pesticide Lic Course - Thompson & Russell
		403 - 534 10 31 000		Office and Operating Supplie	8.71	Ledger Paper For Budget Documents
		403 - 534 10 49 001		Misc/Dues & Memberships	30.00	MRSC Rosters Annual Fee
		403 - 534 10 49 002		Misc/Trng, Registrations	27.00	Elected Officials Training - Styron-Sherrell, Tompkins, Whitaker
		403 - 534 10 49 002		Misc/Trng, Registrations	80.00	City Action Days - Styron-Sherrell, Johnson
		403 - 534 50 20 002		Uniforms	180.00	Boot Allowance - Baker
		403 - 534 50 31 000		Office and Operating Supplie	25.60	Dymo Label Printer
		403 - 534 50 32 000		Fuel	21.99	Fuel
		403 - 534 50 48 001		Equipment Repair & Mainte	123.27	#56 Sales Tax On Purchase
		403 - 534 50 48 001		Equipment Repair & Mainte	145.06	#39 Door Replacement
		403 - 534 50 49 001		Misc/Dues & Memberships	42.00	Waterworks Operator Cert Renewal - Baker
		403 - 534 50 49 001		Misc/Dues & Memberships	42.00	Waterworks Operator Cert Renewal - Miller
		403 - 534 50 49 001		Misc/Dues & Memberships	42.00	Waterworks Operator Cert Renewal - Sloan
		403 - 534 50 49 001		Misc/Dues & Memberships	42.00	Waterworks Operator Cert Renewal - Wetterlind
		403 - 534 50 49 001		Misc/Dues & Memberships	42.00	Waterworks Operator Cert Renewal - Walston
		403 - 534 50 49 001		Misc/Dues & Memberships	42.00	Waterworks Operator Cert Renewal - Zumach
		403 - 534 50 49 002		Misc/Trng, Registrations	445.50	NWPPA Foreman Leadership Training - Sloan
		403 - 534 50 49 002		Misc/Trng, Registrations	680.00	NWPPA Foreman Leadership - Russell
		403 - 534 50 49 002		Misc/Trng, Registrations	39.60	WSU Pesticide Pre-License Course - Thompson & Russell
		403 - 534 50 49 002		Misc/Trng, Registrations	15.14	Study Material Pesticide Lic Course - Thompson & Russell
		403 - 534 51 31 000		Office Supplies	7.20	Water Quality Supplies
		403 - 534 51 31 000		Office Supplies	19.96	Water Quality Supplies
		403 - 534 51 42 000		Communication	10.96	Shipment Of Defective Parts
		101 - 542 30 20 002		Uniforms	20.00	Boot Allowance - Baker
		101 - 542 30 31 000		Office and Operating Supplie	8.69	Ledger Paper For Budget Documents
		101 - 542 30 31 000		Office and Operating Supplie	3.20	Dymo Label Printer
		101 - 542 30 32 000		Operating Supplies/Fuel	4.07	Fuel
		101 - 542 30 43 000		Travel	17.62	Overtime Meal - Magana-Bedolla
		101 - 542 30 43 000		Travel	29.00	Overtime Meal - Miller
		101 - 542 30 43 000		Travel	28.73	Overtime Meals - Russell
		101 - 542 30 48 001		Equipment Repair & Maint	48.36	#39 Door Replacement
		101 - 542 30 49 002		Misc Training/Registrations	49.50	NWPPA Foreman Leadership Training - Sloan
		101 - 542 30 49 002		Misc Training/Registrations	12.00	WSU Pesticide Pre-License Course - Thompson & Russell
		101 - 542 30 49 002		Misc Training/Registrations	4.59	Study Material Pesticide Lic Course - Thompson & Russell
		101 - 542 90 49 001		Misc/Dues & Memb	30.00	MRSC Rosters Annual Fee
		501 - 548 30 31 000		Office & Operating Supplies	98.88	Motor Oil & Stabilizer
		501 - 548 30 31 000		Office & Operating Supplies	28.56	#16 Fuel Additive

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		501 - 548 30 31 000		Office & Operating Supplies	3.20	Dymo Label Printer
		501 - 548 30 32 000		Fuel	4.07	Fuel
		501 - 548 30 32 000		Fuel	32.46	Propane For Forklift
		001 - 558 50 32 000		Fuel	35.44	Fuel
		001 - 558 60 31 000		Operating Supplies	21.24	Postage Certified Letters
		001 - 558 60 31 000		Operating Supplies	6.59	Postage Certified Letter
		001 - 558 60 31 000		Operating Supplies	13.67	Postage Certified Letters
		001 - 558 60 31 000		Operating Supplies	29.43	Postage Certified Letters
		116 - 573 93 31 000		Tree Lighting - Supplies	32.62	Christmas Light Supplies - Command Strips & Grounding Adaptor
		116 - 573 93 31 000		Tree Lighting - Supplies	50.56	Christmas Light Supplies - Christmas Lights
		116 - 573 93 31 000		Tree Lighting - Supplies	23.70	Adaptors For Christmas Lights
		001 - 576 80 32 000		Fuel	4.07	Fuel
		001 - 576 80 49 002		Misc/Trng, Registrations	9.00	WSU Pesticide Pre-License Course - Thompson & Russell
		001 - 576 80 49 002		Misc/Trng, Registrations	3.44	Study Material Pesticide Lic Course - Thompson & Russell
		001 - 589 90 00 000		Misc Non-Expenditure	460.40	Christmas Toys Reimb By Police Foundation
		001 - 589 90 00 000		Misc Non-Expenditure	24.62	Personal Charge Reimbursed
<b>7720</b>	<b>12/29/2017</b>	<b>Claims</b>	<b>1</b>	<b>62791 AHB, INC</b>	<b>3,750.00</b>	<b>Planning Services</b>
				001 - 558 60 41 000 - Professional Services	3,750.00	On Site Planning - Nov 2017
<b>7721</b>	<b>12/29/2017</b>	<b>Claims</b>	<b>1</b>	<b>62792 ALTEC INDUSTRIES INC.</b>	<b>206.34</b>	<b>Electric Material</b>
				401 - 533 50 31 000 - Operating Supplies	206.34	Wire Puller
<b>7722</b>	<b>12/29/2017</b>	<b>Claims</b>	<b>1</b>	<b>62793 ANIXTER INC</b>	<b>1,648.06</b>	<b>Electric Material; Electric Material</b>
				401 - 533 50 31 000 - Operating Supplies	527.08	Terminal Stud To Spade
				401 - 533 50 31 000 - Operating Supplies	1,120.98	Crossarms
<b>7723</b>	<b>12/29/2017</b>	<b>Claims</b>	<b>1</b>	<b>62794 CENTURYLINK</b>	<b>225.44</b>	<b>T1 Lines</b>
				107 - 521 20 42 000 - Communication	75.14	T1 Lines
				401 - 533 10 42 000 - Communications	75.16	T1 Lines
				403 - 534 10 42 000 - Communication	75.14	T1 Lines
<b>7724</b>	<b>12/29/2017</b>	<b>Claims</b>	<b>1</b>	<b>62795 CHUCKALS</b>	<b>189.68</b>	<b>PW Supplies</b>
				401 - 533 50 31 000 - Operating Supplies	94.84	Meter Change Out Forms
				403 - 534 50 31 000 - Office and Operating Supplie	94.84	Meter Change Out Forms
<b>7725</b>	<b>12/29/2017</b>	<b>Claims</b>	<b>1</b>	<b>62796 CORE &amp; MAIN</b>	<b>203.51</b>	<b>Water Material</b>
				403 - 534 50 31 000 - Office and Operating Supplie	203.51	Upper Stem
<b>7726</b>	<b>12/29/2017</b>	<b>Claims</b>	<b>1</b>	<b>62797 TOUSSAINT DAIX</b>	<b>250.00</b>	<b>Rental Deposit Refund</b>
				001 - 589 10 00 000 - Refund Facility Deposit	250.00	Rental Deposit Refund
<b>7727</b>	<b>12/29/2017</b>	<b>Claims</b>	<b>1</b>	<b>62798 DATA BAR INCORPORATED</b>	<b>549.83</b>	<b>Print &amp; Mailing</b>
				406 - 531 10 49 003 - Misc/Outside Printing	109.97	Past Due Statements Print & Mail
				401 - 533 10 49 003 - Misc/Outside Printing	219.93	Past Due Statements Print & Mail
				403 - 534 10 49 003 - Misc/Outside Printing	219.93	Past Due Statements Print & Mail
<b>7728</b>	<b>12/29/2017</b>	<b>Claims</b>	<b>1</b>	<b>62799 BOB &amp; KATHY DEMONNIN</b>	<b>174.78</b>	<b>002212 - 2418 MILTON WAY</b>
				406 - 343 10 00 000 - Storm Drainage Fees	-57.11	
				401 - 343 30 00 000 - Electric Sales	-25.75	
				403 - 343 40 10 000 - Water Sales	-91.92	
<b>7729</b>	<b>12/29/2017</b>	<b>Claims</b>	<b>1</b>	<b>62800 DKS ASSOCIATES</b>	<b>7,087.50</b>	<b>Consulting Services</b>
				401 - 533 10 41 000 - Professional Services	7,087.50	Consulting Services
<b>7730</b>	<b>12/29/2017</b>	<b>Claims</b>	<b>1</b>	<b>62801 EAST PIERCE FIRE &amp; RESCUE</b>	<b>1,082.95</b>	<b>Police Services</b>

