

small city

RESOURCE MANUAL



A guide for Washington's small cities and towns



Small City Resource Manual



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AWC's mission is to serve our members through
advocacy, education and services.

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Introduction

Small cities are different from their larger counterparts not just in size, but in nature. In these communities, elected officials know nearly everyone in town. At city hall, staff and citizens don't have to deal with a big bureaucracy - but they do have to get along with people with whom they may have longstanding, complex relationships: business competitors, neighbors and friends.

Indeed, it's the personal, close-knit nature of small communities that make them the historical and cultural bedrock of American life. But governing a small town isn't easy. In fact, the challenges are sometimes greater in small communities because they must deal with the ever-more-complex laws and regulations of the 21st century without the specialized staff of larger cities. In small cities, the clerk might be part-time, the mayor the chief grant writer, and the public works director, a "one-man show" (if there even is a public works director). Even in small cities, citizens often expect services to be quick and tailored to their personal needs, and they may blame local officials when the complex requirements of state or federal law get in the way of their wishes.

This resource manual is meant to make life a little easier around city hall. It can be used to help orient new elected officials or city staff or as a reference when questions arise. It provides a brief overview of key topics, outlining the most important considerations. It also provides a list of resources to help you locate additional information. At the end of each chapter, you will find a list of pertinent resources and a more comprehensive listing of resources, state agencies and other partners can be found in the appendix. This resource manual is not meant to provide all needed information on a particular topic nor legal advice. Rather, it's intended to help quickly identify more comprehensive resources.

Throughout this publication, both small cities and towns are referred to as cities. This manual is intended for officials in cities with a population of less than 5,000. We understand that each small city - from Algona to Zillah - is unique, and that operations at a city of 500 can differ significantly from a city of 5,000.

The Association of Washington Cities (AWC) and the Municipal Research and Services Center (MRSC) provide expert help, information, insurance, and other resources to help you succeed in your job and to support your city's operations. Here's a brief discussion of the services each organization offers.

Association of Washington Cities

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Serving our members since 1933, the Association of Washington Cities (AWC) is a private, non-profit, non-partisan corporation. Membership is voluntary, yet AWC consistently maintains 100% participation of our 281 cities and towns.

What does AWC do?

Headquartered in Olympia, AWC's staff offers assistance in five focused areas.

- **Advocacy:** AWC is committed to representing the interests of Washington's diverse cities and towns. One united voice, speaking for cities large and small, has a significant impact on lawmakers and other interest groups in Olympia and Washington D.C. We listen to what matters most to you during city visits, regional discussions, and conferences, then advocate on your behalf. Our advocacy tools include timely updates, in-depth analysis, and trainings for a stronger grassroots effort.
- **Training and events:** AWC targets education for municipal leadership, offering trainings and resources that are relevant in today's fast-paced, dynamic world. From conferences and issue-driven forums, to webinars and on-demand courses, we tailor our trainings to meet your schedule and budget. The Certificate of Municipal Leadership program gives elected officials options and recognition for expanding their skills.
- **Data and resources:** AWC's wealth of resources and research tools help city leaders make decisions, identify trends, and explore new ways to approach issues. Valuable data is made available via AWC's Open Data portal and through data collection efforts such as the annual salary and benefits and tax and user fee surveys. Resources range from practical handbooks to topical publications, including the award-winning Cityvision magazine.
- **Member Pooling Programs:** AWC member employers have the option to join any of AWC's Member Pooling Programs. Programs are member driven, with a particular focus on cost savings, prevention, and excellent customer service. AWC's programs were created especially for cities and towns that need quality benefits and services at a reasonable cost. The pooling of similar employers keeps overall costs lower and more predictable. Our programs include the Employee Benefit Trust, Risk Management Service Agency, Workers' Compensation Retrospective Rating Program, and Drug & Alcohol Consortium.

Municipal Research and Services Center

2601 Fourth Avenue, Suite 800

Seattle, WA 98121-1280

(206) 625-1300 or 1-800-933-6772

www.mrsc.org

AskMRSC@mrsc.org

MRSC is a nonprofit organization dedicated to proactively supporting the success of local governments statewide by providing collaborative consultation and immediate access to a vast research and knowledge base.

Created by and for Washington's local governments in 1933, MRSC is relied upon by elected officials and staff every day to deliver the timeliest, most effective, and cost-efficient results possible. With one call or click, our customers have access to relevant, accurate, unbiased information along with the expert guidance to facilitate informed action.

The below services are offered to local government officials and staff in Washington State at no direct cost.

- **One-to-one consultation:** Have a question? Just Ask MRSC! With one call or click you can connect with a trusted MRSC staff attorney or professional policy consultant to get answers fast. You can also browse their online Inquiry Archive to review common questions and answers.
- **Research tools:** At MRSC.org, you can explore a wide variety of local government issues, obtain practical guidance through online publications (e.g., handbooks, reports), easily find information on court decisions and state statutes, and access an extensive collection of local government reference and example documents to see what others are doing and how they're doing it.
- **Timely information:** By signing up to their popular e-newsletters or following the MRSC Insight Blog you can stay informed about the most important emerging issues and featured practices for local governments in Washington.
- **Training opportunities:** MRSC webinars are a great way to get trained without leaving your desk. MRSC staff consultants team up with leading governance professionals to offer interactive discussions about various topics. Check their website regularly to review past webinars or sign up for upcoming training offerings.
- **Connect with businesses:** MRSC Rosters is a shared statewide small public works and consultant roster service that, for a nominal annual fee, Washington State cities, counties, and special purpose districts can use to obtain services as an affordable and convenient alternative to maintaining their own rosters. To learn more, visit the MRSC Rosters website at www.mrscrosters.org.

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Chapter 1

Overview of a city

How cities and towns came to be

It's easy to think of a city as a stand-alone entity. They have their own borders and unique laws and ordinances. But cities operate within a larger government framework. They were created under the state constitution and general laws as "municipal corporations." In essence, cities are creatures of the state, exercising local powers only within the limitation of state law. However, cities have the broadest powers of any local government.

Cities can do many of the same things as an everyday private business: provide services, collect revenue, sue (and be sued), contract with other entities, etc. But unlike other businesses, city functions are wholly public.

Cities versus towns - what's the difference?

The difference between cities and towns is more than just semantics. All cities incorporate under one of four classifications:

- First class cities (population 10,000 or more)
- Second class cities (population 1,500 or more)
- Towns (population 1,500 or less)
- Optional municipal code (no population threshold)

While all cities and towns possess the same basic authority to perform general government functions, there are several distinctions. For example, code cities exercise a broader degree of self-government or "home rule" than do towns or second class cities. Waitsburg remains the last city in Washington to operate under a territorial charter, as revised in 1886.

The creation of code cities

For many years, smaller cities tried to win changes in state law to give them the same flexibility and autonomy that "first class" cities (originally those with populations of 20,000 or more) were granted by the state constitution.

After much debate, a 1967 law created a new category called "code cities" that gives smaller cities much more local autonomy and flexibility over matters ranging from employee benefits to annexations. Since the law was passed, many small cities have chosen to become "code cities" to take advantage of the increased autonomy this status provides. MRSC's Code City Handbook contains a detailed summary of the differences between code and charter municipal governments. It also contains information about how to become a code city.

No more new towns

The 1994 Legislature made some significant changes to the state laws governing incorporations. As a result of these changes the minimum population now required to incorporate as a city is 1,500. Since a new city cannot be formed unless it has at least 1,500 inhabitants, incorporation as a town is no longer an option (i.e. new cities must incorporate as either first or second class cities or as optional municipal code cities).

Know the law

- WA State Constitution
- RCW 35 - Cities and towns
- RCW 35A - Optional municipal code
- RCW 35.02.010 - Authority for incorporation
- Article 11, Section 10 of WA State Constitution - Charter cities
- RCW 35 - The powers and duties of first class cities, second class cities and towns
- RCW 35A - The powers and duties of optional municipal code cities

Resources

City and town classification topic page, MRSC

mrsc.org/Home/Explore-Topics/Governance/Classification-of-Washington-Cities/City-and-Town-Classification-Overview.aspx

Code City Handbook, MRSC

mrsc.org/getmedia/F96B74AB-A955-44BE-8DB2-8FBCE16075EA/cch2009.aspx

Governance - topic page, MRSC

mrsc.org/Home/Explore-Topics/Governance.aspx

Initiative and Referendum Guide for Washington Cities and Charter Counties, MRSC

mrsc.org/getmedia/18593ba0-fa89-4776-84dc-3dcab86b3449/initiativereferendumguide.pdf.aspx?ext=.pdf

Knowing the Territory: Basic Legal Guidelines for Washington City, County and Special Purpose District Officials, MRSC

mrsc.org/getmedia/1e641718-94a0-408b-b9d9-42b2e1d8180d/ktt15.pdf.aspx?ext=.pdf

The Closest Governments to the People: A Complete Reference Guide to Local Government in Washington State, Steve Lundin, Washington State University

List of city classifications, Appendix B

Chapter 2

Leadership & management

What's my role?

It's an honor to be an elected leader of a community. It means your fellow citizens respect you and your good judgment, and trust you to be a wise steward of their tax dollars and their city. Serving as staff for a city is also something special: it is an opportunity to participate in shaping the future and serving the public good. But staff and elected officials can only contribute fully when each person is clear about his or her duties, and respects the roles and responsibilities of others.

Community leadership, the ability to progressively address the needs of a city, is a key element of successful governance. In 2007, AWC & the Department of Commerce (COM) published *The Ten Commandments of Community Leadership*. This publication serves as the governing principles for every local leader, whether newly elected or a seasoned veteran.

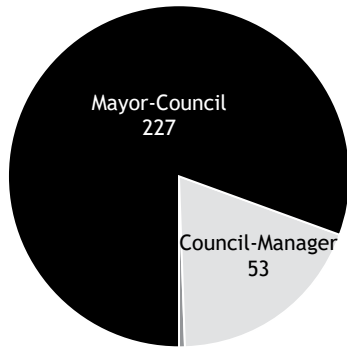
Excerpt from *The Ten Commandments of Community Leadership*, AWC/COM



Thou shalt create a vision for the future

- Incorporate community values and beliefs
- Break out of routine thinking
- Listen to different community voices
- Encourage youth to participate in their future
- Focus on what could be, not what is
- Build on community assets
- Cultivate ownership of ideas
- Preserve historic and artistic culture
- Imagine an economy without borders
- Dream of whole communities

Most of Washington’s cities operate under the mayor-council form of government



Shelton has a commission form of government

Almost all cities under 5,000 population operate under the mayor-council form of government



Forms of city government

To achieve city leader or staff goals, and to understand each position’s unique role, it’s important to understand the city’s form of government, and the specific role of elected officials.

Washington cities operate under three principal forms of government and the duties of elected and appointed officials are determined by these three types of organization:

- Mayor-council
- Council-manager
- Commission

The most common forms are the mayor-council and the council-manager. Currently, only one city is governed by a commission.

The biggest difference between these three forms of city government is the role of elected officials, particularly the mayor.

Mayor-council form of government

In the mayor-council form of government (also known as strong mayor), an elected mayor (elected at-large, by the city’s voters) serves as the city’s chief administrative officer. A city council (elected either at-large or from districts within the city), serves as the city’s legislative body. The council has the authority to create and adopt city policies, and the mayor is responsible for carrying them out. The mayor attends and presides over council meetings, other than in charter first class cities, but does not vote, except to break a tie.

Veto authority of the mayor is specified in the state laws relating to each city classification or is determined by local charter. In first class cities, the mayor’s veto authority is in the city charter. In second class cities, the mayor may veto an ordinance, but the mayor’s veto can be overridden by five members of the council. In code cities, the mayor may veto ordinances, but the mayor’s veto can be overridden by a majority plus one of the entire council membership. Town mayors do not have a veto power.

Many larger mayor-council cities have a professional city administrator to serve under the mayor and help with administrative and policy-related duties. These cities get the benefits of professional management, allowing the mayor to focus greater attention on policy development and political leadership. Read more about hiring a professional city administrator later in this chapter.

Council-manager form of government

In the council-manager form of government, the city council is responsible for policymaking, and a professional city manager (who is appointed by the council) is responsible for administration. The city manager provides policy advice, directs the daily operations of city government, handles personnel functions (including the power to hire and fire employees), and is responsible for preparing the city budget.

Under the council-manager statutes, the city council hires the city manager, and can fire the city manager. However, the council is not allowed to interfere with the manager's administrative duties. There is a difference between making policy (the council's job), and implementing policy (the city manager's job). To be effective, a city manager must have the council's support.

The mayor in council-manager cities is usually chosen by his or her fellow city councilmembers. In code cities or first class cities, the mayor may be directly elected by the people. The mayor presides at council meetings and is recognized as the head of the city for ceremonial purposes, but has no veto power or regular administrative duties.

Commission form of government

Under the commission form of government, three elected commissioners function collectively as the city legislative body and individually as city department heads. Although one of the elected commissioners also has the title of mayor, he or she has essentially the same powers as the other commissioners.



Tieton City Hall

“Many conflicts are due to not understanding roles. Cities should do a thorough orientation of responsibilities.”

Small City Roundups

How you fit in the bigger picture

Many of the conflicts at city hall and in council chambers are the result of confusion about roles and responsibilities. In particular, conflict tends to arise when someone oversteps boundaries. As unclear as those boundaries may sometimes seem, there is a basic structure to city government, and respecting it can prevent a lot of problems.

Because the city council is the “legislative body,” it has the power to make laws and policy. The council also makes rules that govern its procedures, including public meetings and hearings. If the city uses the council-manager form of government, the mayor has essentially the same role as other councilmembers.

For example, the council will:

- Vote to enact the city budget;
- Define the powers, function and duties of city officers and employees;
- Set employee wages and salaries; and
- Enter into contracts.

The mayor of a mayor-council city or the city manager in a council-manager city, is the city’s chief executive officer, or CEO. This person is in charge of the day to day administration and will be responsible for duties such as:

- Monitoring the operation and enforcing contracts to make sure that work is done well and within budget;
- Preparing a proposed city budget and presenting it to the council; and
- Reporting to the council on the city’s financial well-being and needs.



Napavine City Hall

Typical small city departments

Although some small cities may be a “one man show” with a few people carrying out multiple responsibilities, the following is a list of departments that are most common in a small city.

Administration

Depending on the city’s form of government, the mayor or the city manager is the head of this department. Some key administrative tasks include carrying out the council’s policies, preparing the city budget, directing the city’s daily operations, coordinating the various departments, and keeping the council informed. Some small cities have a city administrator who performs the day-to-day tasks a mayor is responsible for.

Legal

The city attorney provides legal counsel to city officials, departments, commissions and boards. The city attorney also prepares legal documents, ordinances and resolutions pertaining to city business, and represents the city in litigation. This position may be in-house or contracted.

City clerk

The clerk typically maintains the council minutes and records, catalogs and maintains all official city files and records, publishes all required notices, and prepares council agendas. In many small cities, the clerk/treasurer positions are combined.

Finance/Treasurer

The finance department plans and directs the fiscal operations of city government. The department keeps the city administration informed of the financial picture relating to revenues, investments and expenditures. The department oversees accounting, purchasing and licensing, prepares payroll, and often manages data processing functions.

Public safety services

These services include the police department, the fire department (which may include emergency medical services), and the building department, which enforces state and local building codes and issues building permits. These services may be provided in-house or contracted. See Chapter 8.

Planning

This department acts as technical staff advisor to the city council, the planning commission and the city administration. The planner may be involved with decisions involving zoning changes, variances, subdivision applications, conditional use permits, etc. These services may be provided in-house or contracted.

Public works

This department manages the city’s infrastructure services. This may include parks, city building and street construction and maintenance, water, sewer, and stormwater management. These services may be provided in-house or contracted.

Working with other entities

A city may be its own entity, but it must work closely with other governments and organizations. Particularly for small cities, partnering to provide services, borrow equipment or rely on others' expertise can be a great way to meet service demands while using the fewest resources.

Municipal partnerships can be forged among a wide variety of entities: other cities, counties, schools and other special districts, states, tribes, federal agencies, in any and all combinations, as well as with private companies or nonprofit organizations. Small cities in particular commonly partner with each other or with a county government for such services as jails, courts, animal control, street maintenance, and permitting or information technology. Common contracts with private firms include solid waste, legal and other consulting services.

Service agreements

The most common partnership is in the form of a service agreement, involving one agency providing service for another. In this agreement, the provider agency is responsible for delivering the service and exercises administrative and managerial controls over the resources employed in the process.

Service exchange

Sometimes jurisdictions discover that they have complementary resources or expertise and simply exchange services of approximately equal value. There is a certain equity and practical appeal to these exchanges and the added costs are avoided.

Joint service arrangement

In this arrangement two or more entities share governance of the organization delivering services. Partner jurisdictions have joint responsibility for managing the enterprise for their mutual benefit.

Consolidation of jurisdictions

In this partnership, service functions are permanently transferred to another jurisdiction. For example, a city can be annexed into a fire district and relieved of providing those services. Virtually any transfer of a service must be accompanied by some direct or indirect revenues to offset the costs of service delivery by the jurisdiction accepting the transfer.

Property and liability insurance

If one thing is certain, it's that accidents happen. It's important that a city is covered when unforeseeable incidents occur, whether it's someone tripping on a sidewalk, a disgruntled employee filing suit, or damage to city property.

Most cities are covered by one of three insurance pools that provide property and liability insurance. Depending on the pool, they offer a wide variety of resources.

If you think an action you take might result in legal trouble, contact your risk pool before you act. Risk managers can provide invaluable advice, legal resources, sample policies, and training resources that will protect your city's assets.

For more information on liability see the following sections:

- Volunteer strategies for involving your community (Chapter 4)
- Public Records Act (Chapter 5)
- The Fair Labor Standards Act (FLSA) and State Overtime Law (Chapter 7)
- Police and law enforcement services (Chapter 8)
- Streets and transportation (Chapter 9)
- Land use (Chapter 10)

When to consider a professional administrator

The responsibilities of a small city mayor can seem overwhelming, especially to a new mayor who is not trained in management or city administration. Some small cities have resolved this by hiring a professional city administrator to carry out the administrative responsibilities of the mayor.

Why would a city consider hiring a professional city administrator?

- Running a city has become much more complex in the past 25 years. State and federal mandates, complicated human resource issues, liability and risk management, growth management laws, complex contracts and agreements, difficult budgets, and many other tough issues face cities today. It is increasingly difficult for a small city mayor and city clerk to deal effectively with all these issues.
- In mayor-council small cities, the mayor often serves as the chief executive officer of the city. However, even though a mayor may be a very effective and visionary leader, they may not have administrative skills or deep expertise in the federal, state, and county laws and rules that city government operates under.
- In many smaller cities, the reality is that the clerk-treasurer position has evolved into the "de facto" city administrator. In many places, this has worked well. However, many long-serving clerk-treasurers are nearing retirement, and with their departure a great deal of institutional knowledge and skill will be lost. Many cities have not planned for this loss, and will find themselves suddenly in need of knowledgeable new administrators.

Advantages of professional management

A professional city administrator is trained to administer a government. Many colleges and universities offer special degrees in public administration to prepare people for exactly this kind of work. A full time city administrator also has more opportunities to network with his or her peers and learn from their experiences. In a time when state, federal, and local laws are becoming more layered and complex, this depth of knowledge can be extremely important.

Disadvantages of professional management

The major obstacle to hiring a city administrator is usually the cost, which may be well beyond the ability of the city to pay without budget cuts in other areas.

Some cities may also have a hard time recruiting and hiring a city administrator, especially if they are in remote areas. Some small neighboring cities have solved this problem by hiring a “circuit rider” administrator who serves as a part-time city administrator in several cities.

Professional administrators are a rarity in cities of less than 2,500 in population. However, over the long run they may be the best investment that a city can make.

It’s important to note that in some cases, voters may feel that the mayor is the only person accountable for city operations, regardless of whether there is a hired city administrator.

Resources

Forms of city government

Mayor & Councilmember Handbook, AWC/MRSC

awcnet.org/Portals/0/Documents/Publications/MayorCouncilmemberHandbook.pdf

Forms of city government, MRSC

mrsc.org/getdoc/c80b89a4-744e-434c-abd2-2576227016d0/City-and-Town-Forms-of-Government.aspx

List of city classifications, Appendix B

How you fit in the bigger picture

2015 Elected Officials Essentials, AWC

vimeo.com/album/3707711

Cityvision: All in the Mix: Cities Thrive by Embracing New Perspectives

(July/August 2011), AWC

awcnet.org/Portals/0/Documents/Publications/Cityvision/2011/Cityvision0711.pdf

Elected Officials' Road Map, AWC

awcnet.org/Portals/0/Documents/Publications/EORoadMap.pdf

Forms of city government, MRSC

mrsc.org/getdoc/c80b89a4-744e-434c-abd2-2576227016d0/City-and-Town-Forms-of-Government.aspx

Management, MRSC

mrsc.org/Home/Explore-Topics/Management.aspx

Mayor & Councilmember Handbook, AWC/MRSC

awcnet.org/Portals/0/Documents/Publications/MayorCouncilmemberHandbook.pdf

The Next Twenty Years in Local Government, Rebecca Ryan for AWC

vimeo.com/142395289

Suggestions for Successful Public Service: 53 How You can Govern

Better, Adapted by AWC from "52 Tips for Successful Public Service",

by Ernie Mosher, former Executive Director of the League of Kansas Municipalities

awcnet.org/Portals/0/Documents/Publications/53SuggestSuccessPubService.pdf

Working with other entities

Forming Successful Partnerships, AWC

awcnet.org/Portals/0/Documents/Publications/PartnershipHandbook.pdf

Intergovernmental Cooperation - topic page, MRSC

mrsc.org/Home/Explore-Topics/Governance/Special-Topics/Intergovernmental-Cooperation.aspx

Intergovernmental Cooperation in Public Works - topic page, MRSC
mrsc.org/Home/Explore-Topics/Public-Works/Operation-and-Maintenance/Intergovernmental-Cooperation-in-Public-Works.aspx

Property and liability insurance

AWC Risk Management Service Agency (RMSA)
awcnet.org/PropertyLiability.aspx

Federal Emergency Management Association (FEMA) - Region 10
fema.gov/region-x-ak-id-or-wa

Department of Homeland Security
ready.gov

Public Entity Risk Institute
primacentral.org/peri/

Washington Cities Insurance Authority (WCIA)
wciapool.org

Washington Military Department's Emergency Management Division (EMD)
mil.wa.gov/emergency-management-division

When to consider a professional administrator

The Unofficial Role of the Administrator, Lynn Nordby for MRSC
mrsc.org/getmedia/664d5633-f06d-44fd-b79f-f3e9c1314071/nordby.pdf.aspx

Know the law

- RCW 35.18 - Council-manager plan form of government for non-code cities
- RCW 35.17 - Commission form of government
- RCW 35A.12 - Mayor-council plan of government for code cities
- RCW 35A.13 - Council-manager plan of government for code cities
- RCW 39.34 - Interlocal Cooperation Act

Chapter 3

Successful city councils

City councils make laws. That's a very important authority - one that requires sound judgment and the willingness to learn a great deal about issues, opportunities, and the larger legal framework in which city councils operate. A good orientation for new councilmembers - and ongoing training that keeps councilmembers up to date - can help people work together as a team and achieve the goals that inspired them to run for office.