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		107 - 521 20 20 000 - Personnel Benefits			1,082.95	Ambulance Charge - On The Job Peterson
7731	12/29/2017	<b>Claims</b>	<b>1</b>	<b>62802 FERGUSON ENTERPRISES, INC. #1539</b>	<b>640.99</b>	<b>Water Material</b>
		403 - 534 50 31 000 - Office and Operating Supplie			640.99	Meter Yoke Connection
7732	12/29/2017	<b>Claims</b>	<b>1</b>	<b>62803 GOODYEAR AUTO SERVICE CENTER</b>	<b>202.28</b>	<b>Fleet Material</b>
		501 - 548 30 48 000 - Repairs & Maintenance			202.28	#60 Tires
7733	12/29/2017	<b>Claims</b>	<b>1</b>	<b>62804 GRAY &amp; OSBORNE INC</b>	<b>5,940.92</b>	<b>Engineering Services; Engineering Services</b>
		403 - 534 10 41 000 - Professional Services			1,854.72	Engineering Services - Northwood Elem School Review
		407 - 594 31 63 097 - Decant Facility			4,086.20	Engineering Services
7734	12/29/2017	<b>Claims</b>	<b>1</b>	<b>62805 JET CHEVROLET INC.</b>	<b>76.88</b>	<b>Fleet Material</b>
		501 - 548 30 34 000 - Parts			76.88	#20 Hoses
7735	12/29/2017	<b>Claims</b>	<b>1</b>	<b>62806 KIMBALL MIDWEST</b>	<b>134.27</b>	<b>Fleet Material</b>
		501 - 548 30 31 000 - Office & Operating Supplies			134.27	Shop Supplies - 16/4 Jacket Primary 100'RL
7736	12/29/2017	<b>Claims</b>	<b>1</b>	<b>62807 LAKEWOOD, CITY OF</b>	<b>485.71</b>	<b>EVOG Training</b>
		107 - 521 40 49 002 - Misc/Trng, Registrations			485.71	EVOG Training - Camden, Griffin, Alexander, Hobbs
7737	12/29/2017	<b>Claims</b>	<b>1</b>	<b>62808 LENNAR HOMES</b>	<b>63.23</b>	<b>004675 - 2113 97TH AVE CT E LOT 24</b>
		403 - 343 40 10 000 - Water Sales			-63.23	
7738	12/29/2017	<b>Claims</b>	<b>1</b>	<b>62809 MARK &amp; KATHRYN LYCAN</b>	<b>18.01</b>	<b>003161 - 2602 96TH AVE CT E</b>
		403 - 343 40 10 000 - Water Sales			-18.01	
7739	12/29/2017	<b>Claims</b>	<b>1</b>	<b>62810 NATIONAL SAFETY, INC.</b>	<b>274.56</b>	<b>Electric Material</b>
		401 - 533 50 31 000 - Operating Supplies			274.56	Light Wands
7740	12/29/2017	<b>Claims</b>	<b>1</b>	<b>62811 NEWS TRIBUNE, THE</b>	<b>177.32</b>	<b>Legal Notice; Legal Notice</b>
		001 - 511 60 41 002 - Advertising			112.78	2018 Mtg Schedule
		001 - 511 60 41 002 - Advertising			64.54	Council Mtg 1/2
7741	12/29/2017	<b>Claims</b>	<b>1</b>	<b>62812 NOFFKE'S TOWING SERVICE</b>	<b>1,456.32</b>	<b>Towing Service; Towing Service; Towing Service; Towing Service</b>
		107 - 521 20 41 000 - Professional Services			307.72	Towing Service
		107 - 521 20 41 000 - Professional Services			324.90	Towing Service Storage
		107 - 521 20 41 000 - Professional Services			437.40	Towing Service
		107 - 521 20 41 000 - Professional Services			252.22	Towing Service
		107 - 521 20 48 001 - Vehicle Repairs and Mainten:			134.08	#636 Towing Service
7742	12/29/2017	<b>Claims</b>	<b>1</b>	<b>62813 NORTHWEST ASSESSMENT SERVICES, PLLC</b>	<b>400.00</b>	<b>Pre-Employment Testing</b>
		107 - 521 20 41 000 - Professional Services			400.00	Pre-Employment Testing - Lee
7743	12/29/2017	<b>Claims</b>	<b>1</b>	<b>E62814 OGDEN MURPHY WALLACE</b>	<b>1,075.00</b>	<b>Legal Services</b>
		107 - 521 20 41 000 - Professional Services			1,075.00	Legal Services
7744	12/29/2017	<b>Claims</b>	<b>1</b>	<b>62815 PARKLAND LIGHT &amp; WATER CO</b>	<b>882.63</b>	<b>Electric Services</b>
		401 - 533 50 41 000 - Professional Services			882.63	Aid For Wiring A CT
7745	12/29/2017	<b>Claims</b>	<b>1</b>	<b>E62816 DEBRA PERRY</b>	<b>81.02</b>	<b>Reimbursement</b>
		001 - 513 10 31 000 - Office and Operating Supplie			24.27	Retirement Supplies - Bronson

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		001 - 513 10 43 000		Travel	36.75	Mileage PCCTA & PCCC - Mayor Perry
		116 - 573 92 31 000		Fall Bazaar - Supplies	20.00	Pumpkins Craft Bazaar
<b>7746</b>	<b>12/29/2017</b>	<b>Claims</b>	<b>1</b>	<b>62817 PIERCE CO BUDGET &amp; FINANCE</b>	<b>76.00</b>	<b>Auditor Recording Fees</b>
		001 - 524 60 00 000		Enforcement Of Codes & Reg	76.00	Auditor Recording Fees
<b>7747</b>	<b>12/29/2017</b>	<b>Claims</b>	<b>1</b>	<b>62818 PREFERRED COPIER SYSTEMS</b>	<b>1,747.68</b>	<b>Copier Maintenance; Copier Maintenance; Copier Maintenance; Copier Maintenance</b>
		001 - 513 10 48 000		Repairs and Maintenance	263.97	Copier Maintenance & Overages
		001 - 514 20 48 000		Repairs and Maintenance	131.99	Copier Maintenance & Overages
		001 - 515 30 48 000		Repairs And Maintenance	3.49	Copier Maintenance & Overages
		001 - 518 30 48 000		Repairs & Maintenance	6.02	Copier Maintenance & Overages
		107 - 521 20 48 000		Repairs and Maintenance	123.52	Copier Maintenance & Overages
		406 - 531 10 48 000		Repairs and Maintenance	30.08	Copier Maintenance & Overages
		406 - 531 10 48 000		Repairs and Maintenance	131.99	Copier Maintenance & Overages
		401 - 533 10 48 000		Repairs and Maintenance	96.26	Copier Maintenance & Overages
		401 - 533 10 48 000		Repairs and Maintenance	395.96	Copier Maintenance & Overages
		403 - 534 10 48 000		Repairs and Maintenance	96.26	Copier Maintenance & Overages
		403 - 534 10 48 000		Repairs and Maintenance	395.94	Copier Maintenance & Overages
		101 - 542 30 48 000		Repairs and Maintenance	15.04	Copier Maintenance & Overages
		501 - 548 30 48 000		Repairs & Maintenance	15.04	Copier Maintenance & Overages
		001 - 558 50 48 000		Repairs and Maintenance	15.04	Copier Maintenance & Overages
		001 - 558 60 48 000		Repairs and Maintenance	15.04	Copier Maintenance & Overages
		001 - 575 50 48 000		Repair & Maint -	3.01	Copier Maintenance & Overages
		001 - 576 80 48 000		Repair & Maintenance	9.03	Copier Maintenance & Overages
<b>7748</b>	<b>12/29/2017</b>	<b>Claims</b>	<b>1</b>	<b>62819 PROGLASS, INC.</b>	<b>2,103.82</b>	<b>Electric Material</b>
		401 - 533 50 31 000		Operating Supplies	2,103.82	Secondary Groundsleeves
<b>7749</b>	<b>12/29/2017</b>	<b>Claims</b>	<b>1</b>	<b>62820 RAINIER VISTA</b>	<b>214.84</b>	<b>Temp Water Permit Deposit/Usage</b>
		403 - 343 40 10 000		Water Sales	90.16	Water Usage
		403 - 589 20 00 403		Deposit Refund	305.00	Deposit Refund
<b>7750</b>	<b>12/29/2017</b>	<b>Claims</b>	<b>1</b>	<b>62821 ROBINSON AND NOBLE, INC.</b>	<b>1,066.75</b>	<b>Consulting Services</b>
		404 - 594 34 63 100		Well #10 Design Project	1,066.75	Consulting Services
<b>7751</b>	<b>12/29/2017</b>	<b>Claims</b>	<b>1</b>	<b>62822 SCORE</b>	<b>813.25</b>	<b>Jail Services</b>
		107 - 523 60 51 000		Intergov. Jail Services	813.25	Jail Services - Nov 2017
<b>7752</b>	<b>12/29/2017</b>	<b>Claims</b>	<b>1</b>	<b>62823 STATE AUDITOR'S OFFICE</b>	<b>16,100.05</b>	<b>State Audit Fees</b>
		001 - 514 20 51 000		Prof Services-State Auditor	16,100.05	State Audit Fees
<b>7753</b>	<b>12/29/2017</b>	<b>Claims</b>	<b>1</b>	<b>62824 SUNNYSIDE, CITY OF</b>	<b>336.00</b>	<b>Jail Services</b>
		107 - 523 60 51 000		Intergov. Jail Services	336.00	Jail Services - Nov 2017
<b>7754</b>	<b>12/29/2017</b>	<b>Claims</b>	<b>1</b>	<b>62825 SUPPLYWORKS</b>	<b>368.35</b>	<b>PW Material; Facilites Material</b>
		001 - 518 30 31 000		Operating Supplies	205.32	Ice Melt & Swiffer Pads
		001 - 518 30 31 000		Operating Supplies	163.03	Paper Towels, Soap & Soap Dispenser
<b>7755</b>	<b>12/29/2017</b>	<b>Claims</b>	<b>1</b>	<b>62826 UNIFIRST CORPORATION</b>	<b>1,009.49</b>	<b>Uniforms; Uniforms; Uniforms; Uniforms; Uniforms</b>
		001 - 518 30 20 002		Uniforms	11.17	Uniforms
		001 - 518 30 20 002		Uniforms	10.77	Uniforms
		001 - 518 30 20 002		Uniforms	10.77	Uniforms
		406 - 531 30 20 002		Uniforms	61.25	Uniforms
		406 - 531 30 20 002		Uniforms	59.06	Uniforms
		406 - 531 30 20 002		Uniforms	59.06	Uniforms



CITY OF MILTON  
PAYROLL and CLAIMS VOUCHER APPROVAL  
January 2, 2018

I HEREBY CERTIFY THAT THE EXPENDITURES SHOWN BELOW REFLECT THE TRUE AND CORRECT EXPENDITURES TO THE BEST OF MY KNOWLEDGE. I FURTHER CERTIFY THE EXPENDITURES BELOW TO BE VALID AND CORRECT.

Finance Director			Date		
Claim Vouchers:			Payroll Disbursements:		
Dates	Check #	Amount	Date	Check #	Amount
1/1/2018	62831-62842	224,917.87			
<b>Total Accounts Payable:</b>		<b>\$ 224,917.87</b>	<b>Total Payroll:</b>		<b>\$ -</b>
Voids - None					
Printer Error Checks - None					

WE, THE UNDERSIGNED COUNCILMEMBERS OF THE CITY OF MILTON, WASHINGTON, DO HEREBY CERTIFY AND APPROVE THE PAYROLL AND CLAIM VOUCHERS FOR THE TOTAL AMOUNT OF:  
\$ 224,917.87 Dated: January 2, 2018

COUNCILMEMBER	COUNCILMEMBER
COUNCILMEMBER	COUNCILMEMBER

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<b>1</b>	<b>01/01/2018</b>	<b>Claims</b>	<b>1</b>	<b>62831</b>	<b>AMERICAN PUBLIC WORKS ASSC.</b>	<b>380.00</b>	<b>Annual Renewal</b>
					001 - 518 90 49 002 - Misc/Trng, Registrations	380.00	Annual Renewal
<b>2</b>	<b>01/01/2018</b>	<b>Claims</b>	<b>1</b>	<b>E62832</b>	<b>BONNEVILLE POWERADMINISTRATION</b>	<b>205,415.00</b>	<b>Monthly Power</b>
					401 - 533 50 33 000 - BPA-Electricity for Resale	205,415.00	Monthly Power - Nov 2017
<b>3</b>	<b>01/01/2018</b>	<b>Claims</b>	<b>1</b>	<b>E62833</b>	<b>COMCAST</b>	<b>10.53</b>	<b>Cable PW</b>
					401 - 533 50 42 000 - Communication	5.27	Cable PW Shop
					403 - 534 50 42 000 - Communication	5.26	Cable PW Shop
<b>4</b>	<b>01/01/2018</b>	<b>Claims</b>	<b>1</b>	<b>E62834</b>	<b>COMCAST</b>	<b>387.83</b>	<b>Phone &amp; Internet</b>
					001 - 513 10 42 000 - Communication	19.39	Phone Lines & Internet
					001 - 514 20 42 000 - Communication	19.39	Phone Lines & Internet
					001 - 518 30 42 000 - Communication	9.70	Phone Lines & Internet
					107 - 521 20 42 000 - Communication	58.17	Phone Lines & Internet
					406 - 531 10 42 000 - Communication	38.78	Phone Lines & Internet
					401 - 533 10 42 000 - Communications	90.17	Phone Lines & Internet
					403 - 534 10 42 000 - Communication	94.05	Phone Lines & Internet
					101 - 542 30 42 000 - Communication	19.39	Phone Lines & Internet
					501 - 548 30 42 000 - Communications	9.70	Phone Lines & Internet
					001 - 558 50 42 000 - Communications	9.70	Phone Lines & Internet
					001 - 558 60 42 000 - Communication	9.70	Phone Lines & Internet
					001 - 576 80 42 000 - Communication	9.69	Phone Lines & Internet
<b>5</b>	<b>01/01/2018</b>	<b>Claims</b>	<b>1</b>	<b>62835</b>	<b>FIFE MILTON EDGEWOOD CHAMBER OF COMMERCE</b>	<b>500.00</b>	<b>Annual Dues</b>
					001 - 518 50 49 001 - Misc/Dues & Memberships	500.00	Annual Dues
<b>6</b>	<b>01/01/2018</b>	<b>Claims</b>	<b>1</b>	<b>62836</b>	<b>CITY OF MILTON</b>	<b>9,872.64</b>	<b>Utility Bill</b>
					001 - 518 30 47 000 - Public Utility Service	196.11	City Utility Bill
					107 - 521 20 47 000 - Utilities	513.00	City Utility Bill
					406 - 531 30 47 000 - Public Utility Services	167.53	City Utility Bill
					401 - 533 50 47 000 - Public Utility Services	1,434.22	City Utility Bill
					403 - 534 51 47 001 - Public Utility Services	3,688.78	City Utility Bill
					101 - 542 30 47 000 - Utilities	1,965.91	City Utility Bill
					001 - 558 50 47 000 - Public Utility Services	55.52	City Utility Bill
					001 - 558 60 47 000 - Public Utilities	41.64	City Utility Bill
					001 - 569 00 47 000 - Public Utilities-SC	515.35	City Utility Bill
					001 - 575 50 47 000 - Public Utilities Services	187.28	City Utility Bill
					001 - 576 80 47 000 - Public Utility Service	1,107.30	City Utility Bill
<b>7</b>	<b>01/01/2018</b>	<b>Claims</b>	<b>1</b>	<b>E62837</b>	<b>PUGET SOUND ENERGY</b>	<b>417.94</b>	<b>Electric Intertie; Natural Gas</b>
					107 - 521 20 47 000 - Utilities	73.93	Police Natural Gas
					403 - 534 50 47 000 - Public Utility Services	171.52	Electric Intertie
					001 - 569 00 47 000 - Public Utilities-SC	172.49	MAC Natural Gas
<b>8</b>	<b>01/01/2018</b>	<b>Claims</b>	<b>1</b>	<b>62838</b>	<b>SITECRAFTING, INC.</b>	<b>900.00</b>	<b>Yearly Domain Host</b>
					001 - 518 80 41 000 - Prof Svcs -	900.00	Yearly Domain Host
<b>9</b>	<b>01/01/2018</b>	<b>Claims</b>	<b>1</b>	<b>62839</b>	<b>TACOMA CITY TREASURER</b>	<b>3,591.00</b>	<b>Dispatch</b>
					107 - 528 00 51 000 - Intergov't Svcs-Dispatch	3,591.00	Dispatch - Q1 2018
<b>10</b>	<b>01/01/2018</b>	<b>Claims</b>	<b>1</b>	<b>E62840</b>	<b>VERIZON WIRELESS</b>	<b>145.30</b>	<b>Data Line For Flexnet</b>
					401 - 533 10 42 000 - Communications	72.65	Data Line For Flex Net
					403 - 534 10 42 000 - Communication	72.65	Data Line For Flex Net
<b>11</b>	<b>01/01/2018</b>	<b>Claims</b>	<b>1</b>	<b>E62841</b>	<b>VERIZON WIRELESS</b>	<b>3,060.04</b>	<b>Smart Phones</b>
					001 - 513 10 42 000 - Communication	63.32	Cell Phones





To: City Council Members  
From: Mayor Styron Sherrell  
Date: January 2, 2018 Regular Meeting  
Re: **Election of Mayor Pro-Tempore**

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**ATTACHMENTS:** None

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**TYPE OF ACTION:**

Information Only  Discussion  Action  Expenditure Required:

**Recommendation/Action – two-step process:**

1. "I move to nominate \_\_\_\_\_ (*insert name*) \_\_\_\_\_ as Mayor Pro-Tempore." (no 'second' needed)
2. After nominations are closed, the Mayor will call for a roll-call vote in the order that nominations were made.

**Fiscal Impact/Source of Funds:** N/A.

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**Issue:** Mayor Pro-Tempore Bob Whalen's term expires on January 2, 2018.

**Discussion:** Section 19 of Resolution 12-1820 states, "The Mayor Pro-Tempore shall be elected to a one (1) year term at the first Regular Council meeting in January of each year. The Mayor shall conduct the election for the Mayor Pro Tempore."

The Mayor should conduct the election in the following manner:

1. The Mayor shall open the nominations by Councilmembers.
2. Any Councilmember may nominate another councilmember. Nominations do not require a second.
3. After all nominations have been received, the Mayor shall close the nominations.
4. Candidates shall be voted on in the order that the nominations were received. Since there is no salary increase for this position, a Councilmember may vote for his or her own nomination.
5. As soon as one candidate receives a majority vote, the Mayor shall declare the nominee appointed Mayor Pro-Tempore, and there is no vote on the remaining candidates.



To: City Councilmembers  
 From: Mayor Styron Sherrell  
 Date: January 2, 2018 Regular Meeting  
 Re: **Appointments to Intergovernmental Boards and Commissions**

**ATTACHMENTS:** Informational Pages

**TYPE OF ACTION:**

Information Only  Discussion  Action  Expenditure Required:

**Recommended Action:** *After determining the 2018 appointments:* "I move to approve the appointments of the Mayor and Councilmembers to PCRC and SCA as discussed."

**Issue/Discussion:** Appointment of the Mayor and/or Councilmembers to the Pierce County Regional Council (PCRC) and Sound Cities Association (SCA) are made annually.