Orientation for newly elected officials

Many newly elected officials are overwhelmed by everything they need to learn, and are surprised by the amount of time it takes to perform the duties of a councilmember or mayor. Some may also be surprised to discover the limits of their role in making decisions and setting city policy. That's why a thorough orientation is essential. It should include clear information on what councilmembers can and cannot do, and about the larger framework in which city governments operate.

In addition to a thorough orientation at city hall, newly-elected city officials are strongly encouraged to attend AWC's Elected Official Essentials workshop and stay connected through AWC's trainings throughout your career. Also check out AWC's eLearning training programs when and where it is convenient for you. They're available online 24/7. Or take a look at our recorded webinars for even more city-focused training.

The following are some ideas about what a local, do-it-yourself orientation for newly-elected officials should cover.

Learn the basics of your city government

Newly-elected councilmembers need a broad overview of city functions, including finance, public works, public safety, and other departments. It's a good idea for the mayor or city manager to arrange a tour of the physical facilities, and set up meetings with department heads. If this is not done as a matter of routine, newly-elected councilmembers can suggest it.

Understand the long-range plan

If the city has a long-range plan, the next step is to review it, its goals, and future projects.

Review important documents

Ask your mayor or other staff to compile the following documents (if the city produces them) and find out if there are other documents they think you should read:

- Current operating budget and capital budget
- Information on key programs and services
- Comprehensive annual financial report
- Organization chart, staff roster and phone list
- Primary planning documents
- Map showing city boundaries, buildings and facilities
- Mission statement and goals (if they exist)
- Council rules/meeting procedures
- Meeting minutes for the last twelve months
- Local municipal codes
- Work program and significant staff reports from the last twelve months
- Personnel policies and other administrative policies
- Facts about your city - population, form of government, incorporation date, number of employees, total budget, total debt, etc.
- List of governmental agencies providing services or affecting your city through regulatory or other powers
- Calendar of important events

Types of council meetings

Under Washington's Open Public Meetings Act two types of council meetings are held:

- **Regular council meetings:** These meetings are regularly scheduled for general and routine business, including the enactment of ordinances.
- **Special meetings:** These meetings have a more limited agenda than regular meetings - usually business that cannot be postponed. Written 24-hour notice must be given to the press and other councilmembers.

In conjunction with regular or special meetings, the city may hold:

- **Public hearings:** A chance for citizens to express their opinions, usually on a single topic.
- **Executive sessions:** Closed meetings limited, by state law or local ordinance, to a few items, including personnel, legal issues, or property acquisition.

Every city councilmember needs to know and understand Washington's open meeting law. Read more about this in Chapter 5 and visit MRSC's website for practical guidance on the Open Public Meetings Act (OPMA) and the Public Records Act (PRA).

Ordinances, resolutions, orders and motions

A city council has a variety of options available for taking legislative action, including ordinances, resolutions, orders or motions. Here's what those terms mean:

Ordinances

An ordinance is a local law of a city, prescribing general rules of conduct. Ordinances may be used for a variety of purposes, including administrative actions such as establishing new offices in the city, or they may be used for actions that control the conduct of the public. An ordinance usually deals with matters that are permanent and general in nature. For example, when a city is enacting a zoning code, an ordinance must be used.

Resolutions

A resolution is less formal than an ordinance and generally is simply an expression of the opinion or intent of the official body concerning some particular item of business. Usually a resolution deals with matters that are temporary or special in character. An example is a resolution of intent to establish a local improvement district (LID).

Orders

An order is used to direct a specific action be taken on behalf of the city. For example, an order could be used to authorize the mayor to sign a contract. Orders still require a vote and are recorded in the minutes. Once an order has been complied with, it no longer has effect.

Motions

A motion is a proposal made at a city council meeting by a member asking that the council take a particular action. The proposed action may be substantive, or it may express a certain view, or direct a particular action be taken, such as an investigation. A motion, once approved and entered into the record, is the equivalent of a resolution.

For more information relating to the procedures for adoption of local ordinances and resolutions, see the *Local Ordinances for Washington Cities and Counties*.

When to use an ordinance and when to use a resolution

If a state statute requires that an ordinance must be used to take some type of action, then of course an ordinance must be used. If no particular form of enactment is specified, then either an ordinance or resolution will be sufficient.

Six keys to good policy

1. Good public policy should reflect the desires of the community.
2. Policies should be fair.
3. Policies should be based on good research.
4. Policy objectives must be achievable.
5. Outcomes must be identified and measurable.
6. Acknowledge mistakes, regroup and revise policies as needed.

Making public policy

Legislative bodies are elected to make day-to-day and long-term decisions that impact the city's direction. This happens through the making of public policy.

City councils are asked to make policy about a variety of issues including, but not limited to:

- The level and array of services to be provided;
- Which taxes and at what level they should be imposed;
- Determination of land use; and
- The community's vision and what policies should be adopted to achieve that future vision.

Day-to-day decisions are an ongoing policymaking process and are how the city council responds to the community's immediate needs. This short-term policymaking process occurs through adoption of ordinances and resolutions.

City councils work towards achieving the community's vision for the future through long-term policymaking and strategic planning. More information about planning for the future can be found in Chapter 4.

Public policy decisions should be the result of a deliberative process. A poorly-planned process - or an unthinking reaction in response to a particular issue - can result in policies that lead the city down an unintended path. To help avoid this, councilmembers should listen to both the arguments in favor and in opposition to proposals in order to address an issue and discuss alternatives before making a decision.



Algona City Hall

Codification

Codification means the editing, rearrangement, and grouping of ordinances under appropriate titles, parts, chapters, and sections in a municipal code book. It can be helpful to consolidate various ordinances of the city's code in a single chapter or section arranged by subject matter so that they are easy to find.

Cities can prepare a codification of their ordinances.

Parliamentary procedure

Parliamentary procedure provides for an orderly, predictable process for proposing, amending, approving or defeating legislative motions. RCW 35A.12.120 provides that a city may adopt, by ordinance or resolution, its own set of rules governing the conduct of council meetings, or it may adopt formalized rules such as Robert's Rules of Order. Many cities have adopted Robert's Rules, along with additional rules on issues such as abstentions and motions for reconsideration. Having clear parliamentary rules - and following them consistently - reduces the chances of a council action being challenged or declared illegal.

Using council committees & citizen advisory groups

Committees are a great way for a council to divide and conquer tough issues that require a lot of time.

The most common city council committees are:

- Budget and finance
- Public safety
- Community development
- Public works
- Parks and recreation

While these are typical committees, the choice of whether to have council committees and the type, is up to the local council.

Cities can also appoint citizen boards, commissions and task forces on a broad range of issues. Some of these boards are designated by statute for a specific purpose, such as a building code board of appeals. However, councils can create citizen commissions or advisory groups on any topic they choose.

Citizen commissions and advisory groups can provide a broad range of ideas and expertise on an issue, and, equally important, a communication channel between elected officials and the community.

Know the law

- RCW 35.21.500 - 35.21.570 - Codification
- Examples of code publishing companies: (AWC does not endorse any particular company)
 - American Legal Publishing Co. 1-800-445-5588 - amlegal.com
 - Code Publishing Company, Inc., 1-800-551-2633 - codebook.com
 - General Code, 1-800-836-8834 - generalcode.com
 - Sterling Codifiers, 1-800-338-7458 - sterlingcodifiers.com

Resources

2015 Elected Officials Essentials, AWC
vimeo.com/album/3707711

eLearning library, AWC
awcnet.org/TrainingEducation/eLearning.aspx

Mayor & Councilmember Handbook, AWC/MRSC
awcnet.org/Portals/0/Documents/Publications/MayorCouncilmemberHandbook.pdf

OPMA and PRA Practice Tips and Checklists, MRSC with State Auditor's Office, Local Government Performance Center
mrsc.org/getdoc/228ecccb-6f1e-4f01-a1d9-179b9f58adf3/OPMA-and-PRA-Practice-Tips-and-Checklists.aspx

Ordinances, resolutions, orders and motions

The First Amendment is Not the Last Word, Ann G. Macfarlane for MRSC
mrsc.org/Home/Stay-Informed/MRSC-Insight/April-2014/The-First-Amendment-Is-Not-the-Last-Word.aspx

Local Ordinances for Washington Cities and Counties, MRSC
mrsc.org/getmedia/44E20D0F-A536-473F-BAAC-BD7504323330/localord14.aspx

New Resources on Council/Commission Meetings and Public Hearings, Byron Katsuyama for MRSC
mrsc.org/Home/Stay-Informed/MRSC-Insight/June-2013/New-Resources-on-Council-Commission-Meetings-and-P.aspx

Robert's Rules Online, Revised, 4th Edition, 2013
rulesonline.com

Using council committees and citizen advisory groups

Boards and Commissions topic page, MRSC
mrsc.org/Home/Explore-Topics/Governance/Legislative-Organization,-Meetings-and-Process/Boards-and-Commissions.aspx

Effective Communication and Public Participation topic page, MRSC
mrsc.org/Home/Explore-Topics/Governance/Citizen-Participation-and-Engagement/Effective-Communication-and-Public-Participation.aspx

List of City/Town Optional Boards and Commissions, MRSC
mrsc.org/Corporate/media/MediaLibrary/SampleDocuments/ArtDocMisc/Boards-2.pdf

List of City/Town Statutorily Required Boards Under Certain Conditions, MRSC
mrsc.org/Corporate/media/MediaLibrary/SampleDocuments/ArtDocMisc/Boards-1.pdf

Chapter 4

Planning your city's future

One of the key qualities of a leader is the ability to see the big picture and plan for the long term. What should a city look like for future generations? What trends - both positive and negative - does the city need to address? These questions can get lost in the day-to-day challenges of keeping city services afloat and balancing the budget - but it's the city councils' job to see that they don't.

Long-term planning is essential not just because the economy and society are changing; it is also essential because it's the way communities define themselves and commit to working towards a common goal. That's why it's so important to involve citizens - including people from all walks of life - in creating a clear vision for the future and a plan to achieve it.

Strategic planning

A strategic plan is a big-picture document that lays out a city's future, and specifies the actions needed to achieve that vision. A good strategic plan also includes benchmarks or mileposts along the way that mark the city's progress towards achieving its vision. Having such a plan brings focus and accountability to the work of city government. It creates a way to measure progress, and to quickly identify obstacles and overcome them. Most important, the process of creating a strategic plan involves everyone - councilmembers, staff, and citizens - in shaping a shared vision that can energize and unify the community.

Strategic planning can help the city develop a vision, identify long-term goals and annual objectives, and provides detailed strategies that address community needs and organizational performance.

The development and implementation of a strategic plan is time consuming, and requires the sustained attention and work of city staff, elected officials and community members. Objectives defined by a strategic plan often require a long-term commitment of staff resources and commitment of funding to make effective change.

Areas often addressed as part of this process include economic development, improving municipal services, diversifying the tax base and improving the infrastructure within a community.

“Elected officials need to understand that when they come in and vote on something, that it can affect the next three generations.”

Small City Roundups

While there are many ways to approach strategic planning, here are a few key elements to keep in mind:

- Agree on a clear vision of the future
- Put together a mission statement - why are we here?
- Involve people - electeds, city hall staff, the community
- Create a strategy that defines what you need to do to be successful
- Establish clear priorities
- Create action plans that carry out your strategy - the what, how, who, when, and how to measure
- Get buy-in for the action plans
- Integrate your action plans into all aspects of city hall operations
- Decide how you will monitor and measure your action plans
- Monitor and measure
- Stay focused and keep communicating

Strategic planning retreats

Many cities schedule annual planning retreats for councilmembers and city staff. A retreat is an opportunity to get away from the daily routine and focus on long-term, big-picture issues. Retreats also provide useful opportunities to address and solve problems in working relationships, and strengthen the ability to forge a productive, collegial team. Retreats don't have to be expensive resort getaways but should be in a relaxed environment. A library, a community center, or even someone's home can work well. A city retreat is subject to the Open Public Meetings law.

The most important part of a retreat is that it provides the opportunity for the council and key staff to take a moment out of busy schedules and look at the city's direction from a holistic perspective. Encouraging the group to gather in a new location is important. This gives the group an opportunity to truly "retreat" from daily business and explore new ideas about the city's vision and strategic direction.

Having a facilitator who is not a member of the city council or staff is also important. This allows everyone to participate more freely. If your city can't afford a professional facilitator, consider asking another city's manager to act as the facilitator.

Citizen involvement

It's difficult to determine the collective community's vision without involving citizens first. Ways to involve citizens in long-term visioning include:

- Focus groups
- Citizen surveys

Analysis of political and demographic moods (e.g. anti-growth feelings versus low-income housing concerns). For more ideas about how to gather citizen input see the last section of this chapter, page 23.

Other long-range planning tools

Cities must make long-range decisions based on good, current information. Economic and population forecasts can help cities plan for changes down the road. See the long-range financing planning section in Chapter 6 and the comprehensive planning section of chapter 10 for more information.

Economic development

Many of Washington's small cities are skilled and successful in promoting economic development. Whether its tourism promotion in Leavenworth, high-speed telecommunications investments in Forks, or historic building preservation in Rosalia, small city governments undertake a variety of activities that bring economic vitality to their communities. But these things don't just happen overnight. They take specific, deliberative steps on behalf of citizens and the city council.

Small city economic development can involve:

- Working with the business community to attract, retain and expand businesses;
- Revitalizing downtowns;
- Revising land use policies to invite particular investments (housing, industrial, commercial);
- Building infrastructure to support various enterprises; and
- Partnering with other governments and organizations to support job creation and training programs.

Washington's economic development toolbox is more limited than other states. The Constitution contains provisions that strictly limit the lending of state credit and gifting of public funds. Therefore, a city does not have authority to construct and operate industrial and commercial facilities, or to use city funds to attract private industrial development. The most important economic development tool a city can offer is a well-developed infrastructure system, and partners such as the Infrastructure Assistance Coordinating Council (IACC), USDA Rural Development and Washington State University (WSU) Extension, can help small cities leverage limited resources and expertise in this area.

Legislative advocacy

Many small cities don't realize just how much influence they can have on making changes at the state level. When a city council adopts an official position and lets legislators know about it, it can make a difference in how they craft a piece of legislation, and how they vote. The State Legislature and state agencies listen to the concerns of cities, so it's important for elected leaders to educate their citizens and representatives about city challenges and to be aware of AWC's legislative work and priorities.

Although the State Legislature only meets for a portion of the year, involvement with the legislative process is a year-round activity. There's no substitute for having a close relationship with state representatives and senators. Staying in touch with them throughout the year helps city officials gain access to busy legislators when they're in session.

Suggested calendar

Spring

- Publicly thank legislators who supported city issues.
- Hold legislators who did not support city issues accountable.
- Consider personally endorsing candidates who have committed to support city issues.

Summer

- Attend AWC's Annual Conference in June.
- Educate your community about what your legislators do for cities.
- Set up meetings with legislators, give them city tours, and tell them your challenges.

Fall

- Adopt your city's legislative agenda and share it publicly with media and legislators.
- Meet with your legislators and ask how you can support them.
- Prepare for legislative session before the end of the year.

Winter

- Session begins in January. The relationships you cultivated over the interim will facilitate a stronger partnership.
- Attend City Action Days during legislative session.

Volunteer strategies for involving your community

Every city official knows that citizens are a city's greatest asset. Having enough staff for city hall to function on a daily basis, much less complete a large project, can be a major challenge.

That's one reason many cities recognize the advantage of utilizing the skills of their community members in volunteer programs. Such programs can increase the quality and quantity of public services at a minimal cost and provide an opportunity for citizens to contribute to the betterment of their community. An even bigger dividend is that volunteering creates a sense of ownership and civic pride, and sets a good example for the next generation. Volunteers also gain a first-hand knowledge of the challenges facing the city and may induce them to seek to serve in elective office.

Connecting with citizens

Cities need to communicate with citizens about the value of their government and the mutual responsibility of all citizens to make it work. Many opinion polls and a growing number of ballot initiatives indicate that many citizens feel disconnected from government and feel they have little influence on community decisions. If this trend isn't reversed, it will erode our ability to sustain our democracy. That's why it's important to consider using new ways to reach out to citizens, to understand what they need and want, and to find ways for them to connect with their local government.

As Washington's demographics change and Washington State becomes more diverse, it becomes more important to find new ways to bring people together. And it takes empathy and skill to understand and fully include those of differing perspectives while keeping the city's focus on the common good. To do this, cities need to provide opportunities for citizen feedback that go beyond public hearings.



Bucoda City Hall

Some approaches that can help improve public input:

- **Host community meetings** on a specific issue or topic where stakeholders have the opportunity for discussion.
- **Change the physical setting.** More informal settings can reduce feelings of separation and power differences between public officials and citizens.
- **Involve interested parties** in the process of developing alternative solutions and approaches. Do this early in the process so that promising new alternatives can be fairly addressed.
- **Use small groups and committee work** to involve citizens.
- **Schedule meetings** at times and places that are convenient to those who want to be involved.
- **Consider using a trained facilitator** to conduct meetings if issues are especially controversial. Someone who has no stake in the issue can be fair and impartial, and skilled facilitators can help maintain an atmosphere of mutual respect even when people have passionate opinions. One way to gain confidence and trust is to choose a facilitator who has some local standing, such as a school superintendent, a chamber of commerce director, or a service club president. The most important qualities in a facilitator are impartiality, fairness, and respect for all those who wish to be heard.

Feedback collected from citizens should be a focal point in creating a city's strategic plan and vision for the future.



Kittitas City Hall

Resources

Central Business District - Downtown Development topic page, MRSC
mrsc.org/Home/Explore-Topics/Economic-Development/Special-Topics/Central-Business-District-Downtown-Development.aspx

Charting Your Future Part 2: Conducting a Strategic Planning Retreat,
Stan Finkelstein for MRSC
mrsc.org/getdoc/fa35b038-024b-4faf-998b-ee572c0ffb12/Charting-Your-County-or-Citys-Future-Part-2.aspx

Downtown Revitalization, USDA
ric.nal.usda.gov/downtown-revitalization

Free Management Library
ManagementHelp.org

***A Guide to Strategic Planning For Rural Communities*, USDA Rural Development**
vtcda.org/PDF/strategic.pdf

Strategic Planning topic page, MRSC
mrsc.org/Home/Explore-Topics/Management/Organizational-Leadership-and-Management/Strategic-Planning.aspx

Economic development

Economic development topic page, MRSC
mrsc.org/Home/Explore-Topics/Economic-Development.aspx

Funding Sources for Economic Development - Financial Assistance Programs topic page, MRSC
mrsc.org/Home/Explore-Topics/Economic-Development/Financing-Economic-Development/Funding-Sources-for-Economic-Development-Financial.aspx

Infrastructure Assistance Coordinating Council (IACC)
infracfunding.wa.gov/

Marketing the Community topic page, MRSC
mrsc.org/Home/Explore-Topics/Economic-Development/Fostering-Economic-Development/Marketing-the-Community.aspx

Tourism Industry and Local Governments topic page, MRSC
mrsc.org/Home/Explore-Topics/Economic-Development/Special-Topics/Tourism-Industry-and-Local-Governments.aspx

USDA Rural Development Programs, USDA Rural Development
rd.usda.gov/files/WA_Program_Guide_2015.pdf

***Washington State Main Street Program: Program Guide and Handbook*,**
Washington Trust for Historic Preservation
dahp.wa.gov/sites/default/files/WSMSP%20Program%20Guide%20%20Handbook.pdf

Washington State University (WSU) Extension
ext100.wsu.edu/impact/

Know the law

- Article VIII, WA State Constitution - State, County & Municipal Indebtedness
- Article XXXII, Section 1, WA State Constitution - Special Revenue Financing
- RCW 35.21.703 - Authority to engage in economic development activities
- RCW 4.24.670 - Liability of volunteers of nonprofit or governmental entities
- RCW 51.12.035 Volunteers - (Industrial Insurance)
- RCW 43.101.200 (Law Enforcement Personnel Training) exempts “volunteers” and “reserve officers” from the requirement that law enforcement personnel must complete basic law enforcement training

Washington’s Main Street Communities, WA State Department of Archaeology and Historic Preservation (DAHP)
dahp.wa.gov/main-street-programs

Legislative advocacy

BillTracker, AWC

awcnet.org/Advocacy/BillTracker.aspx

City Action Days - annual legislative conference, AWC

awcnet.org/TrainingEducation/Conferences/cityactiondays.aspx

Guidelines for Elected and Appointed Officials’ Participation in Elections Activity, AWC

awcnet.org/portals/0/documents/legislative/awcpdcguidelines.pdf

How to talk to your legislators, AWC

awcnet.org/Advocacy/Takeaction/Howtotalktoyourlegislators.aspx

Legislative Bulletin - eNewsletter published weekly during legislative session and monthly the rest of the year, AWC

awcnet.org/Advocacy/newsandupdates/LegislativeBulletin.aspx

Public Agency Lobbying Instructions, Washington Public Disclosure Commission (PDC)

pdc.wa.gov/learn/publications/public-agency-lobbying-instructions

Small City Connectors, AWC

awcnet.org/TrainingEducation/Calendar/SmallCityConnectors.aspx

Volunteer strategies for involving your community

Creating Volunteer Opportunities topic page, MRSC

mrsc.org/Home/Explore-Topics/Governance/Citizen-Participation-and-Engagement/Effective-Communication-and-Public-Participation/Creating-Volunteer-Opportunities.aspx

Federal Volunteer Protection Act of 1997, Federal Government Publishing Office (GPO)

gpo.gov/fdsys/pkg/PLAW-105publ19/pdf/PLAW-105publ19.pdf

Connecting with citizens

Communicating About Government Services topic page, MRSC

mrsc.org/Home/Explore-Topics/Governance/Citizen-Participation-and-Engagement/Effective-Communication-and-Public-Participation/Communicating-About-Government-Services.aspx

IAP2 Public Participation Toolbox, International Association of Public Participation

iap2.org/associations/4748/files/toolbox.pdf

Chapter 5

Ethics, open government and fairness: Staying on the right side of the law

Although governing a small city may seem casual and non-bureaucratic, city officials are still responsible for abiding by the same laws as larger cities regarding ethics, open government, elections, and avoiding conflicts of interest. (There is one exception: there are some special provisions about conflicts of interest for small cities.) For many small cities, this means there is a significant amount of legal territory to navigate without a legal department to help you.

Ethics in government

We all think we know right from wrong, but humans do make mistakes. Doing a favor for a friend or relative, giving a job to someone who needs a break, or taking the city backhoe home for a weekend project may all seem harmless. But when public tax dollars are involved, each of these simple acts takes on a new meaning. As stewards of the public's tax dollars - and equally important, the public's trust - elected and appointed city officials have to think beyond the usual bounds of our obligations to friends, family, and neighbors.

State law dictates a list of "thou shalt nots" that every city official ought to study carefully. Some cities may enact local codes with additional guidelines.