	<b>2015 Appointments</b>	<b>2016 Appointments</b>	<b>2017 Appointments</b>	<b>2018 Appointments</b>
<b>PCRC</b> Pierce County Regional Council 3 <sup>rd</sup> Thursday of each month	Mayor Perry  Jim Manley - Alternate	Mayor Perry  Bryan Ott - Alternate	Mayor Perry  Tom Boyle - Alternate	
<b>SCA</b> Sound Cities Association 2 <sup>nd</sup> Wednesday of each month	Mayor Perry	Susan Johnson  Mayor Perry - Alternate	Mayor Perry  Jim Manley - Alternate	



## Pierce County Regional Council

### Overview

The Pierce County Regional Council (PCRC) was created to ensure planning between Pierce County and its cities and towns was accomplished in a coordinated, consistent manner. The Council is comprised of elected officials from Pierce County, each of its 23 cities and towns, and the Port of Tacoma. The primary responsibility of the PCRC is to ensure that the Growth Management Act requirements are coordinated within the County and the region.

The Countywide coordination is accomplished through the implementation of the Pierce County Countywide Planning Policies. This document includes policy statements on:

- Affordable housing
- Agricultural lands
- Economic development and employment
- Education
- Fiscal impact
- Historic
- Archaeological and cultural preservation
- Natural resources
- Open space and protection of environmentally sensitive lands
- Siting of public capital facilities of statewide nature
- Transportation facilities and strategies
- Urban growth areas
- Amendments and transition

### Representation

The regional coordination is accomplished by this group acting as a sub-regional council to the Puget Sound Regional Council (PSRC). The PSRC represents the four-county region of Pierce, King, Snohomish, and Kitsap Counties. Members from the PCRC are represented on the different boards and commissions of this regional body. These boards include the Growth Management Policy Board, the Transportation Policy Board, the Economic Development Policy Board, and the Executive Board.

### Work Program

The PCRC adopts a work program at its annual General Assembly meeting. The work program provides guidance for issues the group will be pursuing in its efforts to coordinate down to the municipal level and up to the regional level. To assist in these efforts, the PCRC is supported by two technical subcommittees: the Growth Management Coordinating Committee (GMCC), which is made up of planning officials from each of the cities and towns in Pierce County, and the Transportation Coordinating Committee (TCC), which is made up of transportation officials.



**Mission**

To provide leadership through advocacy, education, mutual support and networking to cities in King County as they act locally and partner regionally to create livable vital communities.

**Vision**

The most influential advocate for cities, effectively collaborating to create regional solutions.

**Values**

SCA aspires to create an environment that fosters mutual support, respect, trust, fairness and integrity for the greater good of the association and its membership. SCA operates in a consistent, inclusive, and transparent manner that respects the diversity of our members and encourages open discussion and risk-taking.

<p><b>Mark Your Calendar</b></p> <p><a href="#">Upcoming Meetings and Events</a></p> <p><a href="#">Online Event Registration</a></p> 	<p><b>Connect With SCA</b></p> <p><a href="#">SCA eNews</a></p> <p><a href="#">Webinars</a></p> <p><a href="#">Teleconferences</a></p> <p><a href="#">Podcasts</a></p> <p><a href="#">Get our RSS Feeds</a></p> <p><a href="#">Read our Blog</a></p> 
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**Partnership. Leadership. Results.**

The Sound Cities Association (SCA) represents 36 cities of King County and provides a voice for nearly one million people.

SCA was founded in the 1970s to help cities act locally and partner regionally to create vital, livable communities through advocacy, education, leadership, mutual support and networking.

The vision of the SCA is to be the most influential advocate for cities, effectively collaborating to create regional solutions. We provide leadership on economic and community development, transportation, land use, health, government operations, environment, education, public safety, social welfare and other public policy issues.

We are proud of our collaboration with [King County](#), [Washington State](#), the [Puget Sound Regional Council](#), [Association of Washington Cities](#) and other regional organizations.

We invite your participation and support!

**Back to Agenda Bill**



**To:** Mayor Sherrell and City Council Members  
**From:** Mark Howlett, P.E., City Engineer  
**Date:** January 2, 2018  
**Re:** Resolution – Setting Public Hearing for Vacation of Portion of Diamond Street

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**ATTACHMENTS:** Resolution  
Vacation Petition  
Map

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**TYPE OF ACTION:**

Information Only  Discussion  Action  Public Hearing  Expenditure

**Recommendation/Action:** I move to approve the attached Resolution setting a public hearing for February 5, 2018 for the vacation of a portion of Diamond Street west of 10<sup>th</sup> Avenue.

**Fiscal Impact/Source of funds:** None

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**Issue:** The City has received a petition to vacate a portion of Diamond Street west of 10<sup>th</sup> Avenue. Part of the vacation process is the passage of a Resolution setting a public hearing to gather input on the vacation.

**Discussion:** In accordance with MMC 12.06, the owners of any property immediately adjacent to public right of way may petition the City for vacation of a portion of the public right-of-way. In this case, Alex Hoerling and Jeanette Harding have petitioned the City requesting a street vacation for a portion of undeveloped unopened right-of-way of Diamond Street west of 10<sup>th</sup> Avenue.

The petitioners have submitted a petition, application, filing fee and an appraisal of the area to be vacated, per MMC 12.06.030. The total area to be vacated is 9,315 square feet with an appraised value of \$12,000. Unless Council waives the requirement, the petitioners will be required to pay half of the appraised value to the City: \$6,000.

City staff has evaluated the request and has determined that this portion of Diamond Street is no longer useful to the City as an unopened right-of-way. The City will retain a utility easement over the property.

**CITY OF MILTON  
RESOLUTION NO. \_\_-\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
MILTON, WASHINGTON SETTING A PUBLIC HEARING  
FOR VACATION OF A PORTION OF DIAMOND STREET  
WEST OF 10<sup>th</sup> AVENUE.**

**WHEREAS**, the City has received a petition from adjacent property owners requesting vacation of a portion of Diamond Street west of 10<sup>th</sup> Avenue; and

**WHEREAS**, the petition included the \$250 street vacation filing fee in full, a legal description and a property appraisal; and

**WHEREAS**, Milton Municipal Code 12.06.010 *Initiation* requires the City Council, by resolution, to fix a time when the petition will be heard by council, which time shall not be more than 60 days, or less than 20 days, after the date of passage of the resolution; and

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MILTON,  
WASHINGTON, HEREBY RESOLVES AS FOLLOWS:**

**The City Council hereby sets a public hearing for the Diamond Street vacation. The hearing is set for 7:00 p.m. at the City Council meeting on February 5, 2018.**

**PASSED AND APPROVED at a regular meeting of the Council of the City of Milton,  
this \_\_\_\_\_ day of \_\_\_\_\_, 2018.**

\_\_\_\_\_  
Shanna Styron Sherrell, Mayor

ATTEST:

\_\_\_\_\_  
Katie Bolam, City Clerk

**CITY OF MILTON  
PETITION FOR VACATION OF A CITY STREET**

IN THE MATTER OF THE PETITION OF:

Hoerling / Harding XXX DIAMOND ST 98354

Mailing Address 38127 38th Ave S Auburn, WA 98001

206-601-5458 206 713-8629

JIMHARDING@16@6MIL.COM

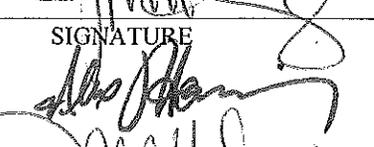
and others for the Vacation of: DIAMOND STREET

TO THE CITY COUNCIL OF MILTON, WASHINGTON:

(FILL IN DESCRIPTION OF PORTION OF STREET TO BE VACATED)(ATTACH MAP)

The southern 30' x 310' undeveloped, dead end portion of Diamond Street. West of 10th Street and east of the Milton (Interurban) Trail located in the City of Milton, Wa

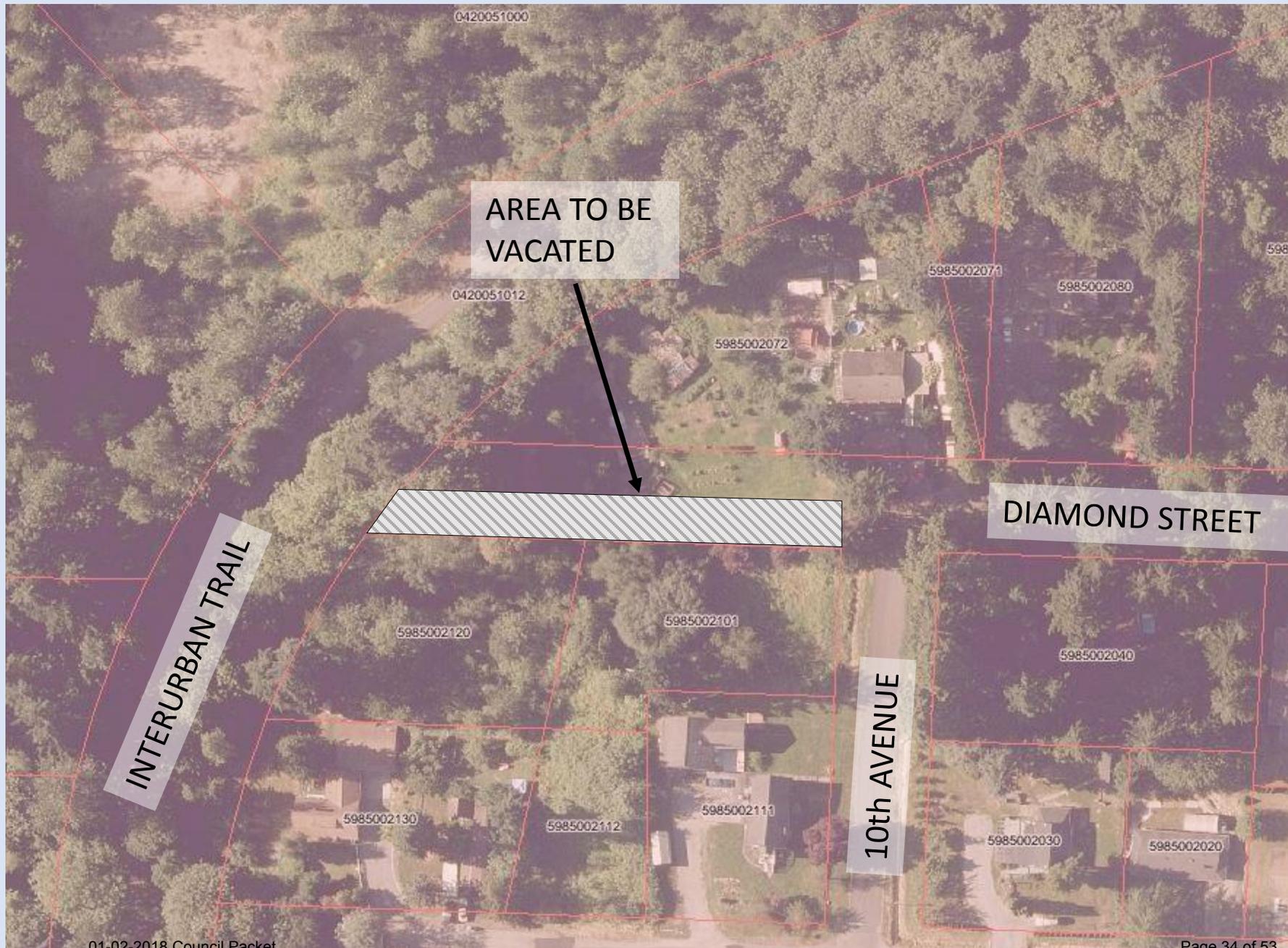
We, the undersigned property owners within the City of Milton, State of Washington do petition that the above described City street be vacated:

Alex Hoerling Jeanette Harding		xxx Diamond St Milton, WA 98354	5985002101
NAME	SIGNATURE	ADDRESS	PARCEL NO.
Alex Hoerling Jeanette Harding		xxx Diamond St Milton, WA 98354	5985002120
NAME	SIGNATURE	ADDRESS	PARCEL NO.
NAME	SIGNATURE	ADDRESS	PARCEL NO.
NAME	SIGNATURE	ADDRESS	PARCEL NO.

(Use Additional Sheets if Necessary)

Your petitioners respectfully represent and allege that the street is useless as a part of the general street system and the public will be benefited by its vacation, and that all of your petitioners are property owners abutting said street; therefore your petitioners request the vacation of said street, as provided by law. RCW 35.79 and Milton Municipal Code 12.06.







**Back to Agenda**

**To:** Mayor Styron Sherrell and City Council Members  
**From:** William L. Cameron, City Attorney  
**Date:** January 2, 2018  
**Re:** **PUBLIC HEARING – Resolution – Concomitant Agreement with Falk Development, Inc.**

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**ATTACHMENTS:** **Resolution (to be handed out during meeting)**  
Proposed Agreement with Falk Development, Inc.

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**TYPE OF ACTION:**

Information Only  Discussion  Action  Public Hearing  Expenditure

**Recommended Action:** Open the Public Hearing, accept public testimony, close the Public Hearing.

**Recommended Motion:** I move to approve and authorize the Mayor to sign the proposed Concomitant Agreement with Falk Development, Inc. as attached hereto.

**Financial Impact:** None. (Ultimately, \$47,000 in funds will be released from escrow; from the City's standpoint, that money has already been paid.)

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**Issue:** Falk Development owns the property just west of McDonald's. The City has been in negotiations with Falk for some time as to various issues concerning the property. In mid-2017 Falk proposed the Annexed concomitant agreement, but several legal issues were discovered that needed resolution, especially the proper method of vacating the now unneeded right-of-way for Emerald Street and the vitality of a twenty-year-old Conditional Use Permit. This form of the agreement resolves those issues

**Recommendation:** Approve the attached agreement with Falk Development. The agreement will only become effective if the Council vacates that portion of Emerald Street at the second regular meeting in January. A representative of Falk Development, Inc. is expected to be in the audience.

RECORDING REQUESTED BY  
AND, WHEN RECORDED, MAIL TO:

William Cameron, Esq.  
City Attorney for Milton, Washington  
1000 Laurel Street  
Milton, Washington 98354

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## CONCOMITANT AGREEMENT

Grantor: **FALK DEVELOPMENT, INC.**, a Washington corporation

Grantee: **CITY OF MILTON**, a Washington municipal corporation

Legal Description (abbreviated): A portion of Northeast Quarter of Section 4, Township 20,  
Range 4, W.M. (Lot A, Boundary Line Revision, Recording  
No. 9809045005

Additional legal(s): on page 2

Assessor's Tax Parcel No.: 0420041179

Reference Nos. of Documents Released or Assigned: None

THIS CONCOMITANT AGREEMENT (the "**Agreement**") is entered into this \_\_\_ day of \_\_\_\_\_, 2018 ("**Effective Date**"), by and between **FALK DEVELOPMENT, INC.**, a Washington corporation, hereinafter referred to as the "**Falk**" and the **CITY OF MILTON**, a Washington municipal corporation, hereinafter referred to as the "**City**," hereinafter individually a "**party**" and collectively the "**parties**".

### RECITALS

WHEREAS, the City has authority to enact laws and to enter into agreements to promote the health, safety and welfare of its citizens and thereby control the use of property within its jurisdiction, and

WHEREAS, Falk owns the following described parcel of real property commonly known as 524 Meridian Avenue East, Milton, Washington 98354, which is legally described as follows:

MILTON COMMERCIAL CONCOMITANT AGREEMENT 01.02.2018.doc

The land referred to is situated in the County of Pierce, City of Milton, State of Washington, and is described as follows:

Commencing at the Southeast corner of the Northeast quarter of Section 4, Township 20 North, Range 4 East, W.M.;

THENCE North 00°19'35" West, along the East line of said Northeast quarter of said Section 4, 660.00 feet;

THENCE North 89°59'58" West, 50.00 feet to the West margin of Washington State Highway SR-161 as described in instruments recorded under Recording Nos. 8212220124 and 8212230033, records of Pierce County, Washington;

THENCE North 00°19'35" West, along said Margin, 152.00 feet to the True Point of Beginning;

THENCE continuing along said West Margin, North 00°19'35" West, 36.04 feet;

THENCE South 89°54'25" West, 180.00 feet;

THENCE North 00°19'35" West, 193.00 feet;

THENCE North 89°54'25" East, 180.00 feet to the West margin of said Washington State Highway SR-161;

THENCE North 00°19'35" West, along said West Margin, 30 feet;

THENCE South 89°54'25" West, 562.68 feet to the East margin of 28th Avenue;

THENCE South 00°03'43" East, along said East Margin, 410.11 feet;

THENCE South 89°59'58" East, 310.58 feet;

THENCE North 00°19'35" West, 152.00 feet;

THENCE South 89°59'58" East, 254.00 feet to the True Point of Beginning;

(Being known as Proposed Lot A, Boundary Line Revision recorded under Recording No. 9809045005, records of Pierce County, Washington);

EXCEPT that portion conveyed to the City of Milton by Quit Claim Deeds recorded under Recording Nos. 9809040587, 9809040588 and 9809040589, records of Pierce County, Washington;

AND EXCEPT that portion thereof conveyed to the City of Milton by Quit Claim Deed recorded

under Recording No. 200809290505, records of Pierce County, Washington.

SITUATE in the County of Pierce, State of Washington.

(Pierce County Real Property Tax Parcel No. 042004-117-9)

(the "**Property**").

WHEREAS, One of Falk's predecessor's in interest in the Property named Robert J. Knutsen ("**Knutsen**") submitted an application for a Conditional Use Permit ("**CUP**") circa the

spring of 1998 (the “**Application**”); and

WHEREAS, the Application sought approval of the development of approximately 5.34 acres involving the construction of approximately 40,550 square feet of office/retail space; and

WHEREAS, Knutsen obtained a Conditional Use Permit for the Property on June 10, 1998 that among other things granted the use of the Property in accordance with the City of Milton’s Hearing Examiner’s (“**Hearing Examiner**”) Report and Decision attached as **Exhibit “A,”** which is incorporated and made a part hereof by this reference; and

WHEREAS, the Hearing Examiner specifically required that the project conform to the City’s Stormwater Management Plan and the Department of Ecology’s 1992 Stormwater Program Guidance Manual for the Puget Sound Basin (the “**Applicable Stormwater Regulations**”); and

WHEREAS, the stormwater system and storm pond constructed on the Property was designed, sized and constructed in compliance with the Applicable Stormwater Regulations (the “**Stormwater System**”); and

WHEREAS, two (2) of the three (3) parcels involved in the project were improved with a gasoline service station/convenience store and a fast-food restaurant shortly after the Hearing Examiner’s approval of the CUP as shown on the approved site plan dated April 24, 1998 attached as **Exhibit “B,”** which is incorporated and made a part hereof by this reference (the “**Site Plan**”); and

WHEREAS, the CUP vested at the time of the submittal of the complete Application circa the spring of 1998 and expired six months later; and

WHEREAS, the Applicant completed the improvement to the public way; and

WHEREAS, more recently, the City undertook a public road construction project adjacent to the Property circa May 2012 (the “**Public Road Construction Project**”) that required a portion of the Property (the “**Taken Property**”). Under threat of condemnation, Knutsen entered into a Possession and Use Agreement dated May 15, 2012 with the City, which allowed the City to proceed with the Public Road Construction Project and left for later determination the just compensation owed for the Taken Property (“**Possession and Use Agreement**”). A copy of the Possession and Use Agreement is attached as **Exhibit “C,”** which is incorporated and made a part hereof by this reference; and

WHEREAS, the City commissioned an appraisal of the Taken Property on March 16, 2012 and determined its value to be \$47,350.00; and Falk commissioned an Appraisal Review of the City’s appraisal on September 3, 2014 and determined the value of the Taken Property to be \$71,000.00. Copies of the summaries of each of the appraisals are attached as **Exhibit “D”** and **Exhibit “E,”** respectively, which are incorporated and made a part hereof by this reference; and

WHEREAS, in partial consideration of the terms and conditions of this Agreement, the City and Falk have mutually agreed that the appropriate amount of just compensation for the Taken Property is Forty-Seven Thousand Three Hundred and Fifty and no/100ths (\$47,350.00) (the “**Just Compensation Payment**”); and

WHEREAS, as a result of the Public Road Construction Project the City relocated portions of Emerald Street and in so doing: (i) removed portions of Emerald Street; and (ii) retained some of the portions of the Property previously encumbered with portions of Emerald Street. As a result, the City and Falk engaged in negotiations intended to resolve the issues raised by the Public Road Construction Project.

WHEREAS, the resolution of the situation included: (i) Falk’s agreement to convey three (3) tracts from the Property to the City; conditioned on (ii) the City’s initiating, and processing vacation of the City’s right-of-way in the portions of the Property formerly encumbered by Emerald Street (the “**Property To Be Vacated**”); and

WHEREAS, the City has initiated a vacation of the Property To Be Vacated by by a resolution of the City Council pursuant to RCW 35.79. The description for the Property To Be Vacated is all that property lying more than three feet (3 ft.) south and southeast of the south edge of the sidewalk along the south side of Emerald Street, excluding Tract D and retaining an easement or the right to exercise and grant easements in respect to the vacated land for the construction, repair, and maintenance of public utilities and services; and

WHEREAS, the three (3) parcels to be conveyed to the City include: (i) **Tract “B”**; (ii) **Tract “C”**; and (iii) **Tract “D”**. All three (3) Tracts are legally described and shown on drawings attached as **Exhibit “F,” Exhibit “G”** and **Exhibit “H”** respectively, which are incorporated and made a part hereof by this reference; and

WHEREAS, Tract “B,” Tract “C” and Tract “D” shall be conveyed to the City via a single dedication deed attached as **Exhibit “I,”** which is incorporated and made a part hereof by this reference (the “**Dedication Deed**”); and

WHEREAS, at the time of the construction of the public road project, the City routed stormwater to the storm pond situated on the Property (the “**Storm Pond**”). As a result, the City and Falk mutually acknowledge and agree that a significant percentage of the capacity of the Storm Pond is currently being utilized to accommodate the stormwater discharge from public ways; and

WHEREAS, the City agreed to reroute all of the storm water currently being discharged to the Storm Pond from its public road facilities to a nearby public stormwater facility. After which, Falk plans to allocate all of the remaining unused capacity of the Storm Pond to accommodate the remaining undeveloped portions of the Property that are to be subdivided by a short plat into three (3) lots to be identified as Lots 1, 2 and 3 (the forthcoming, “**Short Plat**”).

Both the City and Falk have reviewed, approved and agreed to abide by the terms and conditions set forth in that certain Preliminary Drainage Report prepared by Azure-Green Consultants dated April 5, 2017 (the “**Preliminary Drainage Report**”) attached as **Exhibit “J,”** which is incorporated and made a part hereof by this reference; and

WHEREAS, the City also agreed to accept, process and approve in accord with applicable regulations, the forthcoming Short Plat application having terms and conditions acceptable to Falk in substantial conformance with the form of the Short Plat attached as **Exhibit “K,”** which is incorporated and made a part hereof by this reference (the “**Short Plat Form**”), and specifically and expressly including the Community Development Notes on Sheet 1 of 3; and

WHEREAS, the City and Falk desire to memorialize the results of their discussions and the mutual agreement reached with respect to the various issues discussed in these recitals including without limitation the following: (i) the City’s delivery of the agreed to Just Compensation Payment for the Taken Property; (ii) the Conveyance of Tracts “B,” “C” and “D”, respectively, to the City via a Dedication Deed; (iii) the City’s initiation of the vacation of the Property To Be Vacated; (iv) the City’s agreement to reroute its stormwater to a public facility and also its agreement to the terms and condition of the Preliminary Drainage Report; and (v) the City’s agreement to accept, process and approve in accord with applicable regulations, the forthcoming Short Plat with terms and conditions acceptable to Falk including the above referenced Community Development Notes and in substantial conformance with the attached Short Plat Form.

NOW, THEREFORE, in consideration of the mutual benefits to be derived from this Agreement, and subject to the terms and conditions stated herein, Falk and the City do hereby covenant and agree to the following terms and conditions:

#### **AGREEMENT**

- A. **INCORPORATION OF RECITALS.** All of the above stated recitals are hereby incorporated and made a part of this Agreement by this reference.
- B. **DELIVERY OF JUST COMPENSATION.** The City hereby agrees to deliver the Just Compensation Payment in United States currency either via a wire transfer or a Cashier’s Check to Falk simultaneous with: (i) its passage of an Ordinance for the Property to be Vacated; and (ii) Falk’s delivery of the Dedication Deed.
- C. **CITY’S VACATION OF PROPERTY TO BE VACATED.** The City hereby agrees to initiate, process and finalize a vacation of the Property To Be Vacated by ordinance initiated by the City Council pursuant to RCW 35.79.
- D. **FALK’S DELIVERY OF DEDICATION DEED.** Falk hereby agrees to deliver the executed and notarized Dedication Deed for Tract “B,” Tract “C” and Tract

“D” attached as Exhibit “I” simultaneous with: (i) the City’s passage of a vacation ordinance of the Property to be Vacated; and (ii) the City’s delivery of the Just Compensation Payment to Falk.

- E. **RESCISSION OF POSSESSION AND USE AGREEMENT.** The Possession and Use Agreement executed on May 15, 2012, and recorded under Auditor’s No. 201208240623 shall be rescinded as of the completion of the delivery of Just Compensation.
- F. **CITY’S REROUTING OF PUBLIC STORMWATER.** The City hereby agrees to reroute all of the storm water currently being discharged to the Storm Pond from its public road facilities to a nearby public stormwater facility on or before March 30, 2018.
- G. **ADOPTION OF PRELIMINARY DRAINAGE REPORT.** The City and Falk hereby agree to abide by the terms and conditions of the Preliminary Drainage Report attached as Exhibit “J” with regard to the determination of the required storage for the development of the Property.
- H. **PROCESSING OF FORTHCOMING SHORT PLAT APPLICATION.** The City hereby agrees to accept, process and approve in accord with applicable regulations, the forthcoming Short Plat application having terms and conditions acceptable to Falk and in substantial conformance with the Short Plat Form attached as Exhibit “K”, and specifically including the following Community Development Notes:

### **COMMUNITY DEVELOPMENT NOTES**

DEVELOPMENT ON THE LOTS WITHIN THIS SHORT PLAT MAY BE SUBJECT TO DESIGN REVIEW AS OUTLINED IN MMC CHAPTER 17.43. NOTE: THE DESIGN GUIDELINES AND STANDARDS WILL LIKELY REQUIRE VEHICULAR AND PEDESTRIAN INTERCONNECTIVITY BETWEEN PARKING AREAS BOTH INTERNALLY ON THE SITE AND TO THE ADJACENT EXISTING DEVELOPMENT ON THE SOUTH AND EAST. COMPLIANCE WITH THIS REQUIREMENT WILL LIKELY REQUIRE THE RECORDING OF SHARED ACCESS EASEMENTS. PLEASE CONSULT WITH THE CITY EARLY IN THE PROCESS IN REGARDS TO THE APPLICATION OF THE UPTOWN DESIGN STANDARDS AND GUIDELINES TO FUTURE LOT DEVELOPMENT.

- I. **RECORDING OF THE AGREEMENT.** Simultaneous with the mutual execution of this Agreement, the City agrees to record this Agreement.
- J. **BINDING EFFECT.** The obligations contained in this Agreement are covenants running with the land, and shall inure to the benefit of and be binding on the City and Falk, as well as their respective successors and assigns.
- K. **TERM OF THIS CONCOMITANT AGREEMENT.** Falk and the City agree that this Concomitant Agreement shall remain effective and have vitality for so long any of its terms and conditions remains operative and the obligations and responsibilities of the parties remain unresolved. Provided, however, if the City

Council fails to vacate the Property to be Vacated in a manner that whereby there is no payment required by Falk, then this agreement shall be void.

- L. **ATTORNEY FEES.** In the event either party to this Agreement finds it necessary to employ legal counsel or to bring an action at law or other proceedings against the other party to interpret and/or enforce any of the terms, covenants, or conditions hereof, the prevailing party in such action or proceeding shall be paid all costs and reasonable attorneys' fees, as determined by the court and/or the jury, and in the event any judgment is secured by such prevailing party, all such costs and attorney fees shall be included in any such judgment in such action or proceedings, including any appeal(s).
- M. **TIME IS OF THE ESSENCE.** Time is of the essence of this Agreement and each and every term, condition, and provision contained in it.
- N. **NO JOINT VENTURE.** It is not intended by this Agreement to, and nothing contained in this Agreement shall, create any partnership, joint venture or other joint or equity type agreement between the parties. No term or provision of this Agreement is intended to be, or shall be, for the benefit of any person, firm, organization, or corporation not a party to this Agreement, and no such other person, firm, organization or corporation shall have any right or cause of action hereunder.
- O. **FURTHER ACTS.** Each party shall, at the request of the other, execute, acknowledge (if appropriate) and deliver whatever additional documents, and do such other acts, as may be reasonably required in order to accomplish and/or carry out the intent, spirit and purposes of this Agreement. The City reserves authority to impose new or different regulations with respect to the above referenced Short Plat approval in Section H to the extent required because of a verified serious threat to public health and safety.
- P. **AMENDMENT.** This Agreement may be amended only by way of an instrument signed by both parties.
- Q. **WARRANTY OF AUTHORITY.** Each individual executing this Agreement on behalf of a party warrants that the party's name correctly identifies the party of interest in the subject matter described in this Agreement; and that he, she and/or they are authorized to bind such party to this Agreement and its terms and conditions.
- R. **COUNTERPARTS.** This Agreement may be executed in two or more identical counterparts, in which case each executed counterpart shall be deemed to be an original and all counterparts together shall constitute one and the same instrument.
- S. **GOVERNING LAW.** This Agreement shall be governed and enforced by, and construed in accordance with the laws of the State of Washington.