Here are the specific state laws that all city officials must abide by:

- **No special privileges:** No city elected official or appointed officer may use his or her official position to receive a special privilege or exemption for himself, herself or others. For example, city officers must pay the same fees for permits and services, and they are not allowed to make exceptions to rules or give discounts to their friends or relatives.
- **No gifts or rewards from private sources:** No city elected official or appointed officer may receive any money, gift or reward from any source other than their employing municipality for any matter connected with or related to the officer's services. City officers cannot accept free tickets to events or gifts from private citizens, businesses or corporations for actions arising from their official duties. If the city fixes a sidewalk in front of someone's house, for instance, and that person expresses their appreciation by sending the city employee or the mayor tickets to a Seahawks game, the tickets must be returned.
- **No disclosure of confidential information:** No elected official or appointed officer may disclose any confidential information they learn in the course of their duties, or use such information for his or her personal gain. No city official can accept a job or engage in business that the official might reasonably expect would require him or her to disclose confidential information learned in his or her position with the city.

Conflicts of interest

The laws that govern conflict of interest apply only to city elected officials, not employees. These laws govern contracts created by the city elected officials, including contracts of employment, sales, leases, and purchases. In essence, city officials cannot have a financial interest in any public contracts made with the city they serve. This applies to contracts that are created by the city elected official, or under his or her supervision.

The small city exception to the rule: Avoiding conflicts of interest can be difficult in a small city, because there simply aren't that many people and businesses, so it's harder to keep city matters totally separate. In cities with a population of less than 10,000, a business owned by an elected official can have a contract to perform services for the city as long as it does not exceed \$18,000 in any calendar year. However, this does not apply to the sale or lease of property by the city, so elected city officials cannot rent or lease facilities or land from the city.

Even when the small city exception applies, an elected city official may not vote on the authorization, approval, or ratification of a contract from which he or she will profit. The elected official whose business is involved in the vote must also publicly disclose his or her personal financial interest, and this must be recorded in the official minutes of the city council.

Remote interest

There is a legal definition of a "remote interest" that can affect city elected or appointed officials' judgements about city contracts, and where special efforts may be required to avoid conflict of interest. "Remote interests" are particularly thorny, because they can involve voluntary, nonprofit and charitable activities of city officials where favoritism wouldn't benefit you personally, but would benefit a cause or person you're involved with.

A "remote interest" includes a city contract with an entity when a city official is:

- A non-salaried officer of a nonprofit corporation (for example, on the Board of Directors) of the contracted party;
- Employed with a business (with entirely fixed salary or wages) of the contracted party;
- A landlord or tenant of the contracted party;
- Holding less than one percent of the corporate shares of the contracted party; or
- A member of a cooperative of the contracted party.

In the event of such a remote interest in a contract, the city elected official or appointed officer must disclose the extent of his or her interest prior to making the contract. That person may not authorize, approve, or ratify the contract. Also, he or she can't influence or try to influence those who will be voting on the contract.

Violation penalties

The penalty for violating any of these prohibitions voids the contract, and anyone who violates these rules has to pay the city a \$500 fine. Violators may also be required to leave an elected office or lose their city jobs. Although this law does not impose criminal penalties for a violation of its provisions, criminal penalties from other laws may apply, and they can be severe.

Open Public Meetings Act

The Open Public Meetings Act requires that all city council meetings be open to the public, except as specifically authorized under the Act. Also, all “actions” or votes taken by city councils and other governing bodies must be done at meetings that are open to the public.

The Act applies to all city council meetings, as well as to many commissions and boards, such as the planning commission, park board or library board. A meeting generally includes any situation in which a majority (a quorum) of the council, or other governing body, meets and discusses business. Even if no votes are taken, the meeting must be open to the public if public business is discussed.

Executive sessions not open to public:

An “executive session” is a meeting or a portion of a meeting during which a governing body may exclude the public. Before the council or other body meets in executive session, both the length and purpose of the executive session must be announced publicly. The following is a nonexclusive list of reasons cities typically hold an executive session:

- To consider a real estate acquisition or sale;
- To receive and evaluate complaints brought against a public employee; (Before meeting in executive session under this exception, the person who is the subject of the complaint must be notified of the complaint and given the option of meeting in open session);
- To evaluate qualifications of a candidate for public employment or review performance of a public employee;
- To discuss with legal counsel matters related to litigation or potential litigation. (Note that under this exception legal counsel must be present at the executive session.)

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

RCW 42.30.010, 1971

Selected proceedings not subject to the Act:

- The portion of a meeting of a quasi-judicial body relating to a quasi-judicial matter between named parties (such as a request for site-specific rezone permit or conditional use permit.) Read more about quasi-judicial matters later in this chapter;
- Collective bargaining sessions, including contract negotiations, grievance meetings and discussions in which the city council or other body is planning or adopting the strategy to be taken during collective bargaining.

Penalties, costs and attorney fees for violations:

- Individual liability - A civil penalty of \$500 for members of a governing body found to have knowingly violated the Act;
- City liability - The city is liable for all costs, including reasonable attorney fees, if someone successfully challenges a decision to hold a closed meeting. (However, if there is an unsuccessful challenge and the court declares it frivolous, the city may recover reasonable expenses and attorney fees); and
- Actions taken in a closed meeting that was in violation of the Open Meetings Act are null and void.

Public Records Act

In 1972, Washington adopted Initiative 276, which requires that most records maintained by state, county, and city governments be made available to the public. The public disclosure statutes have been frequently revised over the past three decades, and they are now referred to as the Public Records Act. The purpose of the Act is to provide the public full access to information about the conduct of government, except where doing so would violate individual privacy rights and the efficient administration of government.

What is a public record?

Public records include any writing that contains information about the conduct of government. This includes papers, photos, maps, videos, and electronic records, including emails that relate to public business. It also includes not just information produced by city government, but also information that is produced for city government, such as reports prepared by contractors.

Cities are required to make all public records available for public inspection and copying, unless the record falls within one of the specific exemptions in the Public Records Act, or is exempt from disclosure under another law.

Here is what every city must do:

- **Complete training** on the Public Records Act
- **Appoint a public records officer:** Every city must appoint a public records officer so the public knows who to contact when they want to request public records. This appointment has to be made known to the public. Listing the person's name and title and contact information on the city web site or in city hall are two ways to do this.

- **Create and publish an index of public records:** Cities must create and publish an index of its public records, unless the city council declares by formal order that to do so would be unduly burdensome. This is a difficult task, and many city councils adopt an order indicating that to do this would be unduly burdensome.
- **Provide assistance locating public records:** Every city is required to provide the fullest assistance to the public in locating and accessing public records.
- **Respond to requests promptly:** Response to a request for a public record must be made within five business days of the request. The response can be to provide records, to provide the specific link where the requested records are located on the city website, to deny the request because the requested documents are exempt from disclosure requirements, or to state that additional time is required to:
 - Clarify the intent of the request;
 - Locate and assemble the information requested;
 - Notify third persons or agencies affected by the request; or
 - Determine whether any of the information requested is exempt and that a denial should be made as to all or part of the request.
- **Explain exemptions:** If a request is denied or any part of a document is redacted (blacked-out) because it is exempt, the specific exemption must be noted in the city's response to the requester along with sufficient description of how it applies. In most circumstances, once the exempt information has been blacked out, the remainder of the document must be disclosed.

What is not required:

- **Providing copies free of charge:** Cities may charge for making copies, including staff time and use of equipment. However, a city cannot charge for staff time to locate the records and make them available for public inspection. An agency cannot charge more than 15 cents per page unless the actual costs have been calculated and determined to be greater.
- **Creation of new records:** An agency is not required to create a record in response to a request.
- **Access and custody:** An agency is required to make records available for public inspection but an agency is not required to allow access to, for example, employee computers for the public to peruse records, nor is an agency required to allow original records out of its custody.
- **Certain form of request:** A city may not require that people fill out a specific form to request public documents. Although a city can request that its form be used, it cannot deny a request for a public record because someone doesn't use that particular form. Requests do not need to be in writing, they can be in email or even verbal.
- **Disclosure of purpose of request:** Citizens are not required to disclose why they are requesting public documents.

7 cardinal virtues for email communications

*Steve DiJulio, Foster Pepper PLLC, Elected Official
Essentials workshop*

1. Before sending an email, ask whether you would like to see the email on the front page of the local paper.
2. Limit email chains to those who need to have access to the information; and, do not forward beyond that group.
3. Before generating or transmitting documents that may contain professional opinions, obtain authorization from legal counsel.
4. All reports, memoranda, charts and other documents containing analysis should be marked "draft" prior to final authorization.
5. Remember that all written communication (including casual notes) may become part of litigation. Avoid unnecessary adjectives or personal remarks in emails (or when jotting down information during meetings). What may seem humorous at the moment may later be embarrassing.
6. Adhere to the city's regular document retention policies.
7. If the email is on the city system, it is a public document.

Judicial review

A local government may seek court protection to stop the release of a record that is not exempt under the Public Records Act if the local government can show that:

- The requested information is “clearly not...in the public interest”; and
- That disclosure will “irreparably damage any person, or would substantially and irreparably damage vital governmental functions.”

If a person is denied an opportunity to inspect and copy a public record held by a local government, he or she may bring a motion in the superior court of the county where the record is maintained to require the local agency to explain, or show cause, why it has denied access to the record. The local agency has the burden of proving that the denial is consistent with a law that either exempts or prohibits disclosure. Also, if a person believes that the city is taking too long to fully respond to a disclosure request, he or she may file a motion requiring the city to explain why so much time is needed.

Liability

If city officials release records because they are making a good faith effort to comply with the Public Records Act, they can't be liable for it, even if the release offends or harms someone.

However, good faith will not absolve a city if public records that are covered by the Public Records Act are withheld. Good faith will be taken into consideration in determining the amount of penalty, but a minimum penalty of five dollars per day is mandatory regardless of good faith. A requesting party that prevails in court “... shall be awarded all costs, including reasonable attorney fees, incurred in connection with such legal action. In addition, it shall be within the discretion of the court to award such person an amount not exceed one hundred dollars for each day that he was denied the right to inspect or copy said public record.” The statute of limitations is one year.

Particular care should be taken in releasing personnel records, medical records, records subject to protection under the Criminal Records Privacy Act (CRPA), and records that could violate an individual's right to privacy. Certain records specifically exempted from release may lead to liability under laws other than the Public Records Act. For example, the CRPA provides that release of records in violation of the law constitutes a misdemeanor.

Appearance of Fairness Doctrine

Appearance of fairness is a judicial policy that puts additional restrictions on local officials. It requires that decisions be both fair in fact and free from the appearance of unfairness when a city is acting in a court-like or “quasi-judicial” capacity. This law applies to specific actions that affect a single person or company, such as a specific zoning variance. It doesn’t apply to enacting big-picture policies on zoning or adopting a land use plan.

The Appearance of Fairness doctrine requires that a councilmember not participate in a decision when it’s necessary to prevent the appearance of unfairness, bias, prejudice or other potential conflict of interest.

This doctrine generally applies in land use hearings such as site-specific rezones, preliminary plat approvals, conditional use permits, variances, and shoreline substantial development permits. Failure to follow the procedures can result in invalidation of the land use or other quasi-judicial decision. Application of the procedures and use of the exceptions should be documented on the hearing record.

How does the doctrine apply to my city?

The Appearance of Fairness Act applies when “quasi-judicial” proceedings determine the legal rights, duties or privileges of specific parties in a hearing or other contested case proceeding. The doctrine does not apply to legislative policymaking decisions, such as adopting, amending or revising comprehensive plans or other land use planning documents, plans or zoning decisions of area-wide significance. It also doesn’t apply to statements made while campaigning for elective office.

The gist of the Appearance of Fairness Act is that elected officials should be impartial in hearings that will lead to city decisions that affect specific people or companies. They should not, for instance, announce how they plan to vote on a conditional use permit before the hearing is held.

A commonly used oath is: I, _____, do solemnly swear (or affirm) that I will support the Constitution of the United States and the Constitution and laws of the State of Washington, and all local ordinances, and that I will faithfully and impartially perform and discharge the duties of the office of _____, according to law and the best of my ability.

Here are the main provisions of the Act

It prohibits contact outside the hearing: “Ex parte” (outside the hearing) communications between a decision maker and a proponent or opponent of the matter being decided during the time the matter is pending is against the law, unless the decision maker:

- Places on the record the substance of any spoken or written communications; and
- Makes a public announcement of the content of the communication, and of a party’s right to rebut the substance of the communication. This announcement must be made at each hearing where action is taken or considered on the subject. (This does not prohibit correspondence between a citizen and his or her elected official if the correspondence is made part of the record of the quasi-judicial proceeding to which it applies.)

Challenges to a councilmember’s participation

A fellow councilmember or a citizen can challenge a councilmember’s right to participate in a decision if they believe there is an appearance of conflict of interest. Challenges must be raised as soon as the basis for disqualification is made known or reasonably should have been known prior to the issuance of the decision. If the challenge is not timely, the doctrine may not be relied on to invalidate the decision.

Exception: the rule of necessity

If more than one member of a decision making body is challenged as being in violation of the doctrine, so that there are not enough members to legally make a decision, the “rule of necessity” allows challenged members to participate and vote. Before voting, however, the challenged officials must publicly state why they would or might have been disqualified.

Fair hearings have precedence

Even though some conduct might not violate the statutory provisions of the appearance of fairness doctrine, a challenge could still be made if an unfair hearing actually results. For instance, certain conduct otherwise permitted by the statutes may be challenged if it would actually result in an unfair hearing (e.g., where a campaign statement reflects an attitude or bias that continues after a candidate’s election and into the hearing process).

Elections

Elections for city offices are held in odd-numbered years. The first step that needs to be taken when seeking election to local office is to file a Declaration of Candidacy with the county auditor, not more than 60 days nor less than 45 days prior to the primary election at which the initial elected officials are nominated.

The qualifications for office depend somewhat on the classification of the city or town.

Qualifications to hold elective office

Towns

In towns, no person is eligible to hold an elective office unless he or she is a resident and a registered voter of the town.

Second class cities

No person is eligible to hold an elective office in a second class city unless the person is a resident and a registered voter in the city.

Code cities

No person is eligible to hold elective office under either the mayor-council or the council-manager plan unless the person is a registered voter of the city at the time of filing his or her declaration of candidacy and has been a resident of the city for a period of at least one year preceding his or her election.

Oath of office

The oath of office is the last step that must be taken before a candidate who wins election takes office. The new term of office typically begins on the first day of January following the election. The oath of office may be taken up to ten days before taking office, or at the last regular meeting held before an elected person assumes office.

The oath may be given by a variety of persons, including any notary public, mayor or mayor pro tem, clerk, judge or court clerk. The oath should be filed with the county auditor.

Improper use of public facilities in campaigns

It is against the law to use any city facilities to support or oppose a ballot proposition or to assist any campaign for election to any public office. This includes the use of stationery, postage, machines and equipment, use of office employees, office publications, clientele lists and even paper clips. Careful regard for this law is very important to keeping - and deserving - the public's trust.

There are, however, exceptions to this prohibition:

- An elected city council may collectively endorse or oppose a ballot proposition if the council meets the procedural requirements of the law. The requirements are that:
 - Any required notice of the meeting includes the title and number of the ballot proposition; and
 - Members of the legislative body or members of the public are afforded an approximately equal opportunity for the expression of an opposing view.
- An elected official may make a statement in support of or in opposition to any ballot proposition at an open press conference or in response to a specific inquiry; and
- Activities which are a part of the normal and regular conduct of the office or agency. For example:
 - A city may prepare and distribute a neutral fact sheet concerning a ballot proposition;
 - A city may conduct research into the likely effects of a ballot proposition; and
 - A city may allow the use of public facilities to host a neutral forum on a ballot issue.

These restrictions do not prevent an elected official or city employee from participating fully in campaigns on their own time when public facilities are not used.

The law also restricts certain use of public service announcements by incumbent candidates in election years.

Salary increase during term of office

Members of a governing body who set their own compensation may not, during the terms of office for which they are elected, receive any pay increase enacted by that body. However, this doesn't apply to a mayor's compensation in cities operating under the mayor-council form of government if the vote of the mayor is not necessary to enact the increase. A city may establish a citizen's salary commission and salaries established by that commission are not subject to this prohibition. Note also that these provisions prohibit a salary decrease for elected officials during their term of office.

Resources

The Elected Officials' Road Map, AWC

awcnet.org/Portals/0/Documents/Publications/EORoadMap.pdf

Knowing the Territory: Basic Legal Guidelines for Washington City, County and Special Purpose District Officials, MRSC

mrsc.org/getmedia/1e641718-94a0-408b-b9d9-42b2e1d8180d/ktt15.pdf.aspx?ext=.pdf

Open Public Meetings Act

Open Public Meetings Act topic page, MRSC

mrsc.org/Home/Explore-Topics/Legal/Open-Government/Open-Public-Meetings-Act.aspx

OPMA and PRA Practice Tips and Checklists, MRSC & State Auditor's Office

mrsc.org/getdoc/228ecccb-6f1e-4f01-a1d9-179b9f58adf3/OPMA-and-PRA-Practice-Tips-and-Checklists.aspx

Washington Association of Public Records Officers (WAPRO)

wa-pro.org/

***Washington State Sunshine Laws 2015: An Open Government Resource Manual*, Washington State Office of the Attorney General**

agportal-s3bucket.s3.amazonaws.com/uploadedfiles/Home/About_the_Office/Open_Government/Open_Government_Internet_Manual/Open%20Government%20Resource%20Manual%20-%20October%202015.pdf

Public Records Act

Electronic Records - PRA and Records Retention, MRSC

mrsc.org/getmedia/bc0449ee-00f8-42da-b010-c26204191c5c/electronic%20records_pra%20and%20records%20retention_practice%20tips.aspx

PRA: Electronic Records - PRA and Records Retention Do's and Don'ts, MRSC

mrsc.org/getmedia/28c40d3c-32f4-4f46-a12f-77c9566688b3/electronic%20records_pra%20and%20records%20retention_do's%20and%20don'ts.aspx

PRA - Agency Obligations: A Starting Point, MRSC

mrsc.org/getmedia/2c155517-eddf-4a02-bdeb-6aefc90cd0c8/pra_agency%20obligations_checklist.aspx

PRA - How to Perform an Adequate Search for Records, MRSC

mrsc.org/getmedia/87504e46-4a94-44e1-9a26-ed56936127f8/pra_searchforrecords_practictips.aspx

Public Records Act Court Decisions - topic page, MRSC

mrsc.org/Home/Explore-Topics/Legal/Open-Government/Public-Records-Act-Court-Decisions.aspx

Know the law

- RCW 42.23 - Code of Ethics for Municipal Officers (contract interests)
- RCW 42.23.070 - Prohibited acts
- RCW 42.30 - The Open Public Meetings Act
- RCW 42.30.110 - Executive session
- RCW 42.30.120 - Violations of the Open Public Meetings Act
- RCW 42.30.140 - Meetings not subject to the Open Public Meetings Act
- RCW 10.97 - Criminal Records Privacy Act
- RCW 42.56 - Public Records Act
- RCW 42.56.060 - Immunity from liability
- RCW 42.56.230-480 - Exemptions to public records
- RCW 42.56.540 - Local government-initiated court action to prevent disclosure
- RCW 42.56.550 - Judicial review of agency actions
- WAC 44-14 - Public Records Act - Model rules
- RCW 42.36 - Appearance of Fairness Doctrine (Limitations)
- RCW 42.17A.555 - Use of public office or facilities in campaigns
- RCW 42.17A.575 - Public service announcements
- RCW 35.21.015 - Citizen's salary commissions

Appearance of Fairness Doctrine

The Appearance of Fairness Doctrine in Washington State, MRSC

mrsc.org/getmedia/04AE5092-48DF-4964-91D7-2A9D87CB2B7C/afd11.aspx

Ethics and Conflicts of Interest topic page, MRSC

mrsc.org/Home/Explore-Topics/Legal/General-Government/Conflicts-of-Interest.aspx

Public Hearings topic page, MRSC

mrsc.org/Home/Explore-Topics/Governance/Legislative-Organization,-Meetings-and-Process/Public-Hearings-When-and-How-to-Hold-Them.aspx

Short Course on Local Planning, Department of Commerce

awcnet.org/DataResources/Resourcesbytopic/TabId/941/ArtMID/2423/ArticleID/1168/Short-Course-on-Local-Planning.aspx

Elections

Getting into Office: Being Elected or Appointed into Office in Washington Counties, Cities, Towns and Special Districts, MRSC

mrsc.org/Home/Stay-Informed/MRSC-Insight/February-2013/Announcing-our-Newly-Revised-Publication-Getting-i.aspx

Guidelines for Local Government Agencies in Election Campaigns (Public Disclosure Law Re: Use of Public Facilities in Campaigns), Washington Public Disclosure Commission (PDC)

pdc.wa.gov/learn/guidelines-local-government

Chapter 6

Municipal budgeting and fiscal management

Many people choose to run for political office because they want to make positive change in their community. It quickly becomes apparent that nearly all changes to city policy require changes in the city budget. So to be effective, an elected official has to master the budget process. There are plenty of resources to help do this.

Overall fiscal management resources

- Municipal Research and Services Center (MRSC)
- Washington Finance Officers Association (WFOA)
- Washington Municipal Treasurer's Association (WMTA) (see also: Washington Public Treasurer's)
- Government Finance Officers Association (GFOA) publication series for elected officials
- Local Government Performance Center (SAO)

The city budget

The city's operating budget is a city's road map throughout the year. The budget is:

- A reflection of the city's priorities and policies;
- Legal authority for city officials to incur and pay expenses;
- A system for allocation of funds to different areas; and
- A document that establishes control over how much money may be spent.

In many cities, the budget has evolved from a document composed of a bunch of numbers to one that reflects the city's overall direction. Budgets can include mission statements, goals, and objectives that convey the city's vision to citizens. In the budget, elected officials can explain their reasons for allocating resources in the manner they did. It can also be an evaluation tool, comparing commitments made in the previous year's budget with actual accomplishments.

State law dictates some of the major steps in the budget preparation process and in the timing of budget decisions. Be sure you pay attention to these important steps.

Budget Calendar

Budget Suggestions, MRSC

Major steps in budget preparation	State law time limitations
1. Request by clerk to all department heads and those in charge of municipal offices to prepare detailed estimates of revenues and expenditures for next fiscal year (calendar year).	By second Monday in September.
2. Estimates are to be filed with the clerk.	By fourth Monday in September.
3. Estimates are presented to the chief administrative officer (CAO) for modifications, revisions or additions. Clerk must submit to CAO proposed preliminary budget setting forth the complete financial program, showing expenditures requested by each department and sources of revenue by which each such program is proposed to be financed.	On or before the first business day in the third month prior to beginning of the fiscal year.
4. CAO provides the legislative body with current information on estimates of revenues from all sources as adopted in the budget for the current year. CAO also provides the legislative body with the clerk's proposed preliminary budget setting forth the complete financial program, showing expenditures requested by each department and sources of revenue by which each such program is proposed to be financed.	No later than the first Monday in October.
5. The legislative body must hold a public hearing on revenue sources for the coming year's budget, including consideration of possible increases in property tax revenues. (Chapter 251, Laws of 1995. codified as RCW 84.55.120.)	Before legislative body votes on property tax levy. Deadlines for levy setting are in item 8 below.
6. CAO prepares preliminary budget and budget message and files with the city legislative body and city clerk.	At least 60 days before the ensuing fiscal year.
7. Clerk publishes notice that preliminary budget has been filed and publishes notice of public hearing on final budget once a week for two consecutive weeks.	No later than the first two weeks in November.
8. Setting property tax levies.	November 30 for <i>all</i> cities and towns.
9. The legislative body, or a committee thereof, must schedule hearings on the budget or parts of the budget and may require the presence of department heads.	Prior to the final hearing.
10. Copies of proposed (preliminary) budget made available to the public.	No later than six weeks before January 1.
11. Final hearing on proposed budget.	On or before first Monday of December, and may be continued from day-to-day but no later than the 25th day prior to next fiscal year.
12. Adoption of budget for the following year.	Following the public hearing and prior to beginning of the ensuing fiscal year.
13. Copies of final budget to be transmitted to the State Auditor's Office and to MRSC.	