- T. **VENUE.** Venue for any action arising out of this Agreement shall be laid in Pierce County, Washington.
- U. **CAPTIONS.** Captions contained in this Agreement are inserted only as a matter of convenience and in no way define, limit, extend or describe the scope of this Agreement or the intent of any included provision.

IN WITNESS WHEREOF, the City and Falk have executed this Agreement as of the day and year written below. However, the Effective Date of this Agreement shall be the day and year first written above.

**CITY:**

**CITY OF MILTON**

By: \_\_\_\_\_  
Shanna Styron Sherrell  
Mayor

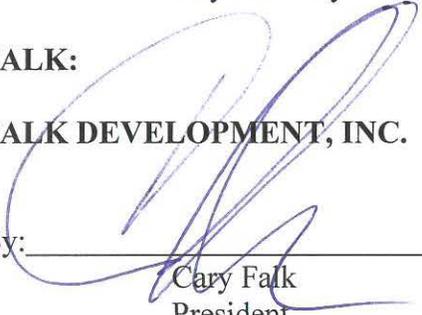
**APPROVED AS TO FORM:**

By: \_\_\_\_\_  
William Cameron  
City Attorney

DATED: \_\_\_\_\_, 2018

**FALK:**

**FALK DEVELOPMENT, INC.**

By: \_\_\_\_\_  
  
Cary Falk  
President

**[NOTARY ACKNOWLEDGEMENTS ON FOLLOWING PAGE]**

STATE OF WASHINGTON )  
 : ss.  
County of Pierce )

On this \_\_\_\_\_ day of \_\_\_\_\_, 2018, before me personally appeared SHANNA STYRON SHERRELL, to me known to be the Mayor of the CITY OF MILTON, Pierce County, Washington, the Washington municipal corporation that executed the within and foregoing instrument and acknowledged the said instrument to be his free and voluntary act and deed of said municipal corporation for the uses and purposes therein mentioned, and on oath stated that she was authorized to execute and in fact executed said instrument on behalf of the municipal corporation

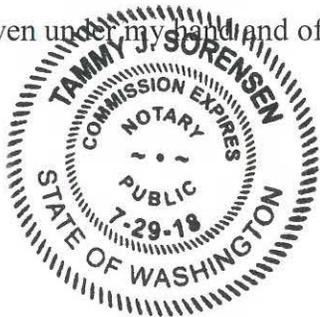
Given under my hand and official seal this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
Type/Print Name: \_\_\_\_\_  
Notary Public in and for the State of Washington  
residing at \_\_\_\_\_  
My Commission expires \_\_\_\_\_

STATE OF WASHINGTON )  
 : ss.  
County of Pierce )

On this 14th of December, 2017, before me personally appeared CARY FALK, to me known to be the President of FALK DEVELOPMENT, INC., the Washington corporation described in and that executed the within and foregoing instrument and acknowledged the said instrument to be his free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and on oath stated that he was authorized to execute and in fact executed said instrument on behalf of said corporation.

Given under my hand and official seal this 14th day of December, 2017.



Tammy J. Sorensen  
Type/Print Name: Tammy J. Sorensen  
Notary Public in and for the State of Washington  
residing at Lake Tapps  
My Commission expires 7-29-18



To: Mayor Styron Sherrell and City Council Members  
From: Mark Howlett, P.E., City Engineer  
Date: January 2, 2018  
Re: **Grant Acceptance from Transportation Improvement Board – Yuma Street Overlay**

---

**ATTACHMENTS:** Grant Award Letter  
Fuel Tax Grant Agreement Form  
Project Funding Status Form

---

**TYPE OF ACTION:**

Information Only  Discussion  Action  Expenditure Required:

**Recommendation/Action:** I move to accept the \$432,303 grant from the Washington State Transportation Improvement Board for the Yuma Street Overlay Project and authorize the Mayor to sign all documents necessary to execute the grant.

**Fiscal Impact/Source of Funds:** The grant will require City of Milton matching funds in the amount of \$48,033. This project was included in the Capital Improvement Fund in the 2018 budget.

---

**Issue:** The Washington State Transportation Improvement Board(TIB) awarded the City of Milton \$432,303 for the City's Yuma Street Overlay Project. This grant must be accepted by City Council, and agreements must be signed to implement the grant.

**Discussion:** Public Works staff competed for and was successful in receiving a \$432,303 grant from the Washington State Transportation Improvement Board as part of their Arterial Preservation Program. The TIB awards grants annually from funds collected from fuel taxes.

As the City faces challenges in the maintenance of our roads, we continue to pursue grants such as this one to help provide funding for repairs and overlays of our streets.



# Washington State Transportation Improvement Board

## TIB Members

Chair  
Commissioner Richard Stevens  
Grant County

Vice Chair  
Mayor Patty Lent  
City of Bremerton

Amy Asher  
RiverCities Transit

Aaron Butters, P.E.  
HW Lochner Inc.

Jeff Carpenter, P.E.  
WSDOT

Barbara Chamberlain  
WSDOT

Elizabeth Chamberlain  
City of Walla Walla

Commissioner Terri Drexler  
Mason County

Gary Ekstedt, P.E.  
Yakima County

Mayor Glenn Johnson  
City of Pullman

John Klekotka, P.E.  
Port of Everett

Commissioner Robert Koch  
Franklin County

John Koster  
County Road Administration Board

Colleen Kuhn  
Human Services Council

Mayor Ron Lucas  
Town of Steilacoom

Mick Matheson, P.E.  
City of Mukilteo

E. Susan Meyer  
Spokane Transit Authority

Laura Philpot, P.E.  
City of Maple Valley

David Ramsay  
Feet First

Martin Snell  
Clark County

Ashley Probart  
Executive Director

P.O. Box 40901  
Olympia, WA 98504-0901  
Phone: 360-586-1140  
Fax: 360-586-1165  
www.tib.wa.gov

November 17, 2017



Mr. Mark Howlett, P.E.  
Public Works Director/City Engineer  
City of Milton  
1000 Laurel Street  
Milton, WA 98354-8850

Dear Mr. Howlett:

Congratulations! We are pleased to announce the selection of your project, FY 2019 Overlay Project, Multiple Locations, TIB project number 3-P-132(002)-1.

Total TIB funds for this project are \$432,303. Arterial Preservation Program (APP) funding is appropriated by the Legislature for the biennium. APP Projects proceeding to construction after June 30, 2019 may lose funding.

Before any work is allowed on this project, you must:

- Verify the information on the Project Funding Status Form, revise if necessary, and sign;
- Sign both copies of the Fuel Tax Grant Distribution Agreement; and
- Return the above items to TIB;

You may only incur reimbursable expenses after you receive approval from TIB.

In accordance with RCW 47.26.084, you must certify full funding by November 17, 2018 or the grant may be terminated. Grants may also be rescinded due to unreasonable project delay as described in WAC 479-05-211.

If you have questions, please contact Greg Armstrong, TIB Project Engineer, at (360) 586-1142 or e-mail [GregA@TIB.wa.gov](mailto:GregA@TIB.wa.gov).

Sincerely,

Ashley Probart  
Executive Director

Enclosures



City of Milton  
3-P-132(002)-1  
FY 2019 Overlay Project  
Multiple Locations

STATE OF WASHINGTON  
TRANSPORTATION IMPROVEMENT BOARD  
AND  
City of Milton  
AGREEMENT

THIS GRANT AGREEMENT (hereinafter "Agreement") for the FY 2019 Overlay Project, Multiple Locations (hereinafter "Project") is entered into by the WASHINGTON STATE TRANSPORTATION IMPROVEMENT BOARD (hereinafter "TIB") and City of Milton, a political subdivision of the State of Washington (hereinafter "RECIPIENT").

1.0 PURPOSE

TIB hereby grants funds in the amount of \$432,303 for the project specified above, pursuant to terms contained in the RECIPIENT'S Grant Application, supporting documentation, chapter 47.26 RCW, title 479 WAC, and the terms and conditions listed below.

2.0 SCOPE AND BUDGET

The Project Scope and Budget are initially described in RECIPIENT'S Grant Application and incorporated by reference into this Agreement. Scope and Budget will be further developed and refined, but not substantially altered during the Design, Bid Authorization and Construction Phases. Any material alterations to the original Project Scope or Budget as initially described in the Grant Application must be authorized by TIB in advance by written amendment.

3.0 PROJECT DOCUMENTATION

TIB requires RECIPIENT to make reasonable progress and submit timely Project documentation as applicable throughout the Project. Upon RECIPIENT'S submission of each Project document to TIB, the terms contained in the document will be incorporated by reference into the Agreement. Required documents include, but are not limited to the following:

- a) Project Funding Status Form
- b) Bid Authorization Form with plans and engineers estimate
- c) Award Updated Cost Estimate
- d) Bid Tabulations
- e) Contract Completion Updated Cost Estimate with final summary of quantities
- f) Project Accounting History

4.0 BILLING AND PAYMENT

The local agency shall submit progress billings as project costs are incurred to enable TIB to maintain accurate budgeting and fund management. Payment requests may be submitted as often as the RECIPIENT deems necessary, but shall be submitted at least quarterly if billable



amounts are greater than \$50,000. If progress billings are not submitted, large payments may be delayed or scheduled in a payment plan.