Staying up to date

Most cities do their budget on an annual basis (or every other year for cities using a biennial budget). Budgets can be affected by new state or federal legislation, voter-approved initiatives, and/or court rulings. MRSC's Budget Suggestions is released annually to help cities understand legal changes that could affect the budget. AWC's Legislative Bulletin provides ongoing updates about proposed legislation that can also affect the budget.

Excerpt from "Budgeting," *Finance Advisor*, MRSC

Budgeting Basics

The budget process is typically thought of as a financial activity done to satisfy state law, however it is also the process of planning for the future. A city cannot implement any project, program or plan without a formally adopted budget ordinance that authorizes the appropriation. The budget planning process determines the types and levels of services that can and will be provided by the city given the resources available. Consideration should be given to all of the departments, programs and services provided by your city to determine whether or not there are sufficient resources to continue, maintain, expand or reduce those services.

Essential Elements of the Budget Process

There are five elements of the budget process that are considered essential:

1. Establishing priorities (goal/vision statement) - to provide a sense of direction.
2. Determining capital needs to provide short and long-term budgeting strategies.
3. Realistic revenue forecasting - based upon both qualitative and quantitative forecasting methods that use common sense tests, local resources and documentation as a basis for forecasting.
4. Budget proposals with level of service objectives - budget proposals that clearly reflect the priorities, goals and visions of the city.
5. Timely presentation of plans and financial data - adherence to the budget calendar and transmittal of financial data to the public, council and staff.

The budget process should allow decision makers to see how resources are being used to meet the goals and objectives of the community and that those objectives are balanced with the resources available to provide the required level of service.

Budgeting guidelines for elected officials

1. The adoption of the annual budget is generally the single most important issue to be addressed. It is required that each city adopts an annual (or biennial) budget, and without doing so, the city cannot expend resources.
2. The budget should be a reflection of the community's priorities, and elected officials should recognize that those priorities change over time.
3. Virtually all small cities engage in "incremental" budgeting. The base tends to be fixed, and annual budgets generally only add or subtract programs and levels of expenditures at the margin.
4. City officials should recognize that there is interdependence between capital and operations and maintenance expenditures. New capital expenditures can reduce ongoing expenditures, and failure to properly invest in capital assets can increase ongoing expenditures. Failure of a city to repave thoroughfares can result in increased expenditures for patching and other related costs. It can be very dangerous to continually defer necessary capital expenditures.
5. The budget process can be contentious and combative, and in an environment of shrinking revenues few city officials are satisfied with the outcome.
6. Elected officials should avoid using the budget to drive public policy determinations. Such determinations should be established outside of the budgetary process, subject to an open public process, and then implemented in the budget.
7. There will never be sufficient city resources to address all of the demands and expectations of the citizenry. Budgeting is about making choices and establishing priorities in an environment of limited fiscal resources.
8. Finally, city officials need to openly communicate with their citizens the fiscal limitations of their city, and why they're unable to satisfy everyone's expectations.

Financial management

Cities are fiscally accountable to their local taxpayers. Accounting and financial reporting standards offer consistency among government entities in providing information to citizens.

The State Auditor enforces accounting requirements and prescribed reporting. Cities can choose whether to prepare and report financial statements and notes using generally accepted accounting principles (GAAP) or with another comprehensive basis of accounting (OCBOA) also known as “cash basis,” which is further outlined in the Budgeting, Accounting, and Reporting System (BARS) manual. Local governments can choose what method best meets their needs.

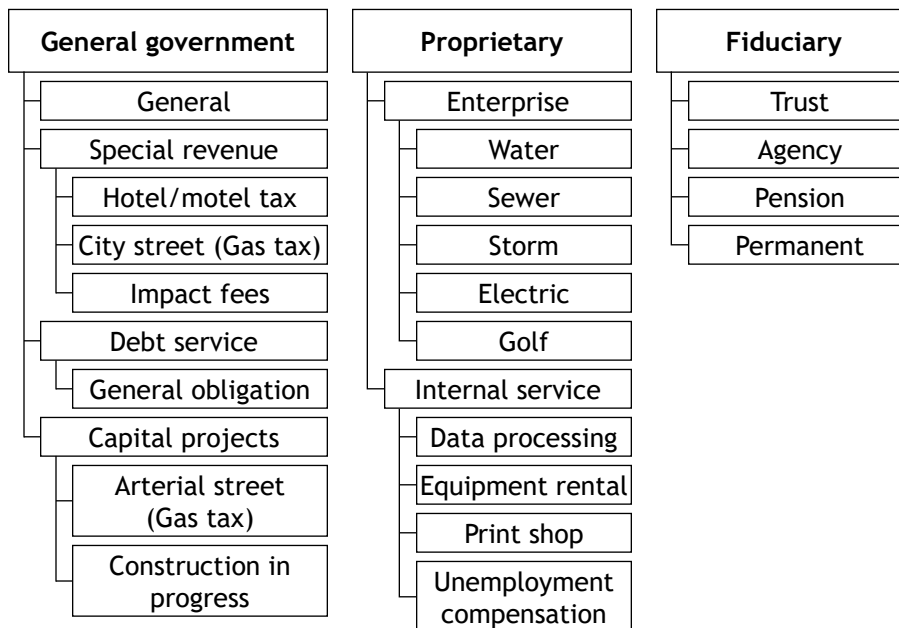
The General Accounting Office (GAO) is the federal body that oversees and prescribes the generally accepted accounting practices (GAAP) used by all governmental entities.

Fund accounting, which is unique to government, earmarks revenues and assets, requiring separate recordkeeping for different pots of money. The emphasis is to show a segregation of resources by specific activities.

“Funds” are independent accounts that represent a portion of a city’s activities that cannot be commingled with other accounts. For example, user fees charged to water customers are segregated into a utility fund to clearly illustrate that resources developed by these user fees have not inappropriately subsidized another city function.

Fund types

There are three basic categories of funds. Within each of these categories there are different fund types and revenues.



Reporting requirements

The receipt of timely and accurate financial information is a key component in the financial management system. There are several statutes within the RCW (Revised Code of Washington) that address the reporting of financial information for local governments. These statutes assure the accountability of public monies and assure that financial reports are published to provide all the details of the financial administration of public affairs.

At the end of every fiscal year, the city clerk (or assignee) must make a full and detailed statement of receipts and expenditures of the preceding year, and a full statement of the city's financial condition. The clerk must also submit a report showing the expenditures against each separate budget appropriation, no less than quarterly, to the council and chief administrative officer (which may be the mayor or the city manager). The report must also show the receipts from all sources.

The Annual Financial Report provides a summary of all of the revenues and expenditures of the city for the fiscal year (January 1 through December 31). The report also includes pertinent financial data regarding the city's outstanding debt, grant expenditures, budget appropriations and other relevant financial information.

Appropriate oversight and management of these reports is a key component of good financial management. Auditing standards reinforce the responsibility of management for oversight and review of the financial reporting process and must be considered during the audit process.



Carbonado Town Hall

State audit process

In Washington, governmental audits are done by the State Auditor. The audit process assures citizens that cities are following accounting rules, standards and laws. It also provides an opportunity for city officials to evaluate internal controls and make changes in systems as needed.

By law, the State Auditor prescribes a uniform system of accounting and reporting for all cities. Every city is required to submit financial reports covering each fiscal year. The reports must contain:

1. Accurate statements of collections or receipts, all accounts due to the public treasury, and all expenditures;
2. An income and costs statement of public service enterprises owned and operated by a local government;
3. A schedule of the city's debt;
4. A detailed statement of all revenues and expenditures; and
5. A schedule of all expenditures for labor relations consultants.

Audits generally consist of several phases:

Entrance conference: This is the first in a series of opportunities to communicate with the audit liaison.

Audit progress meetings and pre-exit conference: These meetings are scheduled as determined by both the city and the auditor. The idea is for the city to be fully aware of all significant matters before the audit report is drafted.

Exit conference: This conference is often attended by the auditor, mayor, city administrator/manager and elected officials. The conference is held before the final report is issued. Some items that are not significant enough to report will be provided in a management letter or as an exit item (e.g. a recommendation for stronger internal controls). Items such as the audit objectives, areas of improvement, findings, conclusions and recommendations are all addressed during this meeting.

Final notification of audit report: Once the final audit report is issued, a city is expected to provide a formal response to any findings, conclusions or recommendations in seven to 30 business days. Elected officials should be aware of all findings and any conclusions or recommendations made.

Plan ahead! Audits can be expensive. They can also involve a lot of staff time in preparing for and working with the auditors. City officials should be aware of their audit schedule and remember to budget for this.

Performance audits

In 2005, Washington voters approved Initiative 900. This initiative mandated that “the State Auditor shall conduct independent, comprehensive performance audits of state government and each of its agencies, accounts, and programs...” These audits include local governments. This mandate was accompanied in the initiative by a redirection of a small portion of the state sales tax to defray the added costs of state and local performance audits.

The initiative requires each performance audit to include, but not be limited to:

1. Identification of cost savings;
2. Identification of services that can be reduced or eliminated;
3. Identification of programs or services that can be transferred to the private sector;
4. Analysis of gaps or overlaps in programs or services and recommendations to correct them;
5. Feasibility of pooling the entity’s information and technology systems;
6. Analysis of the roles and functions of the entity and recommendations to change or eliminate roles or functions;
7. Recommendations for statutory or regulatory changes that may be necessary for the entity to properly carry out its functions;
8. Analysis of the entity’s performance data, performance measures and self-assessment systems; and
9. Identification of best practices.



Lyman City Hall

Long-range financial planning

Although city budgets are required to be completed annually (or every two years if your city has adopted by ordinance a biannual budget process) there is considerable value in longer-range financial planning. It is important to plan for multi-year projects and forecast revenues for a greater period of time than the coming year.

A strategic plan can help a city council and staff identify future needs. It allows the city to begin preparing for a project before funds are needed. Capital improvement plans are often completed over a five-year period or longer. Since projects such as streets, new utility systems and city halls often require a great deal of capital spending, it can be helpful to plan for these projects on a long-range basis. Read more about strategic plans in Chapter 4.

Similarly, a strategic plan can help estimate revenues over future years and help to understand the city's tax base. An understanding of revenue trends can help policymakers avoid future disruptions, such as hiring staff in one fiscal year, then laying them off two years later due to declining revenues. It can also help city officials understand and plan for shifting revenue trends, such as an increasing sales tax base or a declining property tax base. Having a realistic outlook of these tax bases, and incorporating that understanding into the budget early can help avoid crisis in years to come.

Items that can be helpful in making these long-term financial estimates are:

- City revenue trends over the past ten years
- Construction activity (residential and commercial)
- Property valuation
- Inflation rates
- Utility rates
- School enrollment
- Tourism activity

Planning for major projects

The state's Growth Management Act (GMA) requires communities to plan ahead for infrastructure needs. Planning for capital facilities is a key part of the comprehensive planning process. This required six-year plan allows cities to define acceptable service level standards for residents and businesses, as well as how they plan to pay for these services. Exploring these options together often helps cities in their long-range financial planning efforts. Read more about the GMA in Chapter 10.

General taxing authority

The authority for cities to levy various taxes comes from state law. These laws determine the taxing limits, restrictions, exemptions, and collections. Some of the primary revenue sources for cities include the following:

Regular property tax levy

The maximum levy for most cities is \$3.375 per thousand dollars of assessed value (AV). Cities with a pre-LEOFF fire pension system can levy an additional \$0.225 per thousand dollars AV, resulting in a maximum levy of \$3.60 per thousand dollars AV. Cities annexed to fire or library districts have a maximum rate up to \$3.60 minus the library and/or fire district/regional fire authorities' rate. If a city has a firemen's pension fund and is annexed to a fire and/or library district, the maximum is \$3.825 minus the fire and/or library district rate. Library districts can levy up to \$0.50 per thousand dollars AV, and fire districts/regional fire authorities can levy up to \$1.50 per thousand dollars AV.

Retail sales and use tax

Cities are authorized to levy a basic 0.5% sales and use tax plus an optional tax at rates ranging from 0.1% to 0.5%. For each portion of the sales and use tax (the basic or optional), the county receives 0.015%. Therefore, the maximum effective rate a city can levy is 0.850%. Other local sales taxes apply with different distribution formulas (e.g. criminal justice). Cities that don't levy the optional 0.5% sales tax (that are located within counties that also do not levy the optional 0.5% sales tax) are authorized to levy an additional 0.5% real estate excise tax for general purposes.

Business and occupation (B&O) taxes and business licenses

These taxes come in three forms:

- Excise taxes levied on different classes of business to raise revenue (general business and occupation taxes) limited to 0.002% of gross receipts unless grandfathered or voter-approved.
- Business license fees with a flat fee.
- Business license fees based on the number of employees, type of business, square footage, or some combination thereof.

Utility taxes

Taxes can be levied on the gross operating revenues earned by private and public utilities from operations within the boundaries of a city, and by a city's own municipal utilities. Telephone, including cellular and pager services, electric and natural gas are limited to 6%. Cities may ask voters to approve a rate higher than 6%. There are no restrictions on the tax rates for cable and garbage, water, sewer and stormwater utilities. Cities cannot, however, tax water and/or sewer services provided by another city, water or sewer district. Cable franchise fees are limited by federal law to 5%.

Other taxes cities have the authority to impose include emergency medical services, real estate excise taxes, hotel-motel taxes, and a gambling tax.

Managing city debt

When city officials decide to build capital projects, they face a number of financing options, including different ways to borrow. Going into debt to finance a large project can make sense, and spread the project's financial burden out over many years so future users help pay for the project. Borrowing can also prevent depletion of a city's reserves. Projects can be built as they are needed and the benefits can be received sooner without waiting for funds to accumulate.

Long-term borrowing

General Obligation Bonds are backed by full faith and credit of the city.

There are two types:

- Councilmanic bonds are issued by a vote of the city council, backed by general fund revenues when voters have not been asked to pay increased property taxes. These may be used for any city purpose; they do not have to be for capital projects.
- Unlimited General Obligation Bonds must be approved by 60% majority of voters. This option raises property tax to pay for projects, and is only used for capital purposes.

Revenue Bonds finance projects for any city enterprise that is self-supporting (water/wastewater/golf courses). Payment comes from user fees; so the debt is not backed by the full faith and credit of the city. Investors consider these somewhat less secure than general obligation bonds.

Debt capacity

The amount a city can borrow using general obligation debt and the purposes for which a city can borrow are governed by state laws and the State Constitution. A city's debt limitations or debt capacity are subject to two sets of restrictions. First, debt limits set the maximum amount of general obligation debt that a city can have outstanding at any one time. Second, debt limits restrict how much of this capacity can be used for various purposes. There are no debt limits for revenue bonds.

City debt can be used for three purposes:

- General government (both voted and councilmanic capacity)
- Municipally-owned water, sewer, or electric facilities (voted debt capacity)
- Providing open space and parks (voted debt capacity)

In certain circumstances the state will allow cities to access debt through state programs such as the Treasurer's Local Option Capital Asset Lending (LOCAL) program or the Public Works Trust Fund.

Cities can borrow up to 2.5% of assessed property valuation, minus the amount of debt already issued, plus certain net assets available for debt service funds. But just because your city is allowed to borrow a certain amount doesn't always mean those limits should be used to their maximum extent.

Questions Every City Should Consider

From A Debt Primer for Washington's Cities and Towns, MRSC

- What are the acceptable uses of short-term debt?
- How much does your city want to rely on “pay as you go” versus “pay as you use” financing?
- What is the appropriate term of bond or loan?
- What should non-voted debt be used for and when?
- What consideration should be given to operating costs?
- What should the overall debt structure be?
- How should self-supporting projects, like utility projects, be financed?
- How much coverage should utility bonds have?
- What policies should be set for selling bonds with a negotiated, versus a competitive sale?
- How much general obligation debt can a city safely issue?

Grants and loan opportunities

Many cities seek funding from grants and low-interest loans to augment infrastructure, capital improvement, and economic development activities. Many state agencies offer grant opportunities on a regular basis to cities. However, funding is limited and competition is great. Foundation and federal grants and loans are also another source of potential project revenue for cities.

However, there is no such thing as “free” money. Grant awards require the commitment of human, technical, and often financial resources for successful project management and grant administration. It is important to consider the capacity to effectively manage the activities and requirements of a grant or award before applying, and budget for audit costs and staff time to administer the grant. There are also long-term costs associated with grant-funded projects. Is there existing or new revenue adequate to maintain a program or service once grant funds expire?

Capacity may be enhanced by partnering with other organizations or by contracting out grant management. It can be helpful for a community to have an interlocal agreement that promotes a multi-jurisdictional grant-funded project and fund development for work that crosses municipal boundaries (e.g. telecommunications, floodplain management, open space). Such collaboration may increase the competitiveness of a proposal, increase the efficiency of program management, and increase the success of project outcomes.

Resources

Budget Suggestions for 2016, MRSC

google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&cad=rja&uact=8&ved=0ahUKEwiDu9f6pPMAhVH02MKHfTqB8IQFggcMAA&url=http%3A%2F%2Fmrcs.org%2Fgetdoc%2F0f7b5913-f692-44a7-9ff0-edb48ca4edfe%2FBudget-Suggestions-for-2015%2C-August-2014.aspx&usg=AFQjCNGD_MCzZlpLYiU-ptHqjzkiRQmDMQ&sig2=DtNPjSbneWm1k5UTfneSCQ&bvm=bv.119745492,d.cGc

Communicating your Budget to the Public topic page,

[mrcs.org/Home/Explore-Topics/Governance/Citizen-Participation-and-Engagement/Effective-Communication-and-Public-Participation/Communicating-About-Government-Spending-\(What-We-G.aspx](http://mrcs.org/Home/Explore-Topics/Governance/Citizen-Participation-and-Engagement/Effective-Communication-and-Public-Participation/Communicating-About-Government-Spending-(What-We-G.aspx)

Local Government Financial Reporting System, State Auditor's Office (SAO)

sao.wa.gov/local/Pages/LGFRS.aspx#.VxKMbWzmrid

Municipal Budgeting and Fiscal Management Workshop, AWC

awcnet.org/TrainingEducation/Calendar/MunicipalBudgetingFiscalManagement.aspx

Recommended Budgeting Practices, Government Finance Officers Association (GFOA)

google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&cad=rja&uact=8&ved=0ahUKEwjTo8-S6pPMAhUI2WMKHU95BQoQFggcMAA&url=http%3A%2F%2Fwww.gfoa.org%2Fsites%2Fdefault%2Ffiles%2FRecommendedBudgetPractices.pdf&usg=AFQjCNH0rtGa3QU-CqtFBHGXdqaCW4zlSA&sig2=OXiK5D7UDJNeRevi2IMwca

Revenue Guide, MRSC

mrcs.org/getmedia/d3f7f211-fc63-4b7a-b362-cb17993d5fe5/revenueguide_city.pdf.aspx?ext=.pdf

Salary and Benefits Survey, AWC

awcnet.org/DataResources/resourcesbytopic/SalaryBenefitSurvey.aspx

Utility Rates Survey, AWC

awcnet.org/DataResources/resourcesbytopic/TaxandUserFeeSurvey.aspx

State audit process

Audit Connection Newsletter, State Auditor's Office (SAO)

sao.wa.gov/resources/Pages/AuditConnections.aspx#.VxKi6Gzmric

Budgeting, Accounting and Reporting System (BARS) Manual, State Auditor's Office (SAO)

sao.wa.gov/local/Pages/BarsManual.aspx#.VxKfNmzmric

Financial Intelligence Tool (FIT), State Auditor's Office (SAO)

sao.wa.gov/local/Documents/FIT_Handbook.pdf#search=Financial%20intelligence%20tool

Local Government Performance Center, State Auditor's Office (SAO)

sao.wa.gov/local/Pages/AboutCenter.aspx#.VxKgZWzmric

Know the law

- RCW 35.33 - Budgets in second and third class cities, towns and first class cities under 300,000
- RCW 35.34 - Biennial budgets
- RCW 35A.33 - Budgets in code cities
- RCW 35A.34 - Biennial budgets for code cities
- RCW 35.27.220 - annual statement of receipts and expenditures
- RCW 35.33.141 - quarterly financial statements to council
- RCW 43.09.230 - local government accounting - annual reports
- RCW 84.52.043 - Property tax
- RCW 82.14.030(1) - Basic local sales and use tax
- RCW 82.14.030(2) - Optional sales and use tax
- RCW 35A.82.020, RCW 35A.82.050, RCW 35.21.710 - B&O taxes
- RCW 35.21.870 - Utility taxes
- RCW 39.36.020 - Limitation of indebtedness prescribed
- Article 8, Section 6, WA State Constitution - Limitation upon municipal indebtedness

Performance audits

About Performance Audits, State Auditor's Office (SAO)
sao.wa.gov/state/Pages/Aboutperformanceaudits.aspx#.VxUM_k32aUk

Long-range financial planning

Budgeting for Cities and Towns in Washington State, AWC
awcnet.org/Portals/0/Documents/Publications/budgetworkbook10web.pdf

Capital Facilities Planning Guidebook, Department of Commerce
commerce.wa.gov/Services/localgovernment/GrowthManagement/CapitalFacilities/Pages/CapitalFacilitiesPlanningGuidebook.aspx

Taking Budgeting One Step at a Time, Mike Bailey for AWC
awcnet.org/TrainingEducation/eLearning/BudgetingbasicseLearn.aspx

General taxing authority

Tax Reference Manual, Department of Revenue (DOR)
dor.wa.gov/docs/reports/2010/Tax_Reference_2010/TRM%202010%20-%20Entire%20Document.pdf

Managing city debt

ABCs of Debt: A look at Debt Capacity and Long-term Borrowing, AWC
myplacetolearn.webex.com/tc3000/trainingcenter/record/recordAction.do?siteurl=myplacetolearn&recordingID=54235952&actionType=Info&tcRecordingLink=Yes

Infrastructure and Community Development, Department of Commerce
commerce.wa.gov/Programs/Infrastructure/Pages/default.aspx

Local Option Capital Asset Lending (LOCAL), Washington State Treasurer
tre.wa.gov/LOCAL/index.shtml

Grants and loan opportunities

Grant Resources for Washington Local Government topic page, MRSC
mrsc.org/Home/Explore-Topics/Finance/Revenues/Grant-Resources-for-Washington-Local-Governments.aspx

Chapter 7

Human resources and labor relations

Cities need competent, enthusiastic and hardworking employees.

Recruiting and hiring the best employees, treating them fairly, and training them to do the job is central to a city's success. Personnel costs are also the lion's share of a city's operating budget - typically, about 60% of a city budget - so recruiting, training and retaining good employees is time well spent.

It's tempting to think that in a small town or city, relations with employees can be kept informal, and that it's OK to be casual about hiring, work rules, or other job-related practices. But this is a big mistake. Employee relations can be a source of real legal and financial liability if not handled properly; and it only takes one disgruntled employee or one untrained supervisor to disrupt city hall and derail the ability of city officials to focus on making the city a great place to live.

It is difficult to keep up-to-date on important personnel issues, because laws and regulations keep changing, and small cities can rarely afford a professional personnel manager with expertise in human resources and labor relations. But having clear, consistent rules and personnel practices can prevent a lot of trouble. And it can provide an orderly way to resolve problems when they do arise, before they spin out of control.

Here are just a few of the components of a good system of human resources management. While most of these may be more common in larger cities, they also have applications for smaller municipalities.

- A recruitment process that tests for, hires and promotes applicants based on merit and the ability to perform the essential functions of the position;
- Personnel policies that outline work rules, employee benefits, policies on overtime, paid and unpaid leave, employee conduct, and discipline;
- A classification and compensation plan that includes job descriptions for all positions, identifying the method for setting salaries;
- An orientation program for new and newly promoted employees;
- A performance evaluation process;
- A training program for employees, especially supervisors, on key laws such as the Americans with Disabilities Act (ADA), the Family Medical Leave Act (FMLA), the Fair Labor Standards Act (FLSA) and on workers' compensation, discipline, or grievance procedures;
- A trained person to coordinate labor relations and negotiate with employees regarding wages, hours and working conditions; and
- A grievance process to address employee concerns and serious complaints.

For cities that may be lagging behind in some of these areas, there are many resources available to help improve their human resources systems.

Hiring the best people

There are few employers who can say that every employee working in their organization is the ideal person for the job. But with a little effort, the chances of attracting and retaining high-quality employees can be greatly increased.

Except for police and fire personnel (see the Civil Service section of this chapter) there are no specific legal requirements that a city must follow to recruit and select new employees. However, employees must be hired fairly. Many cities have established their own hiring policies, which usually include procedures for attracting enough qualified candidates to compete for job openings, screening those applicants, and selecting the most qualified individual for the available position. It is essential that this process not discriminate against protected classes of employees, either by intent or impact. Therefore, selection decisions must be based on job-related criteria that measure knowledge, skills, abilities and attributes that relate directly to successful job performance.

Under the Washington Law Against Discrimination (WLAD), employers may not refuse to hire someone, fire an employee, or discriminate against an employee in pay or other terms or conditions of employment, because of the person's race, creed, color, national origin, sex, marital status, age, disability, retaliation, sexual orientation/gender identity, honorably discharged veteran or military status, or use of a trained dog guide or service animal by a person with a disability. Current law exempts employers with fewer than eight employees.

Civil service for police and fire

Most police and fire employees are covered by state civil service law, which governs hiring and provides a process for hearing appeals to disciplinary actions. Cities with more than two full-time police officers (including the chief) or with any full-time firefighters are required to establish a three-member civil service commission. Appointments to the commission are usually made by the mayor or city manager. The commission must establish rules for the operation of the city's civil service system that are consistent with state law, administer tests to determine the relative qualifications of candidates, and hear appeals or complaints.

Volunteer firefighters and reserve officers

The Board for Volunteer Firefighters and Reserve Officers (Board) provides workers' compensation benefits and a small retirement pension for volunteer firefighters and reserve police officers in Washington. All volunteer firefighters must be covered for workers' comp, and coverage for reserve police officers is optional. Cities must report volunteers to the Board, remit the appropriate fees, and form a local board of trustees, with the responsibility to approve retirement forms, remittance forms, and claims for payment, and to administer claims due to injuries.

Labor relations

It's not surprising that most small city councils and staff struggle with labor relations issues. The state law, the Public Employees Collective Bargaining Act (RCW 41.56), is complex and technical for those unfamiliar with it. It also differs significantly in some key areas from labor law that applies to private sector jobs. And unlike private sector employers, most cities have a large percentage of their personnel covered by union contracts.

Almost all public employees in Washington have a legal right to form unions or associations and collectively bargain with their employers. A city cannot change wages, hours or working conditions for union members without bargaining these issues with them. Collective bargaining is the mutual obligation of employees and their employers to meet at reasonable times and to bargain in good faith. However, this obligation does not compel either party to agree to a proposal.

It is an unfair labor practice for an employer to interfere with, restrain or coerce public employees in the exercise of their right to unionize. A state agency, the Public Employment Relations Commission (PERC), regulates the relationships between public employers and their employees concerning issues like union representation and unfair labor practices. City officials with questions about union issues should contact PERC for guidance.

All paid fire departments, and all police departments in cities over 2,500 in population, have access to interest arbitration. This means that when an impasse in bargaining occurs, the issues in dispute are turned over to an outside arbitrator to make the decisions on wages, benefits and other contract language. This can create a unique dynamic in police and fire negotiations. The arbitrator has the power to set the terms of the contract - obligating the city to provide wages or benefits to police or fire employees that other employees don't get - and that perhaps the city can't afford.

Because of the complexity of labor negotiations, and the impact of wages and benefits on city budgets, some cities hire professional consultants to bargain on behalf of management. For smaller cities with limited resources, this may not be affordable.

Employee salaries and benefits

In order to attract, retain, and motivate qualified employees, cities try to establish and maintain compensation and benefit levels that are competitive within their labor markets and that are internally fair.

It's hard to decide how much to pay employees, and it's made harder when cities just can't afford to pay the wages they would like to.

AWC produces an annual salary survey that allows city officials to see what comparably-sized cities pay their employees, what benefits they provide, and how much the employer and the employee each pay for those benefits.

Most cities offer a variety of benefits - vacation, sick leave, pensions, insurance benefits (health, dental, vision, disability, life insurance, etc.). Benefits are important to employees and can be costly for the employer. Therefore, the total cost of compensation (including both salary and benefits) should be carefully reviewed.

Public employee pensions

Washington's public pension systems are among the most complex in the nation. While the Department of Retirement Systems (DRS) administers eight different systems, most city and town employees are members of either the Public Employees' Retirement System (PERS) or the Law Enforcement Officers' and Fire Fighters' Retirement System (LEOFF).

In most cases, employers and employees contribute a percentage of employee wages into the appropriate system each month. The rules governing eligibility for membership, when an employee can retire, and how retirement benefits are calculated are extremely complicated and vary widely.

- PERS Plan 1 is a defined benefit plan that provides full pension benefits based on years of service - members are eligible after 30 years of employment.
- PERS Plan 2 is a defined benefit plan that provides full pension benefits after the member reaches age 65.
- LEOFF Plans 1 and 2 are defined benefit plans that provide full pension benefits based on the member's age at retirement. (Employers of LEOFF Plan 1 retirees are also responsible for their lifetime medical costs.)
- PERS Plan 3 is a defined benefit plan that includes a member-funded defined contribution component. Full pension benefits are provided after the member reaches age 65.

Cities and towns also need to be aware that there are strict rules governing the ability to hire employees (or independent contractors) who have retired from one of the state systems. Employers should be cautious and make sure they are following DRS rules and established common law regarding hiring independent contractors, or they could be on the hook for significant financial penalties.

Personnel policies

Personnel policies and procedures constitute the basic “rules of the game” for employer-employee relations. They help to ensure that employees are treated in an equitable and consistent manner and in compliance with legal requirements. Personnel policies and procedures should be regularly reviewed and updated to reflect new legislation and organizational changes.

Current, clearly-written personnel policies help avoid lawsuits, promote consistency, and contribute to employee morale. Failure to follow its own personnel policies is one of the most potentially expensive liability exposures a city can have.

The Fair Labor Standards Act (FLSA) and Washington State overtime law

The laws governing overtime pay are very complicated, and even veteran human resources professionals and payroll staff have a hard time sorting through the various federal and state rules and regulations. Complex, often contradictory court decisions add to the confusion, exposing cities to tremendous liability for back overtime wages.

Generally, the FLSA requires that overtime pay must be paid at a rate of not less than one and one-half times an employee’s regular rate of pay for each hour worked in excess of 40 hours in a week, although there are exceptions. Some employees are exempt from the overtime provisions of the law, in some cases compensatory time may be granted instead of overtime pay, and there are different rules for when overtime is required for police and fire employees.

While many of the provisions of the state overtime law and the FLSA are identical, there are some differences. When there is a difference, the city must comply with the law that is most beneficial to the employee. In addition to overtime, local, state, and federal laws set the minimum hourly wage that employees must be paid. Although the federal minimum wage is \$7.25, the minimum wage in Washington is significantly higher - \$9.47 per hour since January 1, 2015. The state minimum wage is indexed to increase every January based on an increase in the Consumer Price Index (CPI). In years when the CPI decreases, the state minimum wage may remain the same.

It’s very important to keep up-to-date on this ever-changing area of law.

Laws that protect employees from discrimination and unfair practices

A wide range of federal and state laws and regulations govern employment decisions and protect employees from discrimination and other unfair practices and ensure the safety of employees at work. These laws have become increasingly complex, and there are ever more inconsistencies between state and federal regulations. Because city officials generally need more information on this issue than this brief chapter can provide, they should take advantage of the resources listed, and attend training when it is offered.

Resources

Labor Relations Institute, AWC

awcnet.org/DataResources/Resourcesbytopic/TabId/941/PID/2423/CategoryID/96/CategoryName/HRLaborrelations/Default.aspx

Human resources labor relations resources, AWC

awcnet.org/DataResources/Resourcesbytopic/TabId/941/PID/2423/CategoryID/96/CategoryName/HRLaborrelations/Default.aspx

Personnel topic page, MRSC

mrsc.org/Home/Explore-Topics/Personnel.aspx

Hiring the best people

Hiring Procedures topic page, MRSC

mrsc.org/Home/Explore-Topics/Personnel/Beginning-Employment/Hiring-Procedures.aspx

Job Descriptions - sample documents, MRSC

mrsc.org/Home/Research-Tools/Sample-Documents/Job-Descriptions.aspx

Civil service for police and fire

Model Civil Service Rules for Washington State Local Governments, MRSC

mrsc.org/getmedia/0EA044F8-D10F-4EC6-9A37-E2AB0A41B034/m58civserv3.aspx

Washington State Board for Volunteer Fire Fighters and Reserve Officers

bvff.wa.gov

Labor relations

***Basics of Collective Bargaining*, AWC**

awcnet.org/DataResources/Resourcesbytopic/HRLaborRelations/LaborRelationsResources.aspx

CPI Data Summary, compiled by AWC, Bureau of Labor Statistics (BLS)

awcnet.org/DataResources/Resourcesbytopic/TabId/941/ArtMID/2423/ArticleID/997/CPI-data.aspx

Washington State Public Employer Overtime Guide, Summit Law Group for AWC

awcnet.org/DataResources/Resourcesbytopic/HRLaborRelations/LaborRelationsResources.aspx

Washington State Public Employment Relations Commission

perc.wa.gov

Employee salaries and benefits

Employee Benefit Trust, AWC

awcnet.org/HealthBenefits/Benefits.aspx

Salary and Benefit Survey, AWC

awcnet.org/DataResources/resourcesbytopic/SalaryBenefitSurvey.aspx

Washington Department of Retirement Systems (DRS)

drs.wa.gov/

Personnel policies

Personnel Policy Manuals topic page, MRSC

mrsc.org/Home/Explore-Topics/Personnel/Local-Rules-and-Policies/Personnel-Policy-Manuals.aspx

Washington State Public Employer Overtime Guide, AWC

awcnet.org/DataResources/Resourcesbytopic/HRLaborRelations/HRResourcesIssues.aspx

Laws that protect employees from discrimination and unfair practices

ADA Guide for Small Towns, U.S. Department of Justice (DOJ)

ada.gov/smtown.htm

Compliance Assistance - Wages and the Fair Labor Standards Act,

Washington Department of Labor and Industries (LNI)

dol.gov/whd/flsa/

Family and Medical Leave Act (FMLA), U.S. Department of Labor

dol.gov/whd/fmla/

Required Workplace Posters, Washington Department of Labor and Industries (LNI)

lni.wa.gov/FormPub/results.asp?Section=8&SubSection=0&Show=0&Sort=0&DocType=0

Washington State Human Rights Commission

hum.wa.gov/

Know the law

- RCW 49.60 - Washington law against discrimination
- WAC 162-12-140 - Pre-employment Inquiries, Human Rights Commission
- RCW 41.08 - Civil service for fire
- RCW 41.12 - Civil service for police
- RCW 41.56 - Public Employees Collective Bargaining Act (PECBA)
- DOL Fair Labor Standards Act [insert link to dol.gov/whd/flsa](http://dol.gov/whd/flsa)
- RCW 49.46 - WA State Minimum Wage Act
- RCW 49.60 - Washington Law Against Discrimination
- Federal Equal Employment Opportunity Laws, U.S. Equal Employment Opportunity Commission
- The Americans with Disabilities Act (ADA), U.S. Equal Employment Opportunity Commission
- Federal Family & Medical Leave Act, U.S. Dept. of Labor

Chapter 8

Keeping your community safe

Public safety services - including police, fire, courts, prosecution, jails, emergency medical services, and 911 dispatch - represent nearly half of an average city's budget.

Fire and emergency medical services

Service delivery options

A city can provide fire protection and emergency medical services (EMS) in several different ways:

- Establish a municipal fire department under the direction of an appointed fire chief. (See Chapter 7 for civil service requirements related to firefighters.)
- Establish a volunteer fire department under the direction of an appointed fire chief. (See Chapter 7 for workers' compensation and pensions for volunteer firefighters.)
- Annex to a fire district, and transfer a portion of the city's property tax authority and control over service levels, to the fire district.
- Annex to a regional fire service authority, which is created through the merger of fire departments or fire districts and, which, like a fire district, has its own property tax authority.
- Enter into a contractual arrangement with another jurisdiction to provide for all or a portion of fire protection or EMS services:
 - Some cities and towns contract with the fire district (rather than annexing to the district or operating their own department). This option allows cities to maintain control of service levels and budgetary impacts, but may relieve the city of issues such as liability, personnel supervision, and direct costs such as equipment.
 - A city or town can also contract through an interlocal agreement with a neighboring city or town for fire or EMS services or both.
- Participate in an emergency medical services district, which has its own property tax authority.
- Create an ambulance utility (specific requirements apply).

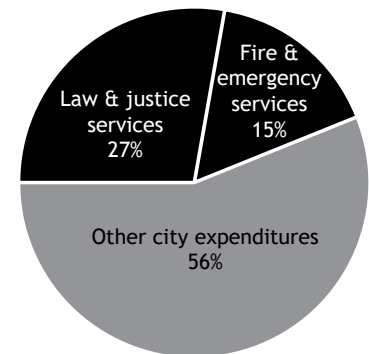
Mutual aid agreements

The Interlocal Cooperation Act authorizes fire departments to contract with other departments to provide mutual fire suppression assistance. Many municipalities enter into such contracts with other cities or fire districts to provide back-up assistance in emergency situations.

For more information on partnership options and interlocal agreements see Working with other entities, Chapter 2.

Cities with one or more full-time paid firefighters must establish a civil service commission to oversee hiring and hear appeals. For information on civil service requirements see Chapter 7.

2014 expenditures for all cities



Police and law enforcement services

The state constitution says that cities may make and enforce within their limits all such local police, sanitary and other regulations as are not in conflict with state laws. The constitution and state law don't mandate the level of law enforcement services but appear to infer that this is the paramount responsibility of cities. This is a policy decision for a city's council.

Once a city determines how it will provide law enforcement services, specific laws on how such services are delivered apply.

Service delivery options

A city can provide law enforcement protection in a number of different ways:

- Establish a municipal police department under the direction of an appointed police chief or marshal.
- Enter into a contractual arrangement with another jurisdiction to provide for all or a portion of law enforcement services.
 - Many cities contract with the county sheriff.
 - A city can also contract with a neighboring city for police services.

The level of service and cost must be negotiated between the jurisdictions.

Cities with more than two full-time police officers must establish a police civil service commission to govern hiring and hear appeals. For information on civil service requirements see Chapter 7.

Mutual aid agreements

The Interlocal Cooperation Act and the Washington Mutual Aid Peace Officers Powers Act authorize a law enforcement agency to contract with any other law enforcement agency to provide mutual assistance. Many small cities enter into such contracts with other cities, the county or the state patrol to provide back-up assistance in emergency situations.

For more information on interlocal agreements see Working with other entities, Chapter 2.

Risk management and liability

Risk management and liability issues related to law enforcement are a significant concern for cities. To reduce liability, many city insurance programs have training programs and have specific requirements, such as procedures for hiring police chiefs.

Courts, prosecution and jails

Each county, city, and town is responsible for the prosecution, adjudication, sentencing, and incarceration of misdemeanor and gross misdemeanor offenses committed by adults in their respective jurisdictions. They can use their own courts, staff, and facilities, or create contracts or interlocal agreements to provide these services.

More than 100 cities run their own courts with elected or appointed judges. Although the city council may appoint the court's judge and determine the court's budget, the judge is responsible for running the court, including supervising court staff, and is not subject to council or executive oversight.

Once a city establishes its own criminal code or municipal court, it may not terminate the municipal court or repeal the criminal code without first entering into an agreement for payment of criminal justice costs with the county or another city.



White Salmon City Hall

Emergency management planning

Local governments have the responsibility to protect the health, safety, and welfare of their citizens, to protect the economic base of the community, and to preserve the environment. The middle of an emergency is the worst time to think about what processes you need to have in place. Instead, proactive mitigation policies and actions can be an investment in the future, creating a safer, more disaster-resilient communities by:

- Protecting public safety and prevent loss of life and injury.
- Reducing harm to existing and future development.
- Preventing damage to a community's unique economic, cultural, and environmental assets.
- Minimizing operational downtime and accelerating recovery of government and business after disasters.
- Reducing the costs of disaster response and recovery and the exposure to risk for first responders.
- Helping accomplish other community objectives, such as leveraging capital improvements, infrastructure protection, open space preservation, and economic resiliency.

Valuable assistance is available from state and federal government agencies, but cities must be aware of guidelines and restrictions in place for accessing that support. To comply with the state comprehensive emergency management plan and program, cities must establish a local organization or join a joint local organization for emergency management. There are also specific federal planning, reporting and training requirements that must be met before cities can qualify for certain federal grants or assistance.

Immediately before, during, and after an emergency, all available resources will be tapped. When local resources aren't enough, a city can use its previously established mutual aid or interlocal agreements with adjoining local jurisdictions, and/or seek help from the State Emergency Management Division.

Declaration of state of emergency

A city's mayor or manager, following the recommendation of the Emergency Management Agency and/or the city Emergency Management Coordinator, can declare a "State of Emergency." Such a declaration provides for extraordinary local powers such as expenditures for emergency assistance to citizens and measures to protect public health, safety, and property and is generally a preliminary step in the process of asking for county/state/federal assistance.

National Flood Insurance Program

Among FEMA's many resources, the National Flood Insurance Program aims to reduce the impact of flooding on private and public structures. It does so by providing affordable insurance to property owners and by encouraging communities to adopt and enforce floodplain management regulations. See resources listing below for more information.



Wapato City Hall

Resources

Basic Firefighter Training, Washington State Patrol - Office of the State Fire Marshal

wsp.wa.gov/fire/basicff1.htm

Emergency Information and Resources, Washington state

access.wa.gov/topics/emergency

Fireworks Regulation in Washington State topic page, MRSC

mrsc.org/Home/Explore-Topics/Public-Safety/Fire-Protection/Fireworks-Regulation.aspx

Local Government Fire Protection Service Providers topic page, MRSC

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Washington Fire Chiefs

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wsema.com

Chapter 9

Public works that work for your public

Public works such as streets, water/sewer systems and parks are so basic that most people take them for granted. When we turn on the shower, drive down the street, or empty the trash, people rarely think about who provided that service. But let just one utility fail - or one utility bill increase - and public attention is suddenly riveted. Yet it's the existence and the reliability of these basic-but-hardly-noticed services that often bring residents and businesses into cities. These are the services that underpin the economy and quality of life, while protecting the environment.

Sorting through state and federal regulations can be overwhelming, and the costs associated with these systems can be daunting. Even the most highly-trained professionals are challenged to keep up on all the new mandates.

Utility services

Many small cities have utility systems, often including water, sewer, storm and surface water management, and garbage/recycling collection. Some operate natural gas, electricity, cable television, and/or broadband services as city utilities as well.

Utilities operate as enterprise funds. This means the revenues collected from that service (such as hookup fees and user fees), must be accounted for within that fund and cannot be commingled with other funds. See Chapter 6 for more information and resources.

Public works partnerships

Cities can choose to provide utility services themselves or through a partnership or contract. Partnerships often provide innovative services, more effective service delivery, cost savings and/or greater efficiency. Cities can contract with the county, another city, a special purpose district or a private company.

Utility maintenance and infrastructure development

Keeping up with the development and maintenance of utilities can be an overwhelming task, but several state agencies and nonprofit organizations are dedicated to helping smaller cities by providing training, technical assistance and funding. Their services can help with rate setting, capital facilities planning, budgeting, grant writing, and small system management plans.

Setting the right rates for your users

The goal of every public utility is to provide customers with uninterrupted, safe, fairly-priced service while balancing the books at the breakeven point or better. Setting rates is crucial, as is periodic reviews and adjustments to those rates.

Cities have broad authority to establish rules and regulations for the operation of utility systems, including the ability to establish rates and to classify different types of customers (business, residential, etc.) who will be charged different rates. Cities rely heavily on user rates, hookup fees or system development charges as the primary funding sources for utility infrastructure improvements.

City leaders should keep in mind that infrastructure costs are rising faster than inflation. This can have devastating effects on those cities that don't index utility rates to an inflator or raise rates every year. Cities should also establish a reserve account for unforeseen emergencies.

Utility billing and collection

If a city has established utilities, the city must bill and collect for services. There are many potential headaches associated with utility billings and collection practices such as delinquent accounts, utility liens, penalties and interest. These topics and others should be spelled out in the city's policies and communicated clearly to those who use these services. State law regulates many of these processes and procedures.

Streets and transportation

State law requires cities to adopt uniform definitions and design standards for streets. These uniform design standards apply to all new construction on major arterial and secondary arterial streets, and to major reconstruction of old streets (as much as is practical).

The revenues to address street construction, repair and maintenance almost always come from a city's general fund. For major construction projects, there are several state grant and low-interest loan programs. However, to get funding from these programs, a city must have a Pavement Management Program.

Sidewalks

When a city fails to keep its sidewalks in a reasonable state of repair, free of dangerous and unsafe conditions, the result can be costly injury claims. Many cities and towns have ordinances, based on one or more of the statutes listed below, that impose the cost of sidewalk repair upon abutting property owners. If a sidewalk is in need of repair, the city asks the abutting property owner to make the repair. If the repair is not made, the city may make the repair and bill the property owner. While these ordinances provide a way to repair and maintain sidewalks, they do not relieve the city from liability if someone is injured due to a dangerous sidewalk.