#### 5.0 TERM OF AGREEMENT

This Agreement shall be effective upon execution by TIB and shall continue through closeout of the grant or until terminated as provided herein, but shall not exceed 10 years unless amended by the Parties.

#### 6.0 AMENDMENTS

This Agreement may be amended by mutual agreement of the Parties. Such amendments shall not be binding unless they are in writing and signed by persons authorized to bind each of the Parties.

#### 7.0 ASSIGNMENT

The RECIPIENT shall not assign or transfer its rights, benefits, or obligations under this Agreement without the prior written consent of TIB. The RECIPIENT is deemed to consent to assignment of this Agreement by TIB to a successor entity. Such consent shall not constitute a waiver of the RECIPIENT's other rights under this Agreement.

#### 8.0 GOVERNANCE & VENUE

This Agreement shall be construed and interpreted in accordance with the laws of the state of Washington and venue of any action brought hereunder shall be in the Superior Court for Thurston County.

#### 9.0 DEFAULT AND TERMINATION

##### 9.1 NON-COMPLIANCE

- a) In the event TIB determines, in its sole discretion, the RECIPIENT has failed to comply with the terms and conditions of this Agreement, TIB shall notify the RECIPIENT, in writing, of the non-compliance.
- b) In response to the notice, RECIPIENT shall provide a written response within 10 business days of receipt of TIB's notice of non-compliance, which should include either a detailed plan to correct the non-compliance, a request to amend the Project, or a denial accompanied by supporting details.
- c) TIB will provide 30 days for RECIPIENT to make reasonable progress toward compliance pursuant to its plan to correct or implement its amendment to the Project.
- d) Should RECIPIENT dispute non-compliance, TIB will investigate the dispute and may withhold further payments or prohibit the RECIPIENT from incurring additional reimbursable costs during the investigation.

##### 9.2 DEFAULT

RECIPIENT may be considered in default if TIB determines, in its sole discretion, that:



- a) RECIPIENT is not making reasonable progress toward correction and compliance.
- b) TIB denies the RECIPIENT's request to amend the Project.
- c) After investigation TIB confirms RECIPIENT'S non-compliance.

TIB reserves the right to order RECIPIENT to immediately stop work on the Project and TIB may stop Project payments until the requested corrections have been made or the Agreement has been terminated.

### 9.3 TERMINATION

- a) In the event of default by the RECIPIENT as determined pursuant to Section 9.2, TIB shall serve RECIPIENT with a written notice of termination of this Agreement, which shall be served in person, by email or by certified letter. Upon service of notice of termination, the RECIPIENT shall immediately stop work and/or take such action as may be directed by TIB.
- b) In the event of default and/or termination by either PARTY, the RECIPIENT may be liable for damages as authorized by law including, but not limited to, repayment of grant funds.
- c) The rights and remedies of TIB provided in the AGREEMENT are not exclusive and are in addition to any other rights and remedies provided by law.

### 9.4 TERMINATION FOR NECESSITY

TIB may, with ten (10) days written notice, terminate this Agreement, in whole or in part, because funds are no longer available for the purpose of meeting TIB's obligations. If this Agreement is so terminated, TIB shall be liable only for payment required under this Agreement for performance rendered or costs incurred prior to the effective date of termination.

### 10.0 USE OF TIB GRANT FUNDS

TIB grant funds come from Motor Vehicle Fuel Tax revenue. Any use of these funds for anything other than highway or roadway system improvements is prohibited and shall subject the RECIPIENT to the terms, conditions and remedies set forth in Section 9. If Right of Way is purchased using TIB funds, and some or all of the Right of Way is subsequently sold, proceeds from the sale must be deposited into the RECIPIENT's motor vehicle fund and used for a motor vehicle purpose.

### 11.0 INCREASE OR DECREASE IN TIB GRANT FUNDS

At Bid Award and Contract Completion, RECIPIENT may request an increase in the TIB funds for the specific project. Requests must be made in writing and will be considered by TIB and awarded at the sole discretion of TIB. All increase requests must be made pursuant to WAC 479-05-202 and/or WAC 479-01-060. If an increase is denied, the recipient shall be liable for costs incurred in excess of the grant amount. In the event that final costs related to the specific project are less than the initial grant award, TIB funds will be decreased and/or refunded to TIB in a manner that maintains the original ratio between TIB funds and total project costs.



## 12.0 INDEPENDENT CAPACITY

The RECIPIENT shall be deemed an independent contractor for all purposes and the employees of the RECIPIENT or any of its contractors, subcontractors, and employees thereof shall not in any manner be deemed employees of TIB.

## 13.0 INDEMNIFICATION AND HOLD HARMLESS

The PARTIES agree to the following:

Each of the PARTIES, shall protect, defend, indemnify, and save harmless the other PARTY, its officers, officials, employees, and agents, while acting within the scope of their employment as such, from any and all costs, claims, judgment, and/or awards of damages, arising out of, or in any way resulting from, that PARTY's own negligent acts or omissions which may arise in connection with its performance under this Agreement. No PARTY will be required to indemnify, defend, or save harmless the other PARTY if the claim, suit, or action for injuries, death, or damages is caused by the sole negligence of the other PARTY. Where such claims, suits, or actions result from the concurrent negligence of the PARTIES, the indemnity provisions provided herein shall be valid and enforceable only to the extent of a PARTY's own negligence. Each of the PARTIES agrees that its obligations under this subparagraph extend to any claim, demand and/or cause of action brought by, or on behalf of, any of its employees or agents. For this purpose, each of the PARTIES, by mutual negotiation, hereby waives, with respect to the other PARTY only, any immunity that would otherwise be available to it against such claims under the Industrial Insurance provision of Title 51 RCW. In any action to enforce the provisions of the Section, the prevailing PARTY shall be entitled to recover its reasonable attorney's fees and costs incurred from the other PARTY. The obligations of this Section shall survive termination of this Agreement.

## 14.0 DISPUTE RESOLUTION

- a) The PARTIES shall make good faith efforts to quickly and collaboratively resolve any dispute arising under or in connection with this AGREEMENT. The dispute resolution process outlined in this Section applies to disputes arising under or in connection with the terms of this AGREEMENT.
- b) Informal Resolution. The PARTIES shall use their best efforts to resolve disputes promptly and at the lowest organizational level.
- c) In the event that the PARTIES are unable to resolve the dispute, the PARTIES shall submit the matter to non-binding mediation facilitated by a mutually agreed upon mediator. The PARTIES shall share equally in the cost of the mediator.
- d) Each PARTY agrees to compromise to the fullest extent possible in resolving the dispute in order to avoid delays or additional incurred cost to the Project.
- e) The PARTIES agree that they shall have no right to seek relief in a court of law until and unless the Dispute Resolution process has been exhausted.



15.0 ENTIRE AGREEMENT

This Agreement, together with the RECIPIENT'S Grant Application, the provisions of chapter 47.26 Revised Code of Washington, the provisions of title 479 Washington Administrative Code, and TIB Policies, constitutes the entire agreement between the PARTIES and supersedes all previous written or oral agreements between the PARTIES.

16.0 RECORDS MAINTENANCE

The RECIPIENT shall maintain books, records, documents, data and other evidence relating to this Agreement and performance of the services described herein, including but not limited to accounting procedures and practices which sufficiently and properly reflect all direct and indirect costs of any nature expended in the performance of this Agreement. RECIPIENT shall retain such records for a period of six years following the date of final payment. At no additional cost, these records, including materials generated under the Agreement shall be subject at all reasonable times to inspection, review or audit by TIB personnel duly authorized by TIB, the Office of the State Auditor, and federal and state officials so authorized by law, regulation or agreement.

If any litigation, claim or audit is started before the expiration of the six (6) year period, the records shall be retained until all litigation, claims, or audit findings involving the records have been resolved.

Approved as to Form  
Attorney General

By:

Signature on file

\_\_\_\_\_  
Guy Bowman  
Assistant Attorney General

Lead Agency

Transportation Improvement Board

\_\_\_\_\_  
Chief Executive Officer                      Date

\_\_\_\_\_  
Executive Director                              Date

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Print Name

Arterial Preservation Program (APP)  
*Approved Segment Listing*  
FY 2019 Overlay Program

MILTON

Street	Termini	Pavement Length	Pavement Width
Yuma St	Milton Way to 87th Ave Ct E	3,850 feet	26 feet



Transportation Improvement Board  
Project Funding Status Form

Agency: **MILTON**

TIB Project Number: **3-P-132(002)-1**

Project Name: **FY 2019 Overlay Project  
Multiple Locations**

Verify the information below and revise if necessary.

Return to:  
Transportation Improvement Board  
PO Box 40901  
Olympia, WA 98504-0901

**PROJECT SCHEDULE**

	Target Dates
Construction Approval Date	
Contract Bid Award	
Contract Completion	

**PROJECT FUNDING PARTNERS**

List additional funding partners and amount.

Funding Partners	Amount	Revised Funding
MILTON	48,033	
WSDOT	0	
Federal Funds	0	
<b>TOTAL LOCAL FUNDS</b>	<b>48,033</b>	

Signatures are required from two different agency officials. Return the originally signed form to the TIB office.

Mayor or Public Works Director

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed or Typed Name

\_\_\_\_\_  
Title

Financial Officer

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed or Typed Name

\_\_\_\_\_  
Title

**Back to Agenda Bill**