City and town sidewalk statute summary

Statute	RCW 35.68	RCW 35.69	RCW 35.70
Applicability	All cities or towns	Code cities, 1st & 2nd class cities, or charter cities of equal population	Code cities or 2nd class cities and towns
Improvement type	Construct, reconstruct & repair sidewalks, curbs and gutters	Sidewalk construction & reconstruction less than one block long	Any form of sidewalk construction
Remarks	City may require improvements to be made or accomplish them through contract	City requires improvements to be made and, if not, then accomplishes them through contract	City requires improvements to be made and, if not, then accomplishes them through contract
<p>All three statutes refer to limitations in RCW 35.69.020;</p> <ul style="list-style-type: none"> • An abutting property owner cannot be charged more than 50% of the valuation of his or her property, exclusive of improvements; • An abutting property owner cannot be charged if action by city caused deterioration or damage to the sidewalk, or if the deterioration or damage was caused by failure of the city to enforce its ordinances. 			

Sidewalks are pedestrian facilities that must meet the requirements of the Americans with Disabilities Act (ADA). When a city constructs new sidewalks or streets with sidewalks, or alters a sidewalk or street with sidewalks (“alter” includes repaving, but not pothole patching) the city must ensure that the sidewalks are built or upgraded to ADA standards including appropriate curb ramps.

Snow and ice removal

Cities have the responsibility for control of snow and ice on city streets and sidewalks. Emergency services and routine travel must remain possible, even in bad weather. Snow and ice control programs must take into account safety, budget, personnel, and environmental factors. These tasks can be done by city employees and equipment, and/or by private contractors or through partnerships or service agreements with other local governments.

The city may decide that when snowfall accumulations are less than two inches, focus will be on traction control measures (such as sanding) for ice on the roadways. Plowing typically occurs when snowfall accumulations exceed two inches on the roadway.

The intent of policies and procedures should be to provide for reasonably safe use and passage of vehicles using the city's public street system, and to ensure that emergency service vehicles can travel on city streets, and provide needed access to city facilities. Of course, such policies assume that motorists will drive in a cautious manner, and in a vehicle that is properly equipped, given the prevailing roadway conditions.

Many cities/towns require that owners of each building or vacant property with adjoining sidewalks will clean the sidewalk of snow or ice by noon (or early afternoon) or within 24 hours after snow stops falling.

Transportation planning

Cities are required to prepare and adopt a six-year comprehensive transportation program. These plans are to be adopted after one or more public hearings, and must be filed with the Secretary of the Washington State Department of Transportation (WSDOT) after adoption. These Transportation Improvement Plans (TIPs) must be consistent with the transportation element of the city's comprehensive plan, if there is one.

The Transportation Improvement Plan (TIP) should include proposed road and bridge construction work, other transportation facilities and programs, and new or improved bicycle or pedestrian facilities that promote non-motorized transit. The plan should also describe how a city will preserve railroad rights-of-way if a railroad ceases to operate in its jurisdiction. In addition, a six-year TIP is to set forth those projects and programs of regional significance for inclusion in the transportation improvement program within that region.

All cities and towns are required by state law to update their six-year TIP's annually. In addition to this requirement, a city may also be required to prepare a comprehensive plan, with a transportation element. For more information on comprehensive planning, see Chapter 10.

Parks and recreation

The quality of life in cities is better when families and friends can enjoy a picnic in the park, a swim in a pool, a softball game or a walk on a trail through open space. City parks and recreation opportunities also may include public auditoriums, art museums, and golf courses.

Cities have several choices as to how they offer parks and recreation services. They can:

- Provide the services themselves;
- Partner with another jurisdiction; or
- Create a park district.

Park districts provide a way to finance park programs. This financing method is often used when the people who will use a city's recreational facilities live both in and outside the city.

Planning requirements

The Growth Management Act (GMA) requires the fastest growing counties and the cities within them to plan extensively in order to be consistent with state goals on open space and recreation. The state requirement includes retaining open space, enhancing recreational opportunities, conserving fish and wildlife habitat, increasing access to natural resource lands and water, and developing parks and recreation facilities. See Chapter 10 for more information on the GMA.



Hunts Point Town Hall

Bidding and purchasing

Although bidding and purchasing requirements may sometimes feel like a bureaucratic step that gets in the way of completing a project easily, they were created for good reason. These policies ensure that public contracts are awarded fairly and performed efficiently, at the least cost to the public. These laws also protect the public from the costs of fraud and cronyism.

Every city should have a purchasing system established by council policy and/or ordinance that is:

- Uniform throughout the city;
- Compliant with public works bid laws;
- Used by all departments;
- Addresses the issue of ethical appearances;
- Meets public advertising requirements; and
- Meets public bid opening requirements.

	Prevailing wages apply	Bid limits apply
Services		
Purchased services	No	No
Personal services	No	No
Professional services	No	No
Ordinary maintenance (by agency forces)	No	No
Public works		
Public works	Yes	Yes
Maintenance when performed by contract	Yes	Yes
<i>RCW 39.04.010 defines a public work project as “all work, construction, alteration, repair or improvement other than ordinary maintenance, executed at the cost of the state or of any municipality...” The implication is that maintenance activities that are not “ordinary” are subject to bid limits, and then, if contracted, to prevailing wages.</i>		

When to go out to bid

It is important to know when a city must have a competitive bidding process on a project and a uniform procurement system. Competitive bidding is determined by a number of factors - including the type of purchase, the city’s classification, and in some cases, the city’s population. A city doesn’t have to use a competitive bid process for everything, but must when it is required by statute, local charter provision or local ordinance.

Consulting services

Competitive bids are generally not required for services, including professional engineers, land surveyors, architects, etc. These services should be selected on the basis of qualifications. A city needs to recruit consultants through:

- An announcement for each project; or
- A consultant roster.

Other services

Services - such as ongoing computer support, landscaping and janitorial contracts - are not public works activities and do not require that a city follow competitive bid laws. This does not mean the city does not need to follow other statutory provisions that may apply to a particular kind of service. For example, even though janitorial contracts are a service, prevailing wages apply to these contracts.

Equipment, materials and supply purchases

This category includes supplies, materials, and equipment that are for general purposes only. Examples include office supplies, equipment and vehicles. Phone system hardware is an example of an equipment purchase, but a telephone system that requires installation of cable, conduits, and other devices may fall within the definition of a public work.

Purchases of supplies, materials, and equipment below a minimum dollar amount of \$7,500 (bid limit or threshold) are subject only to city policies. Above this threshold, a city must either use a vendor list procedure or seek open and competitive bids. Small cities can use a vendor list process to purchase equipment, materials, and supplies that are not for public work or improvement. The vendor list process may be used to secure telephone or written quotes for purchases up to \$15,000. The city must also advertise in the city newspaper at least twice a year that the vendor list exists. If a city uses vendor lists, it must make a list of awarded contracts available to the public at least every two months.

Technology equipment purchases

Cities may use “competitive negotiation” in lieu of a competitive bid process for telecommunications, computer equipment or software. This alternate process requires that the city must:

- Provide procedures for technical evaluation of the proposals, identification of qualified sources, and the selection process for awarding the contract.
- Award the contract to the qualified bidder whose proposal is “most advantageous.”

Public works and maintenance

All public works - including maintenance when performed by contract - must comply with bid laws and prevailing wages laws. This includes “work, construction, alteration, repair or improvement other than ordinary maintenance.”

What is ordinary maintenance? Within the context of prevailing wages this defined as:

- Work not performed by contract;
- Work performed on a regularly scheduled basis;
- Work to service, check for or replace items as necessary;
- Other work to maintain the asset; and
- Public works.

When maintenance is performed by city staff it is not public works and is therefore not subject to either bid laws or prevailing wages. Contracted ordinary maintenance is considered a public works project and is subject to both bid laws and prevailing wages.

Uniform exemptions for public works and equipment, supplies and material purchases

If a city wants to use these exemptions, council must adopt a resolution at the time of contracting or have written policies outlining the following exemptions:

- Purchases that are clearly and legitimately limited to a single source of supply
- Purchases involving special facilities or market conditions
- Purchases in the event of emergency
- Purchases of insurance or bonds
- Public works contracts in the event of an emergency

If written policies are used to waive competitive bidding requirements, the contract and a factual basis for the exception must be recorded and open to the public as soon as the contract is awarded.

Public works bid limits

When deciding whether a project is under or over bid limits, estimated project costs:

- Must include all construction related work, but not engineering/ architectural design fees;
- Must include all phases of the project;
- Should include applicable sales and use taxes;
- Must not include donated labor, materials, supplies, etc.; and
- Must be based on competitive bid basis.

Legislation approved in 2009 (ESHB 1847) modified public works bid limits thresholds for cities, counties, universities and colleges, sewer and water districts, public hospital districts, fire districts and metropolitan parks districts. For cities, there are now effectively two categories as indicated in the table below.

	Single trade limit	Multiple trade limit
First class cities >150,000 (Seattle, Spokane, Tacoma, Vancouver)	\$45,000	\$90,000
First class cities <150,000 (Aberdeen, Bellingham, Bremerton, Everett, Richland, Yakima)	\$45,000	\$90,000
Code cities >20,000	\$40,000	\$65,000
Code cities <20,000, Second class cities & towns	\$40,000	\$65,000

If the estimated project cost is below these bid limits, the city can choose to construct the project through:

- Use of agency crews;
- Interlocal agreement with another jurisdiction; and
- Contract with private contractor.

	Bid advertisement required	Formal public bid opening required	Bidding open to
Bids: \$300,000 and over	Yes	Yes	All licensed contractors
Informal bids: Bid limits to \$300,000 (if Small Works Roster is used)	No	No	Licensed contractors on Small Works Roster
Quotes: Below bid limits	No	No	Selected licensed contractors

Small works rosters

Small works rosters are a streamlined bid process for public works projects anticipated to cost up to \$300,000. Otherwise, public work projects require a formal competitive bid process, unless the estimated cost is below the bid limits.

A city may create a single general small works roster (SWR), create a small works roster for different specialties or categories of anticipated work, and make distinctions between contractors based upon different geographic areas served by the contractor. The city must first pass a resolution or ordinance authorizing use of the SWR process and establish procedures.

Advantages of a small works roster for a city include:

- Only contractors who meet mandatory bidder criteria are placed on the roster
- More manageable number of bidders
- Greater certainty of interested bidders
- Simpler solicitation
- Possibility for streamlined award and contract administration
- Opportunity to automate

A city needs to advertise at least once a year in an area newspaper for contractors to be included in the small works roster. The advertisement must contain notice of the existence of the roster, solicitation of contractors and note that responsible contractors are to be added at any time that they submit a written request and necessary records.

A city has an option of joining a roster service provider who will maintain their roster. For example, MRSC Rosters is a shared small public works and consultant roster online database for Washington cities to join. MRSC Rosters posts the annual legal notice on behalf of all participating agencies and maintains the roster.

Funding for public works: planning for the long term

Infrastructure projects are expensive, to say the least. A city should think strategically about how to manage infrastructure costs over the long term. To do this, city officials shouldn't hesitate to ask for help and advice from those who have a deep knowledge of laws, best practices, available grants, and success stories from similar cities.

See Chapter 6 for information on grant and low-interest loan opportunities and for long-range financial planning.

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Environmental Protection Agency (EPA)

epa.gov/dwcapacity/asset-management-resources-small-drinking-water-systems-0

Intergovernmental Cooperation in Public Works topic page, MRSC

mrsc.org/Home/Explore-Topics/Public-Works/Operation-and-Maintenance/Intergovernmental-Cooperation-in-Public-Works.aspx

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mrsc.org/getmedia/D4B59FB8-1A3C-47F1-A7F1-02CE2CD1B0EE/ncg13.aspx

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Utility maintenance and infrastructure development

Evergreen Rural Water of Washington

erwow.org

Infrastructure Assistance Coordinating Council (IACC)

infracunding.wa.gov/

Rural Community Assistance Corporation (RCAC)

infracunding.wa.gov/

Sewer Utilities topic page, MRSC

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Washington Department of Health (DOH)

doh.wa.gov

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Public Works Board (PWB)

pwb.wa.gov

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tib.wa.gov/grants/smallcity/SCAP.cfm

Selecting a Preventive Maintenance Treatment for Flexible Pavements,

Washington State Department of Transportation (WSDOT)

wsdot.wa.gov/NR/rdonlyres/F27BCD0A-793C-48EF-A795-6C57136C4437/0/PavementPreservation.pdf

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mrsc.org/Home/Explore-Topics/Parks-and-Recreation.aspx

Parks, Open Space and Recreation, Department of Commerce

commerce.wa.gov/Services/localgovernment/GrowthManagement/Growth-Management-Planning-Topics/Pages/Parks-Open-Space-and-Recreation.aspx

Washington Recreation and Parks Association (WRPA)

wrpatoday.org

Washington State Recreation and Conservation Office

rco.wa.gov

Funding for public works: planning for the long term

Bidding and Awarding a Public Contract, MRSC

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- RCW 35.67 - Sewerage systems - refuse collection and disposal
- RCW 35.91 - Municipal Water & Sewer Facilities Act
- RCW 35.92 - Municipal utilities - water, electricity, natural gas
- RCW 36.94 - Sewerage, water, and drainage systems (counties)
- RCW 57 - Water-sewer districts
- Rules and regulation, DOH
- Local Agency Guidelines (LAG) Manual - wsdot.wa.gov/publications/manuals/fulltext/M36-63/LAG.pdf
- RCW 35.68 - Sidewalks, gutter, curbs and driveways - all cities and towns
- RCW 35.69 - Construction, reconstruction in first and second class cities
- RCW 35.70 - Sidewalks, construction in second class cities and towns
- RCW 35.77.010 - Transportation Improvement Plan
- RCW 36.70A.070(6) - Comprehensive Transportation Plan - Growth Management Act
- RCW 35.21.020 - Power to acquire
- RCW 39.34 - Interlocal Cooperation Act
- RCW 36.70A.020 (9) and RCW 36.70A.070 (8) - Growth Management Act
- RCW 39 - Public contracts & indebtedness
- RCW 39.12 - Prevailing wages
- RCW 39.80 - Selection of professional engineers, land surveyors, architects and landscape architects
- RCW 35.21.156 - Solid waste, contracts with vendors, vendor selection procedures
- RCW 35.23.352 - Bid Law for code cities under 20,000 in population, second class cities and towns.
- RCW 35A.40.210 - Cross reference for code cities bidding requirements
- RCW 39.04.010 - Public works definitions
- RCW 39.04.155 - Small works roster - contract procedures
- RCW 39.04.190 - Vendor list for small city purchases
- RCW 39.04.220 - Bidding requirements for lease with option to purchase
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Chapter 10

Comprehensive planning, growth management and environmental protection

The combination of comprehensive planning, growth management and environmental protection are areas that can require not just one expert, but many. The level of complexity - and continuing changes in the law - can be a leading cause of disconnect at city hall.

Nonetheless, the underlying ideas are simple: A city needs to plan for growth if they intend to protect the environment and leave healthy communities for their children, and grandchildren. And the planning process can be a powerful way to clarify community values, needs and goals. A comprehensive plan expresses a community's vision, and is the blueprint for all subsequent land use activity.

Developing, implementing and updating a comprehensive plan are great opportunities to:

- Create a vision - know what the community should look and be like in the future;
- Have a roadmap - guide growth and development toward the vision; and
- Achieve goals - attain the community's vision and desired future.

The goals of a comprehensive plan are implemented through regulatory ordinances. These are collectively known as "development regulations" and include zoning codes, subdivision codes, building and health codes, environmental codes, and others that make up the planning and regulatory framework of the community.

Local codes can include incentives that stimulate the kind of growth desired, including such options as local property tax incentives or density bonuses for projects that carry out habitat restoration or provide affordable housing, such as the multi-family housing tax exemption, conservation district property tax exemptions, or density bonuses.

There is assistance from state agencies and other experts to help a city and its citizens understand what needs to be done.

“The good news is we’ve been found. The bad news is, we’ve been found.”

Small City Roundups

The Growth Management Act

In 1990 the Washington State Legislature declared that “uncoordinated and unplanned growth, together with a lack of common goals...pose a threat to the environment, sustainable economic development, and the health, safety, and high quality of life enjoyed by residents of this state” and that “it is in the public interest that citizens, communities, local governments, and the private sector cooperate and coordinate with one another in comprehensive land use planning.” This is the foundation for the Growth Management Act (GMA).

The GMA specifies that all cities (and counties) in Washington must, at a minimum:

- Designate and protect five types of critical areas, such as wetlands and frequently flooded areas;
- Counties must designate farm lands, forest lands, and other natural resource areas; and
- Both cities and counties must ensure that new residential subdivisions have appropriate provisions for public services and facilities, and obtain proof of potable water prior to issuance of a building permit.

Comprehensive planning requirements

While Washington cities and counties have prepared comprehensive plans for many years, the GMA establishes the comprehensive plan as the starting point for any planning process, and the centerpiece of local planning.

Who must plan?

In addition to the three minimum requirements noted above, 29 counties and the cities therein, comprising about 95% of the state’s population, are required (or have chosen to) create plans that conform to the GMA. The GMA specifies the elements and goals of a comprehensive plan and additional criteria for the jurisdictions covered by the law. This includes approximately 112 cities with 5,000 or fewer in population.

The remaining ten counties (and the cities within them) are required to plan only for critical areas and natural resource lands. This includes approximately 57 cities with 5,000 or fewer in population.

GMA goals

The GMA requires that growth plans and regulations in the 29 counties and the cities within them be guided by the following 14 goals (summarized):

- Sprawl reduction
- Affordable housing
- Open space and recreation
- Environmental protection
- Natural resource industries
- Permit processing
- Early and continuous public participation
- Concentrated urban growth
- Economic development
- Regional transportation
- Property rights
- Historic lands and buildings
- Public facilities and services
- Shoreline management

Comprehensive plan elements

The GMA provides a framework for regional coordination. Counties that plan in conformance with the GMA are required to adopt countywide planning policies to coordinate with their cities as they create and adopt their comprehensive plans. Counties are also required to establish urban growth areas (UGAs), which delineate those areas which will eventually be annexed into cities.

Local - both city and county - comprehensive plans must include the following elements: land use, housing, capital facilities, utilities, and transportation. Counties must also include a plan to protect rural areas. Shoreline protection policies are also an element of local comprehensive plans. Although parks and recreation and economic development elements are not required until adequate state funding is provided, some jurisdictions have chosen to include them in their comprehensive plans.

Key requirements of comprehensive planning

While there are many requirements for cities in developing their comprehensive plans, cities should always keep in mind the following priorities:

- Comprehensive plans will be measured against the goals and requirements of the GMA.
- Comprehensive plans must comply with countywide planning policies.
- Development regulations must be consistent with comprehensive plans.
- Individual elements of comprehensive plans need to be consistent with each other.
- Comprehensive plans must be consistent with the comprehensive plans of adjacent jurisdictions.
- Developments (both private and public) must be measured for consistency with the comprehensive plan.

Comprehensive plan updates

The GMA requires that each fully planning city and county in Washington periodically review and, if necessary, revise its comprehensive plan and development regulations to ensure that they comply with the GMA. In addition to comprehensive plan amendments that are adopted annually by many jurisdictions, communities must conduct a review of the comprehensive plan and development regulations every seven years. All counties and cities, including those not fully planning under the GMA, are required to review and, if necessary, amend their policies and development regulations regarding critical areas and natural resource lands.

Under the GMA, a schedule is set for updates to comprehensive plans and development regulations.

Land use liability

Land use is a complicated area with broad procedural requirements and overlapping state and federal statutory requirements. As a result, it is a frequent source of legal challenges.

Critical areas

In 1995 the GMA was amended to require counties and cities to include the “best available science” in developing policies and development regulations to protect critical areas. All counties and cities in the state are required to review, evaluate, and, if necessary, revise their critical areas ordinances according to a schedule established by the Legislature and approved by the Governor. The update timelines for critical areas are tied to Comprehensive Plan update schedules and can be found in the Comprehensive Plan schedules noted as a resource on the previous page.

Department of Commerce has developed a technical assistance tool to help small communities implement their Critical Areas Ordinances (CAO), called the Small Communities Critical Areas Ordinance Implementation Guidebook. This document recommends simple procedures and includes references to sources of information, descriptions of permitting processes, examples of common permitting scenarios, and some useful checklists and public information brochures that can be customized for use in small communities.

Development regulations and regulatory reform

Local plans and development regulations must also conform to such environmental laws as the State Environmental Policy Act (SEPA) and the Shoreline Management Act (SMA).

The Regulatory Reform Act was passed in 1995 to improve how project permits are processed and issued in Washington. This law is an attempt to simplify and integrate various state land use and environmental regulations. All of the legislation’s requirements apply to cities and counties planning fully under the GMA, while only some apply to non-fully planning cities and counties. The most important provisions require coordination and consolidation of the local permit process with SEPA, and streamlining the local permit process. Cities and counties fully planning under the GMA must have an integrated and consolidated project permit process that includes certain time limits for permit processing. More information about the Regulatory Reform Act can be found in Chapter 3 of COM’s *Short Course Manual* on planning, which is available on COM’s Growth Management website.

State Environmental Policy Act (SEPA)

The State Environmental Policy Act (SEPA), enacted in 1971 requires that a city identify possible environmental impacts that may result from governmental decisions such as issuing permits for private projects, constructing public facilities, or adopting regulations, policies or plans.

Information provided during the SEPA review process helps agency decision makers, applicants, and the public understand how a proposal will affect the environment. This information can be used to change a proposal to reduce likely impacts, or to condition or deny a proposal when adverse environmental impacts are identified.

SEPA applies to decisions by every state and local government agency within Washington. One agency is usually identified as the “lead agency” for a specific proposal. The lead agency for most private projects will be the city or county where the project is located. For public projects, the lead agency will be the agency proposing the project.

A SEPA environmental review is usually initiated when:

- An application is submitted to an agency for a license to construct a private project, such as an office building, a grocery store, or an apartment building;
- An agency is considering construction of a public project, such as a new school, a highway, or a water pipeline; or
- An agency is developing a regulation, policy, or plan, such as a county or city comprehensive plan, a critical area ordinance, or a state water quality regulation.

Stormwater

Under federal and state laws 103 cities across the state are required to manage stormwater as required by municipal stormwater permits administered by the Department of Ecology. These cities are in Washington’s 14 census defined urban areas. (The list of cities is available from the Department of Ecology.)

Stormwater is rain water and snow melt that runs off surfaces such as rooftops, paved streets, highways, and parking lots. As stormwater runs off these surfaces, it picks up pollution such as oil, fertilizers, pesticides, pet waste, and trash and carries this pollution into our lakes, streams, rivers, and bays. Polluted runoff that goes into a storm drain is usually not treated and winds up in our downstream waters.

In simple terms, the municipal stormwater permits require operators of municipal separate storm sewer systems (MS4s) to develop and implement a stormwater management program that:

- Reduces the discharge of pollutants to the “maximum extent practicable;”
- Protects water quality; and
- Involves planning, public education and involvement, illicit discharge detection programs, and passing appropriate ordinances to reduce stormwater pollution.

Shoreline Management Act (SMA)

Washington’s Shoreline Management Act (SMA) which applies to all 39 counties and more than 200 cities that are located on a state shoreline, was passed by the Legislature in 1971 and adopted by the public in a 1972 referendum. The goal of the SMA is “to prevent the inherent harm in an uncoordinated and piecemeal development of the state’s shorelines.” The Act establishes a broad policy giving preference to uses that:

- Protect the quality of water and the natural environment;
- Depend on proximity to the shoreline (“water-dependent uses”); and
- Preserve and enhance public access or increase recreational opportunities for the public along shorelines.

The SMA is administered through a partnership between local governments and the Department of Ecology (DOE). The partnership provides that:

- Cities and counties develop shoreline master programs that regulate development along larger streams, lakes, and marine waters;
- The DOE provides technical assistance, and reviews local programs and permitting decisions; and
- The Act places a strong emphasis on public participation in developing local shoreline programs and in the local permit process.

DOE’s adoption of new shoreline master program (SMP) guidelines in 2003 initiated a new generation of shoreline planning in Washington, establishing a new schedule for updating SMPs and a biennial appropriation to help fund local SMP development.

Endangered Species Act

The Endangered Species Act (ESA) is a federal statute designed to protect endangered and threatened fish, wildlife and plant species and the ecosystems upon which they depend. The ESA is administered by the National Marine Fisheries Service (NOAA Fisheries) when the affected species are marine and anadromous (i.e. salmonid), and the United States Fish and Wildlife Service (USFWS) when the affected species live on land or in freshwater.

The ESA provides a variety of mechanisms for saving species threatened with extinction. One widely used tool is the “Habitat Conservation Plan,” which offers protection to landowners in exchange for an agreement to manage land in a way that minimizes impacts to listed species. Another mechanism is the adoption of protective regulations, commonly called the “4(d) rules,” named after a section in the ESA. The June 2000 4(d) rule adopted by NOAA prohibits “take” of salmon and steelhead listed as threatened under the Endangered Species Act (ESA) except in cases where the take is associated with an approved program that comes under one of the limits in the 4(d) rule. One of those programs is for the restoration of salmon habitat, if done under an approved plan. Projects that implement the salmon recovery plans produced by salmon recovery regional organizations meet the criteria for coverage under the 4(d) rule. Many cities are members of such regional organizations and are developing recovery plans.

In Washington, the listings of salmon, steelhead, and bull trout have focused attention on the ESA, although other species in the state, such as the northern spotted owl and western pond turtle, also have been listed as “endangered” or “threatened.”

Resources

Building Climate Resilient Cities Guidebook, ICLEI

icleiusa.org/wp-content/uploads/2015/06/Building-Resilient-Cities_FINAL.pdf

Growth Management Services, Department of Commerce

commerce.wa.gov/Services/localgovernment/GrowthManagement/Pages/default.aspx

Growth Management Services - Technical Assistance Regions,

Department of Commerce

commerce.wa.gov/Documents/GMS-TA-Region-Map-Final2sidedweb.pdf

Comprehensive planning requirements

Comprehensive Planning and Growth Management topic page, MRSC

mrsc.org/Home/Explore-Topics/Planning/General-Planning-and-Growth-Management/Comprehensive-Planning-Growth-Management.aspx

GMA Comp Plan Conversation Starters, AWC

awcnet.org/ResourcesResearch/GMACompPlanConversationStarters.aspx

Growth Management Laws and Rules, Department of Commerce

commerce.wa.gov/Services/localgovernment/GrowthManagement/Pages/LawsRules.aspx

Critical areas

Critical Areas and Best Available Science, Department of Commerce

commerce.wa.gov/Services/localgovernment/GrowthManagement/Growth-Management-Planning-Topics/Critical-Areas-and-Best-Available-Science

Critical Areas Ordinance Implementation Guidebook for Small Cities, MRSC

commerce.wa.gov/Documents/GMS-Small-Communities-Critical-Area-Ordinance-Implementation.pdf

Critical Areas topic page, MRSC

mrsc.org/Home/Explore-Topics/Environment/Critical-Areas-and-Species/Critical-Areas.aspx

State Agency Resources for Local Governments Updating Critical Areas Ordinances, Department of Commerce

commerce.wa.gov/Documents/GMS-Periodic-Update-CAO-Resources-from-State-Agencies-2009.pdf

Development regulations and regulatory reform

Growth Management Hearings Board

gmhb.wa.gov

Periodic Update Process for Comprehensive Plans and Development Regulations topic page, MRSC

mrsc.org/Home/Explore-Topics/Planning/General-Planning-and-Growth-Management/GMA-Plan-Development-Regulations-Updates.aspx

Short Course on Local Planning, Department of Commerce
commerce.wa.gov/Services/localgovernment/GrowthManagement/Short-Course-on-Local-Planning/Pages/default.aspx

Small Communities Critical Areas Ordinance Implementation Guidebook,
Department of Commerce
commerce.wa.gov/Documents/GMS-Small-Communities-Critical-Area-Ordinance-Implementation.pdf

State Environmental Policy Act (SEPA)

SEPA and the Promise of the GMA, Department of Commerce
commerce.wa.gov/Documents/GMS-SEPA-Promise-GMA.pdf

State Environmental Policy Act (SEPA), Department of Commerce
commerce.wa.gov/Services/localgovernment/GrowthManagement/Growth-Management-Planning-Topics/Pages/State-Environmental-Policy-Act.aspx

State Environmental Policy Act (SEPA), Department of Ecology
ecy.wa.gov/programs/sea/sepa/e-review.html

State Environmental Policy Act (SEPA) topic page, MRSC
mrsc.org/Home/Explore-Topics/Environment/Environmental-Laws/State-Environmental-Policy-Act.aspx

Shoreline Management Act (SMA)

Shorelands and Environmental Assistance, Department of Ecology
ecy.wa.gov/programs/sea/shorelan.html

Shoreline Management, Department of Ecology
ecy.wa.gov/programs/sea/sma/st_guide/intro.html

Shoreline Master Programs, Department of Ecology
ecy.wa.gov/programs/sea/shorelines/smp/index.html

Who's Covered Under the Municipal Stormwater Permits, Department of Ecology
ecy.wa.gov/programs/wq/stormwater/municipal/MuniStrmWtrPermList.html

Endangered Species Act (ESA)

Citizen's Guide to the 4(d) Rule for Threatened Salmon and Steelhead on the West Coast, National Oceanic and Atmospheric Administration
nwr.noaa.gov/1salmon/salmesa/4ddocs/citguide.htm

Endangered Species, U.S. Department of Fish and Wildlife
fws.gov/endangered/

Governor's Salmon Recovery Office
rco.wa.gov/salmon_recovery/gsro.shtml

Salmon Recovery and Restoration, Washington Department of Fish and Wildlife (DFW)
fortress.wa.gov/dfw/score/score/recovery/recovery.jsp

Know the law

- RCW 36.70A - Growth management
- RCW 35.63 - Planning commissions
- RCW 35A.63 - Planning and zoning in code cities
- RCW 36.70 - Planning Enabling Act (counties)
- RCW 36.70A - Growth Management
- RCW 36.70A.130(4) & (5) - Comprehensive plans - Review procedures and schedules - Amendments
- WAC 365-195 - Growth management act - Procedural criteria for adopting comprehensive plans and development regulations
- RCW 36.70B - Local project review (Regulatory Reform Act)
- RCW 36.70C - Judicial review of land use decisions
- RCW 90.58 - Shoreline Management Act of 1971
- RCW 90.58.080 - Timetable for local governments to develop or amend master programs
- WAC 173-26 - State master program approval/amendment procedures and master program guidelines
- WAC 173-27 - Shoreline management permit and enforcement procedures
- WAC 173-18 - Shoreline management act - streams and rivers constituting shorelines of the state
- WAC 173-20 - Shoreline management act - lakes constituting shorelines of the state
- WAC 173-22 - Adoption of designations of shorelands and wetlands associated with shorelines of the state
- ESA, 16 U.S.C. 1531 et seq. or Endangered Species Act, National Marine Fisheries Service
- ESA 4(d) Rules for Pacific Salmon (Protective Regulations), National Marine Fisheries Service, Northwest Regional Office
- Selected Court Decisions regarding ESA, ESA Salmon - Laws, court decisions, and regulations, Environment webpage, MRSC
- ESA Section 4 Regulations, 50 CFR Part 424 - Listing endangered and threatened species and designating critical habitat (pdf)
- ESA Section 7 Regulations, 50 CFR Part 402 - Interagency cooperation (pdf)
- ESA Section 10 Regulations, 50 CFR Part 222 - General endangered and threatened marine species (pdf)

Index of resources

Publications

ADA Guide for Small Towns - This guide presents an informal overview of some basic ADA requirements and provides cost-effective tips on how small towns can comply with the ADA. 2007, USDOJ, ada.gov/smtown.htm

Annexation by Washington Cities and Towns - Addresses the general topic of municipal annexation and provides assistance with the statutory procedures for annexation as well as some recurring legal questions. June 2014, MRSC, mrsc.org/getmedia/f7797a3e-d87b-4875-b70a-229a082d7ef3/annex14.pdf.aspx

Appearance of Fairness Doctrine in Washington State - Provides an overview of the appearance of fairness statute, Ch. 42.36 RCW, including suggestions for assuring compliance with the law. Contains a section on commonly asked questions, and a summary of cases. April 2011, MRSC, mrsc.org/getmedia/04AE5092-48DF-4964-91D7-2A9D87CB2B7C/afd11.aspx

Asset Management: A Handbook for Small Water Systems - This guide is designed for owners and operators of small community water systems and presents basic concepts of asset management and provides the tools to develop an asset management plan. 2003, EPA, env.nm.gov/dwb/assistance/documents/Item35-43_EPAguide_smallsystems_asset_mgmnt.pdf

Auditing Resources - General information from the Washington State Auditor's Office on types of audits, audit protocols and audit process. SAO, sao.wa.gov/resources/Pages/GeneralResources.aspx

City Bidding Book - Washington State - This publication is intended to familiarize officials with: (1) competitive bidding requirements; (2) the recommended bidding procedures for the contracting of public works and improvements; and (3) public purchasing procedures. July 2017, MRSC, mrsc.org/getmedia/5f218416-8d03-4ab2-b1af-eb86e42b3e87/CityBiddingBook.pdf.aspx?ext=.pdf

Budgeting, Accounting and Reporting System (BARS) manual - BARS Manuals prescribe accounting, budgeting and reporting requirements for all local governments. Manuals include the prescribed uniform charts of accounts, accounting and budgeting policies, guidance for preparation of financial statements and instructions for preparation of supplemental schedules required by the State Auditor's Office. SAO, sao.wa.gov/local/Pages/BarsManual.aspx#.VxZ0I032aUk

Budgeting for Cities and Towns in Washington State - Governmental budgeting is about allocating scarce resources across a variety of community needs. This publication attempts to cover both the basics of city budgets and provide a look at some of the innovations. 2002, AWC/WFOA, awcnet.org/Portals/0/Documents/publications/budgetworkbook10web.pdf

Code City Handbook - Provides essential information for code city officials and incites their powers, duties, and alternatives that are available under the applicable forms of municipal government. 2009, MRSC, mrsc.org/getmedia/F96B74AB-A955-44BE-8DB2-8FBCE16075EA/cch2009.aspx

Critical Areas Assistance Handbook - This document recommends simple procedures and includes references to sources of information, descriptions of permitting processes, examples of common permitting scenarios, and some useful checklists and public information brochures that can be customized for use in small communities. 2007, COM, commerce.wa.gov/wp-content/uploads/2016/08/gms-ca-handbook-critareas-2007.pdf

Directory of Washington City & Town Officials - Provides a listing of the names of key county officials, addresses and phone numbers and county statistics. Publication is updated every year. Includes member listings for several associations. MRSC, mrsc.org/Home/Research-Tools/Washington-City-and-Town-Profiles.aspx, mrsc.org/getdoc/0c37b449-6169-4f30-a034-c9cf615e4a97/Washington-City-Town-Officials-Mobile-App.aspx

Elected Officials Guide to Emergency Management - This guide is designed to provide Chief Elected Officials (CEOs) and their department heads with an overview of emergency management roles, responsibilities, and operations. It highlights the critical roles for which CEOs, as chief executives, are responsible. February 2003, EMD, mrsc.org/Corporate/media/MediaLibrary/SampleDocuments/ArtDocMisc/em101offguide.pdf

AWC Elected Officials' Road Map - Now that you are a city elected official, your work has just begun. 2016, AWC, awcnet.org/Portals/0/Documents/Publications/EORoadMap.pdf

continued

Forming Successful Partnerships: A practical guide for local government - This resource lays a roadmap for forming potential partnerships, along with examples of existing successful partnerships in Washington State. 2006, AWC, awcnet.org/Portals/0/Documents/Publications/PartnershipHandbook.pdf

Getting Into Office: Being Elected or Appointed into Office in Washington Counties, Cities, and Towns - This publication addresses issues relating to: qualifying and running for elective office in cities, towns, and counties; assuming office vacancies in office; and appointments to fill vacancies. November 2015, MRSC, mrsc.org/getmedia/865d9de0-1ee5-45ac-8f82-0b4b773d0a79/GettingIntoOffice.pdf.aspx?ext=.pdf

A Guide to Strategic Planning for Rural Communities - This guidebook will help you create a vision of what you want your community to be like in the future; identify things that are preventing change and opportunities to move forward; and help you determine what actions are needed to make your vision a reality. 1998, USDA, communitiescommittee.org/pdfs/strategic.pdf

Habitat Conservation Planning Handbook - HCPs reduce conflicts between listed species and economic use or development activities, allowing for the development of “creative partnerships” between the public and private sector which make the process work for both landowners and species. 1998, USFWS, fws.gov/endangered/what-we-do/hcp_handbook-chapters.html

Hiring and Keeping Police Officers - This publication presents findings of a study that examined the recent experiences of police agencies nationwide in hiring and retaining sworn officers. 2004, NIJ, nccpsafety.org/assets/files/library/Hiring_and_Keeping_Police_Officers.pdf

Initiative and Referendum Powers for Washington City & Charter Counties Guide - This publication provides an overview of the state and local level to directly exercise authority to enact and repeal law through initiative and referendum. April 2015, MRSC, mrsc.org/getmedia/18593ba0-fa89-4776-84dc-3dcab86b3449/initiativereferendumguide.pdf.aspx?ext=.pdf

IRS Taxable Fringe Benefits Guide - Provides an understanding of which employee fringe benefits related to travel and non-travel issues are taxable and reportable under the Internal Revenue Code, regulations, and procedures. (e.g. uniform allowances, employer provided vehicles). 2017, IRS, irs.gov/pub/irs-pdf/p15b.pdf

Knowing the Territory - Describes the nature, powers and duties of municipal officials for “keeping out of trouble,” discusses limitations, regulations, and admonitions regarding the exercise of governmental powers, including conflicts of interest law, the open public meetings act, appearance of fairness doctrine and similar laws. It points out immunities and protections. October 2017, MRSC, mrsc.org/getmedia/1e641718-94a0-408b-b9d9-42b2e1d8180d/ktt15.pdf.aspx?ext=.pdf

Local Debt Limitations Primer - Calculating Debt Capacity: How and Why - Provides information on what the limitations the state imposes on local governments borrowing power. May 2014, COM, commerce.wa.gov/about-us/research-services/bond-users-clearinghouse/local-debt-limitations-primer

Local Government Policy-Making Process - This publication provides an overview of the local government policy-making process. It is written from a practical standpoint and is intended to provide the reader with a better understanding of the roles and responsibilities of legislators as policy-makers. October 2017, MRSC, mrsc.org/getmedia/E46223B6-F3AC-4AFB-B7D9-B2362EDF6890/policyprocess.aspx

Local Ordinances for Washington Cities and Counties - A comprehensive discussion of adoption procedures, including information on publication requirements. September 2015, MRSC, mrsc.org/getmedia/44e20d0f-a536-473f-baac-bd7504323330/localords.pdf.aspx?ext=.pdf

Mayor and Councilmember Handbook - This handbook is intended to serve as a guide for mayors in Washington cities and towns operating under the mayor-council form of government. There are also materials on issues which directly concern mayors in council-manager cities and all mayor pro tems: presiding over council meetings, conducting public hearings, etc. November 2017, AWC/MRSC, awcnet.org/Portals/0/Documents/Publications/MayorCouncilmemberHandbook.pdf

continued

The New City Guide - This publication is designed to assist newly incorporating cities with the complicated process of establishing a functioning and viable municipal government. March 2013, MRSC, mrsc.org/getmedia/D4B59FB8-1A3C-47F1-A7F1-02CE2CD1B0EE/ncg13.aspx

Open Public Meetings Act: How it Applies to Washington Cities, Counties and Special Purpose Districts - Covers who is subject to the Act, procedural requirements, executive sessions, exemptions, and penalties, and identifies relevant case law and attorney general opinions. November 2016, MRSC, mrsc.org/getmedia/275E74FC-9D43-4868-8987-A626AD2CEA9F/opma14.aspx

Operation: Strong Cities Pocket Guide - Supports member efforts to secure a strong city-state partnership by engaging with legislators, communicating with community members and working with the media. November 2015, AWC, awcnet.org/Portals/0/Documents/Legislative/PocketGuide3Web.pdf

Public Records Act for Washington Cities, Counties and Special Purpose Districts - This publication discusses all of the statutory disclosure exemptions which are relevant to local governments, as well as the mandatory procedures for responding to a public records disclosure request. September 2016, MRSC, mrsc.org/getmedia/796a2402-9ad4-4bde-a221-0d6814ef6edc/publicrecordsact.pdf.aspx?ext=.pdf

A Revenue Guide for Washington Cities and Towns - Contains information on revenue sources available to cities and towns for general government purposes, including the relevant statutory references and court decisions. August 2017, MRSC, mrsc.org/getmedia/d3f7f211-fc63-4b7a-b362-cb17993d5fe5/revenueguide_city.pdf.aspx?ext=.pdf

Salary and Benefit Survey - This survey of local government salaries and benefits is designed to present a compilation of salaries paid for more than 120 different job classifications in city and county governments. AWC, awcnet.org/DataResources/resourcesbytopic/SalaryBenefitSurvey.aspx

Suggestions for Successful Public Service - 53 Ideas on How You Can Govern Better - Get ideas on how you can govern better. AWC, awcnet.org/Portals/0/Documents/Publications/53SuggestSuccessPubService.pdf

Tax and User Fee Survey - The Tax and User Fee Survey is a voluntary survey conducted every two years that collects local tax rate and fee data from Washington's cities and towns. AWC, awcnet.org/DataResources/Resourcesbytopic/TaxandUserFeeSurvey.aspx

Tax Reference Manual: Information on State and Local Taxes in Washington State - This report provides comprehensive background information on each of over 50 tax sources utilized by state or local governments in Washington. 2016, DOR, dor.wa.gov/about/statistics-reports/tax-reference-manual; dor.wa.gov/sites/default/files/legacy/Docs/Reports/2016/Tax_Reference_2016/2016_TaxReferenceManual.pdf

Ten Commandments of Community Leadership - This publication serves as the governing principles for every local leader, whether newly elected or a seasoned veteran. 2013, AWC/CTED, awcnet.org/Portals/0/Documents/Publications/TenCommandments.pdf

Washington State Local & Road Improvement District Manual: Sixth Edition - This manual is intended to provide an overall perspective of the detailed procedures in the LID or RID process, to clearly focus on a single (normal) chronological order of responsibilities, to describe the routine processes from initiation to the conclusion of a special assessment district financing, and to reduce employee training time. October 2009, MRSC, mrsc.org/getmedia/4233f39b-f38b-4766-8c22-a0f0d9340d91/lid-rid09.pdf.aspx

Newsletters/Magazine

Cityvision - AWC's magazine examines municipal issues and trends from a high level, with articles that analyze and offer insight. Creates a voice for city officials. Provides another leadership tool and resource. Builds awareness of city issues with readers outside of city hall. AWC, awcnet.org/DataResources/resourcesbytopic/Cityvision.aspx

Cityvoice - AWC's electronic newsletter for electeds and staff. Provides a twice-weekly overview of upcoming AWC events and available services. Also showcased are essential resources for cities and towns. AWC, awcnet.org/DataResources/Resourcesbytopic/CityVoice.aspx

In-Focus, Local Government News & Information - In Focus is an e-newsletter featuring selected updates to MRSC's web site (mrsc.org), news and information for Washington local government officials and staff. To subscribe, link to: mrsc.org/updates.aspx. MRSC, mrsc.org/Home/Stay-Informed/In-Focus.aspx

Legislative Bulletin - Provided weekly throughout the legislative session and monthly the rest of the year, covers major issue areas and provides quick referencing by issue area. The *Bulletin* is one of AWC's most valuable legislative sources for cities and towns. AWC, awcnet.org/Advocacy/Newsandupdates/LegislativeBulletin.aspx

Primary legal references

Washington State Legislature - Laws and Agency Rules - State main page that includes all Statutes and Constitution as well as Agency Rules and Regulations (RCW/WAC)

Washington State Constitution

- Article 8 - State, County and Municipal Indebtedness
- Article 11 - Section 10 - Incorporation of Municipalities
- Article 11 - Section 11 - Police and Sanitary Regulations
- Article 32 - Section 1 - Special Revenue Financing

WAC

- WAC 118-30 - Local emergency management services organizations/plans and programs
- WAC 44-14 - Public Records Act - Model Rules

RCW

- RCW 35 - Cities and towns - powers and duties
- RCW 35A - Optional municipal code cities - powers and duties
- RCW 39 - Public contracts and indebtedness
- RCW 82 - Excise taxes
- RCW 84 - Property taxes
- RCW 35.18 - Council-manager plan form of government for non-code cities
- RCW 35.33 - Budgets in second and third class cities, towns and first class cities under 300,000
- RCW 35.91 - Municipal water & sewer facilities act
- RCW 35.92 - Municipal utilities - water, electricity, natural gas
- RCW 35A.12 - Mayor-council plan of government for code cities
- RCW 35A.13 - Council-manager plan of government for code cities
- RCW 35A.33 - Budgets in code cities
- RCW 35A.63 - Planning and zoning in code cities
- RCW 36.70 - Planning enabling act (counties)
- RCW 36.70A - Growth management - planning by selected counties and cities
- RCW 38.52 - Emergency management
- RCW 39.34 - Interlocal cooperation act
- RCW 42.23 - Code of ethics for municipal officers - contract interests
- RCW 42.36 - Appearance of fairness doctrine - limitations
- RCW 42.30 - Open public meetings act
- RCW 42.56 - Public records act
- RCW 43.21C - State environmental policy act
- RCW 90.58 - Shoreline Management Act of 1971

Training opportunities

AWC Annual Conference - AWC's annual conference is the state's largest training opportunity for Washington's mayors, councilmembers and appointed officials. The session gives municipal officials a chance to acquire basic skills, track current trends and network with their peers. AWC (Annual), awcnet.org/TrainingEducation/Conferences/AnnualConference.aspx

Budgeting, Accounting & Reporting System (BARS) - This class provides an overview of the BARS including overview of BAR System, and coding of revenues (including federal and state grants) and expenditures. SAO/WFOA (Annual), wfoa.org/training-header/

Cash Basis Financial Reporting - Helps you develop an understanding of day to day fund accounting. It covers accounting rules for using various fund types, revenue and expenditure recognition, and specific problem areas associated with "cash basis" fund accounting. SAO/WFOA (Annual), wfoa.org/training-header/

City Action Days (CAD) - One of AWC's premiere events. City officials from throughout the state convene in Olympia to meet with their legislators, receive updates on priority issues, hear from legislative leadership and the Governor, and move the city agenda forward. AWC (Annual), awcnet.org/TrainingEducation/Conferences/cityactiondays.aspx

Elected Official Essentials workshop - Provides an overview for elected officials in the areas of legal territory, roles and responsibilities, effective leadership and more - AWC/MSRC (election years)

Infrastructure Assistance Coordinating Council (IACC) Annual Conference - IACC's purpose is to promote partnerships among federal, state, and local programs, working to help Washington communities identify and obtain resources they need to develop, improve and maintain water and wastewater infrastructure and other public works. IACC (Annual), infrafundng.wa.gov/conference.html

Municipal Budgeting and Fiscal Management - This workshop provides a focus on the basics of budgeting, hands-on exercises, and core processes and strategies for responding to difficult economic times for staff and elected officials. AWC/WFOA (Annual)

Labor Relations Institute - The Institute is for public sector appointed and elected officials who solely represent the interests of management. Sessions cover a number of personnel and labor relations issues, participants keep up-to-date on new laws and court decisions, build skills, and learn about innovative programs. AWC (Annual), awcnet.org/TrainingEducation/Conferences/LaborRelationsInstitute.aspx

Mayor as CEO - For mayors that serve as their city's chief executive officer, this one-day class offers training in supervising personnel, working with council, balancing the budget, and managing internal and external conflict. AWC

Mayors Exchange - Part of an ongoing series that provides mayors and city executives an opportunity to network, discuss successes and concerns and glean best practices. AWC

AWC's on-demand training - Check out AWC's on-demand training programs when and where it's convenient for you. Or check out our archived webinars for even more city-focused training. AWC, awcnet.org/ResourcesResearch/Resourcesbytopic/TabId/941/PID/2423/CategoryId/123/CategoryName/eLearning/Default.aspx

Regional Meetings - Provides an opportunity for cities and towns to come together to share ideas, form partnerships and enhance the vitality of communities. Provides AWC the chance to update local officials on current programs and legislative issues and receive feedback on services. AWC (Annual)

Small City Regional Connectors - Offered throughout the state, provide an informal roundtable discussion with elected officials and staff about what is happening in small cities. AWC (Annual)

Appendix A

Agency Resources

Agency name	Phone	Website
Association of Washington Cities Provides city municipal legislative representation, training, publications & resources, technical assistance and insurance services.	1-800-562-8981	www.awcnet.org
International City/County Management Association Technical and management assistance, training, and information on performance measurement, ethics education and training, community and economic development, environmental management and technology.	1-800-745-8780	www.icma.org
Municipal Research & Services Center Provides professional consultation, research and information services for local government.	1-800-933-6772	www.mrsc.org
National League of Cities Provides lobbying at the national level, training and networking opportunities, and program and services which provide local officials with the tools to better serve their communities.	1-877-827-2385	www.nlc.org
Office of the State Treasurer Transmits revenue distributions to cities. Operates LOCAL program, allowing cities to finance equipment or real estate and Local Government Investment Pool, providing opportunity for the investment of surplus funds.	(360) 902-9000	www.tre.wa.gov
Public Works Board Rural community development and housing, Infrastructure grants, loans and technical assistance.	(360) 725-4000	www.pwb.wa.gov
Transportation Improvement Board Grants for Small City Arterial, Sidewalk & Preservation Program	1-800-562-6345	www.tib.wa.gov
USDA Rural Development - Washington State Office Grants & loans for rural support of essential public facilities and services, economic development and community development.	360-704-7740	www.rd.usda.gov/wa
Washington Association of Public Records Officers Education on the Public Records Act and is a forum for public records officers.	206-209-5264	www.wa-pro.org
Washington City/County Management Association Professional development and education for city managers, and other municipal administrators.	See website	www.wccma.org
Washington Finance Officers Association Professional development, education and communication for governmental financial officers.	See website	www.wfoa.org

Agency name	Phone	Website
Washington Municipal Clerk's Association Professional development & educational standards for municipal clerks.	See website	www.wmcaclerks.org
Washington Recreation & Parks Association Provides education about and advocacy for parks and recreation programs.	1-888-459-0009	www.wrpatoday.org
Washington Recreation & Conservation Office Grants, loans and technical assistance for recreation and protection of wild lands and salmon recovery.	(360) 902-3000	www.rco.wa.gov
WA State Auditor's Office Sets statewide financial policies, including accounting, budgeting, and financial reporting. Performs city financial audits. Local Government Performance Center training and tools.	(360) 902-0370	www.sao.wa.gov
WA Military Department Emergency Management Division Emergency responder grants, training, technical assistance and other resources. NIMS Reporting.	1-800-562-6108	www.mil.wa.gov/emergency-management-division
WA State Department of Commerce Provides funding for infrastructure improvements and technical assistance in growth management act (GMA), capital facilities, critical areas, transportation, rural and urban development, economic development, environmental protection, housing, and buildable lands.	(360) 725-4000	www.commerce.wa.gov
WA State Department of Ecology Environmental regulation, technical assistance and grants.	(360) 407-6000	www.ecology.wa.gov
WA State Department of Employment Security Unemployment compensation	360-902-9500	www.esd.wa.gov
WA State Department of Health Environmental health information, drinking water loans	1-800-525-0127	www.doh.wa.gov
WA State Department of Labor & Industries Workers compensation & labor issues	360-902-5800	www.lni.wa.gov
WA State Department of Retirement Systems PERS Pension membership	1-800-547-6657	www.drs.wa.gov
WA State Department of Transportation Highways and Local Programs provides educational, technical and financial support, and federal oversight to local agencies and other transportation partners.	(360) 705-7000	www.wsdot.wa.gov

Appendix B

City and town population, county, class and government type, 2017

City	Population	County	Class	Government type
Aberdeen	16,740	Grays Harbor	First	Mayor-Council
Airway Heights	8,460	Spokane	Code	Council-Manager
Albion	540	Whitman	Town	Mayor-Council
Algona	3,180	King	Code	Mayor-Council
Almira	275	Lincoln	Town	Mayor-Council
Anacortes	16,780	Skagit	Code	Mayor-Council
Arlington	18,690	Snohomish	Code	Mayor-Council
Asotin	1,275	Asotin	Code	Mayor-Council
Auburn	78,960	King	Code	Mayor-Council
Bainbridge Island	23,950	Kitsap	Code	Council-Manager
Battle Ground	20,370	Clark	Code	Council-Manager
Beaux Arts Village	300	King	Town	Mayor-Council
Bellevue	140,700	King	Code	Council-Manager
Bellingham	86,720	Whatcom	First	Mayor-Council
Benton City	3,360	Benton	Code	Mayor-Council
Bingen	735	Klickitat	Code	Mayor-Council
Black Diamond	4,335	King	Code	Mayor-Council
Blaine	5,075	Whatcom	Code	Council-Manager
Bonney Lake	20,500	Pierce	Code	Mayor-Council
Bothell	44,370	King	Code	Council-Manager
Bremerton	40,630	Kitsap	First	Mayor-Council
Brewster	2,400	Okanogan	Code	Mayor-Council
Bridgeport	2,480	Douglas	Code	Mayor-Council
Brier	6,560	Snohomish	Code	Mayor-Council
Buckley	4,670	Pierce	Code	Mayor-Council
Bucoda	580	Thurston	Town	Mayor-Council
Burien	50,680	King	Code	Council-Manager
Burlington	8,715	Skagit	Code	Mayor-Council
Camas	23,080	Clark	Code	Mayor-Council
Carbonado	665	Pierce	Town	Mayor-Council
Carnation	2,030	King	Code	Council-Manager
Cashmere	3,075	Chelan	Code	Mayor-Council
Castle Rock	2,200	Cowlitz	Code	Mayor-Council
Cathlamet	490	Wahkiakum	Town	Mayor-Council
Centralia	16,940	Lewis	Code	Council-Manager
Chehalis	7,500	Lewis	Code	Council-Manager
Chelan	4,150	Chelan	Code	Mayor-Council
Cheney	11,880	Spokane	Code	Mayor-Council

City	Population	County	Class	Government type
Chewelah	2,655	Stevens	Second	Mayor-Council
Clarkston	7,250	Asotin	Code	Mayor-Council
Cle Elum	1,875	Kittitas	Code	Mayor-Council
Clyde Hill	3,015	King	Code	Mayor-Council
Colfax	2,795	Whitman	Second	Mayor-Council
College Place	9,440	Walla Walla	Code	Mayor-Council
Colton	435	Whitman	Town	Mayor-Council
Colville	4,730	Stevens	Second	Mayor-Council
Conconully	230	Okanogan	Town	Mayor-Council
Concrete	740	Skagit	Town	Mayor-Council
Connell	5,450	Franklin	Code	Mayor-Council
Cosmopolis	1,660	Grays Harbor	Code	Mayor-Council
Coulee City	565	Grant	Town	Mayor-Council
Coulee Dam	1,100	Okanogan	Town	Mayor-Council
Coupeville	1,905	Island	Town	Mayor-Council
Covington	19,850	King	Code	Council-Manager
Creston	225	Lincoln	Town	Mayor-Council
Cusick	205	Pend Oreille	Town	Mayor-Council
Darrington	1,400	Snohomish	Town	Mayor-Council
Davenport	1,700	Lincoln	Second	Mayor-Council
Dayton	2,555	Columbia	Code	Mayor-Council
Deer Park	4,105	Spokane	Code	Mayor-Council
Des Moines	30,860	King	Code	Council-Manager
DuPont	9,385	Pierce	Code	Mayor-Council
Duvall	7,500	King	Code	Mayor-Council
East Wenatchee	13,600	Douglas	Code	Mayor-Council
Eatonville	2,950	Pierce	Town	Mayor-Council
Edgewood	10,420	Pierce	Code	Council-Manager
Edmonds	41,260	Snohomish	Code	Mayor-Council
Electric City	1020	Grant	Code	Mayor-Council
Ellensburg	19,550	Kittitas	Code	Council-Manager
Elma	3,145	Grays Harbor	Code	Mayor-Council
Elmer City	290	Okanogan	Town	Mayor-Council
Endicott	295	Whitman	Town	Mayor-Council
Entiat	1,195	Chelan	Code	Mayor-Council
Enumclaw	11,450	King	Code	Mayor-Council
Ephrata	8,005	Grant	Code	Mayor-Council
Everett	109,800	Snohomish	First	Mayor-Council
Everson	2,630	Whatcom	Code	Mayor-Council
Fairfield	620	Spokane	Town	Mayor-Council
Farmington	155	Whitman	Town	Mayor-Council
Federal Way	96,350	King	Code	Mayor-Council
Ferndale	13,470	Whatcom	Code	Mayor-Council
Fife	10,100	Pierce	Code	Council-Manager

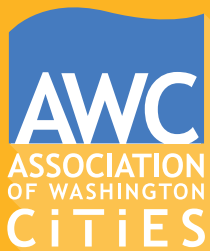
City	Population	County	Class	Government type
Fircrest	6,640	Pierce	Code	Council-Manager
Forks	3,595	Clallam	Code	Mayor-Council
Friday Harbor	2,255	San Juan	Town	Mayor-Council
Garfield	600	Whitman	Town	Mayor-Council
George	720	Grant	Code	Mayor-Council
Gig Harbor	9,560	Pierce	Code	Mayor-Council
Gold Bar	2,125	Snohomish	Code	Mayor-Council
Goldendale	3,490	Klickitat	Code	Mayor-Council
Grand Coulee	1,055	Grant	Code	Mayor-Council
Grandview	11,170	Yakima	Code	Mayor-Council
Granger	3,905	Yakima	Code	Mayor-Council
Granite Falls	3,485	Snohomish	Code	Mayor-Council
Hamilton	300	Skagit	Town	Mayor-Council
Harrah	660	Yakima	Town	Mayor-Council
Harrington	415	Lincoln	Code	Mayor-Council
Hartline	155	Grant	Town	Mayor-Council
Hatton	110	Adams	Town	Mayor-Council
Hoquiam	8,560	Grays Harbor	Code	Mayor-Council
Hunts Point	415	King	Town	Mayor-Council
Ilwaco	945	Pacific	Code	Mayor-Council
Index	175	Snohomish	Town	Mayor-Council
Ione	445	Pend Oreille	Town	Mayor-Council
Issaquah	36,030	King	Code	Mayor-Council
Kahlotus	165	Franklin	Code	Mayor-Council
Kalama	2,620	Cowlitz	Code	Mayor-Council
Kelso	11,980	Cowlitz	Code	Council-Manager
Kenmore	22,580	King	Code	Council-Manager
Kennewick	80,280	Benton	Code	Council-Manager
Kent	127,100	King	Code	Mayor-Council
Kettle Falls	1,620	Stevens	Code	Mayor-Council
Kirkland	86,080	King	Code	Council-Manager
Kittitas	1,500	Kittitas	Code	Mayor-Council
Krupp	50	Grant	Town	Mayor-Council
La Center	3,195	Clark	Code	Mayor-Council
La Conner	925	Skagit	Town	Mayor-Council
Lacey	48,700	Thurston	Code	Council-Manager
LaCrosse	310	Whitman	Town	Mayor-Council
Lake Forest Park	12,990	King	Code	Mayor-Council
Lake Stevens	31,740	Snohomish	Code	Mayor-Council
Lakewood	59,280	Pierce	Code	Council-Manager
Lamont	80	Whitman	Town	Mayor-Council
Langley	1,165	Island	Code	Mayor-Council
Latah	195	Spokane	Town	Mayor-Council
Leavenworth	2,015	Chelan	Code	Mayor-Council

City	Population	County	Class	Government type
Liberty Lake	9,910	Spokane	Code	Mayor-Council
Lind	550	Adams	Town	Mayor-Council
Long Beach	1,440	Pacific	Code	Mayor-Council
Longview	37,510	Cowlitz	Code	Council-Manager
Lyman	455	Skagit	Town	Mayor-Council
Lynden	13,620	Whatcom	Code	Mayor-Council
Lynnwood	36,950	Snohomish	Code	Mayor-Council
Mabton	2,315	Yakima	Code	Mayor-Council
Malden	200	Whitman	Town	Mayor-Council
Mansfield	330	Douglas	Town	Mayor-Council
Maple Valley	24,900	King	Code	Council-Manager
Marcus	175	Stevens	Town	Mayor-Council
Marysville	65,900	Snohomish	Code	Mayor-Council
Mattawa	4,805	Grant	Code	Mayor-Council
McCleary	1,695	Grays Harbor	Code	Mayor-Council
Medical Lake	4,990	Spokane	Code	Mayor-Council
Medina	3,205	King	Code	Council-Manager
Mercer Island	24,210	King	Code	Council-Manager
Mesa	495	Franklin	Code	Mayor-Council
Metaline	170	Pend Oreille	Town	Mayor-Council
Metaline Falls	240	Pend Oreille	Town	Mayor-Council
Mill Creek	19,960	Snohomish	Code	Council-Manager
Millwood	1,790	Spokane	Code	Mayor-Council
Milton	7,900	Pierce	Code	Mayor-Council
Monroe	18,350	Snohomish	Code	Mayor-Council
Montesano	4,120	Grays Harbor	Code	Mayor-Council
Morton	1,120	Lewis	Code	Mayor-Council
Moses Lake	22,720	Grant	Code	Council-Manager
Mossyrock	760	Lewis	Code	Mayor-Council
Mount Vernon	34,360	Skagit	Code	Mayor-Council
Mountlake Terrace	21,290	Snohomish	Code	Council-Manager
Moxee	4,010	Yakima	Code	Mayor-Council
Mukilteo	21,240	Snohomish	Code	Mayor-Council
Naches	860	Yakima	Town	Mayor-Council
Napavine	1,900	Lewis	Code	Mayor-Council
Nespelem	245	Okanogan	Town	Mayor-Council
Newcastle	11,280	King	Code	Council-Manager
Newport	2,170	Pend Oreille	Code	Mayor-Council
Nooksack	1,490	Whatcom	Code	Mayor-Council
Normandy Park	6,595	King	Code	Council-Manager
North Bend	6,605	King	Code	Mayor-Council
North Bonneville	1,010	Skamania	Code	Mayor-Council
Northport	295	Stevens	Town	Mayor-Council
Oak Harbor	22,840	Island	Code	Mayor-Council

City	Population	County	Class	Government type
Oakesdale	425	Whitman	Town	Mayor-Council
Oakville	690	Grays Harbor	Code	Mayor-Council
Ocean Shores	6,055	Grays Harbor	Code	Mayor-Council
Odessa	905	Lincoln	Town	Mayor-Council
Okanogan	2,610	Okanogan	Code	Mayor-Council
Olympia	52,160	Thurston	Code	Council-Manager
Omak	4,925	Okanogan	Code	Mayor-Council
Oroville	1,705	Okanogan	Code	Mayor-Council
Orting	7,835	Pierce	Code	Mayor-Council
Othello	8,175	Adams	Code	Mayor-Council
Pacific	6,910	King	Code	Mayor-Council
Palouse	1,050	Whitman	Second	Mayor-Council
Pasco	71,680	Franklin	Code	Council-Manager
Pateros	580	Okanogan	Code	Mayor-Council
Pe Ell	645	Lewis	Town	Mayor-Council
Pomeroy	1,395	Garfield	Code	Mayor-Council
Port Angeles	19,370	Clallam	Code	Council-Manager
Port Orchard	13,990	Kitsap	Second	Mayor-Council
Port Townsend	9,500	Jefferson	Code	Council-Manager
Poulsbo	10,510	Kitsap	Code	Mayor-Council
Prescott	330	Walla Walla	Code	Mayor-Council
Prosser	5,965	Benton	Code	Mayor-Council
Pullman	33,280	Whitman	Code	Mayor-Council
Puyallup	40,500	Pierce	Code	Council-Manager
Quincy	7,370	Grant	Code	Mayor-Council
Rainier	1,930	Thurston	Code	Mayor-Council
Raymond	2,885	Pacific	Code	Mayor-Council
Reardan	570	Lincoln	Town	Mayor-Council
Redmond	62,110	King	Code	Mayor-Council
Renton	102,700	King	Code	Mayor-Council
Republic	1,095	Ferry	Code	Mayor-Council
Richland	54,150	Benton	First	Council-Manager
Ridgefield	7,235	Clark	Code	Council-Manager
Ritzville	1,660	Adams	Second	Mayor-Council
Riverside	285	Okanogan	Town	Mayor-Council
Rock Island	1005	Douglas	Code	Mayor-Council
Rockford	480	Spokane	Town	Mayor-Council
Rosalia	560	Whitman	Town	Mayor-Council
Roslyn	890	Kittitas	Code	Mayor-Council
Roy	815	Pierce	Code	Mayor-Council
Royal City	2,245	Grant	Code	Mayor-Council
Ruston	975	Pierce	Code	Mayor-Council
Sammamish	62,240	King	Code	Council-Manager
SeaTac	28,850	King	Code	Council-Manager

City	Population	County	Class	Government type
Seattle	713,700	King	First	Mayor-Council
Sedro-Woolley	10,950	Skagit	Code	Mayor-Council
Selah	7,630	Yakima	Code	Mayor-Council
Sequim	7,280	Clallam	Code	Council-Manager
Shelton	10,120	Mason	Code	Commission
Shoreline	55,060	King	Code	Council-Manager
Skykomish	200	King	Town	Mayor-Council
Snohomish	10,010	Snohomish	Code	Council-Manager
Snoqualmie	13,210	King	Code	Mayor-Council
Soap Lake	1,550	Grant	Code	Mayor-Council
South Bend	1,620	Pacific	Code	Mayor-Council
South Cle Elum	530	Kittitas	Town	Mayor-Council
South Prairie	435	Pierce	Town	Mayor-Council
Spangle	275	Spokane	Code	Mayor-Council
Spokane	217,300	Spokane	First	Mayor-Council
Spokane Valley	94,890	Spokane	Code	Council-Manager
Sprague	440	Lincoln	Code	Mayor-Council
Springdale	313	Stevens	Town	Mayor-Council
St John	505	Whitman	Town	Mayor-Council
Stanwood	6,785	Snohomish	Code	Mayor-Council
Starbuck	130	Columbia	Town	Mayor-Council
Steilacoom	6,410	Pierce	Town	Mayor-Council
Stevenson	1,560	Skamania	Code	Mayor-Council
Sultan	5,030	Snohomish	Code	Mayor-Council
Sumas	1,571	Whatcom	Code	Mayor-Council
Sumner	9,920	Pierce	Code	Mayor-Council
Sunnyside	16,640	Yakima	Code	Council-Manager
Tacoma	208,100	Pierce	First	Council-Manager
Tekoa	770	Whitman	Second	Mayor-Council
Tenino	1,785	Thurston	Code	Mayor-Council
Tieton	1,300	Yakima	Code	Mayor-Council
Toledo	720	Lewis	Code	Mayor-Council
Tonasket	1,110	Okanogan	Code	Mayor-Council
Toppenish	9,085	Yakima	Code	Council-Manager
Tukwila	19,660	King	Code	Mayor-Council
Tumwater	23,210	Thurston	Code	Mayor-Council
Twisp	970	Okanogan	Town	Mayor-Council
Union Gap	6,220	Yakima	Code	Council-Manager
Uniontown	340	Whitman	Town	Mayor-Council
University Place	32,610	Pierce	Code	Council-Manager
Vader	610	Lewis	Code	Mayor-Council
Vancouver	176,400	Clark	First	Council-Manager
Waitsburg	1,230	Walla Walla	Charter	Mayor-Council
Walla Walla	33,840	Walla Walla	Code	Council-Manager

City	Population	County	Class	Government type
Wapato	5,040	Yakima	Second	Mayor-Council
Warden	2,730	Grant	Code	Mayor-Council
Washougal	15,760	Clark	Code	Mayor-Council
Washtucna	210	Adams	Town	Mayor-Council
Waterville	1,175	Douglas	Town	Mayor-Council
Waverly	117	Spokane	Town	Mayor-Council
Wenatchee	34,070	Chelan	Code	Mayor-Council
West Richland	14,660	Benton	Code	Mayor-Council
Westport	2,115	Grays Harbor	Code	Mayor-Council
White Salmon	2,480	Klickitat	Code	Mayor-Council
Wilbur	890	Lincoln	Town	Mayor-Council
Wilkeson	490	Pierce	Town	Mayor-Council
Wilson Creek	218	Grant	Town	Mayor-Council
Winlock	1,335	Lewis	Code	Mayor-Council
Winthrop	445	Okanogan	Town	Mayor-Council
Woodinville	11,660	King	Code	Council-Manager
Woodland	6,038	Cowlitz	Code	Mayor-Council
Woodway	1,340	Snohomish	Code	Mayor-Council
Yacolt	1,715	Clark	Town	Mayor-Council
Yakima	93,900	Yakima	First	Council-Manager
Yarrow Point	1,040	King	Town	Mayor-Council
Yelm	8,665	Thurston	Code	Mayor-Council
Zillah	3,150	Yakima	Code	Mayor-Council



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