

NEWS

Municipal Research

Resources for Local Government • December 1999

Initiative 695 MRSC caught in the crossfire

As you may know, the motor vehicle excise tax (MVET) has been used since 1945 to fund MRSC's services to Washington cities and towns. Now that Initiative 695 has won voter approval, local officials are wondering about the future of MRSC. *We want you to know that we are diligently working on a funding strategy to replace the loss of the (MVET).*

Funding for MRSC is in place until July 1, 2000. Fortunately, the framers of the statutes governing the funding of the Municipal Research Council (MRC), the state agency with which MRSC contracts, had the foresight to put monies aside for the full fiscal year beginning each July. (RCW 82.44.160). This timing provides an opportunity for local officials to seek a remedy in the state legislature early in 2000.

The Municipal Research Council and the board of the Municipal Research and Services Center held a joint retreat on November 17 to address the funding crisis. The MRC passed a motion to seek legislation using a small portion of the cities' distribution of the liquor board profits to replace the lost city MVET. This would preserve a policy of city support for city programs and services provided by MRSC. This funding proposal originated with the Washington City/County Management Association, whose board subsequently

passed a resolution on November 19 recommending the use of this fund source. We are working closely with the Association of Washington Cities (AWC) to develop the details of a legislative strategy for this funding proposal. The AWC Board of Direc-

“ . . . we are diligently working on a funding strategy to replace the loss of the MVET.”

tors will take up the matter of MRSC funding at its meeting in mid-December. The state legislature will undoubtedly look to AWC for policy direction, since AWC represents the cities' interests to the legislature.

MRSC staff members are gratified by the statements of support that have been received during this challenging and uncertain time. We have received numerous telephone calls asking what can be done to help. *We are requesting that you let your legislative delegation know that it is important to provide continued funding for the Municipal Research Council.*

Why should the state legislature care? One widely held interpretation of I-695

is that Washington voters want more efficient government. We think that MRSC is part of that solution:

- By pooling resources, local governments gain access to services they could not afford to provide alone. MRSC is a national model of intergovernmental cooperation providing efficient, shared services.
- MRSC saves cities and towns legal fees by providing quality and expert legal advice.
- Liability is reduced through timely advice.
- MRSC serves as a clearinghouse for examples of successful solutions, saving local governments

Continued on page 3

Read About...

Being a newly elected local government official
see page 4

Prohibiting cell phone use while driving
see page 7

Student courts in Kent and Lake Stevens
see page 11

INSIDE

- Congratulations **page 4**
- Driving Under the Influence **page 7**
- Telecommunications **page 7**
- Ask MRSC **page 8**
- Web News **page 10**
- Brownfields **page 10**
- Heads Up **page 11**
- State Legal Holidays **page 12**
- Resource Sharing **page 13**
- New Acquisitions **page 14**

WEB SITE

For complete information on these topics, go to www.mrsc.org.

- Design and construction management: sample and model documents
- Electronic government: provide services via your Web site
- Forms: download sample planning, public works, and finance forms
- Records retention schedules: law enforcement agencies
- Washington Association of Sheriffs and Police Chiefs: a proposed policy manual
- Utility accommodation policies: sample county policies for right-of-way users
- Shared leave policies: donating annual leave

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About this Newsletter

Municipal Research News is published quarterly by the Municipal Research & Services Center of Washington, 1200 5th Avenue, Suite 1300, Seattle, WA 98101-1159. Your ideas and comments are appreciated. If you have news you would like to share or if you would like to write a short feature article, please contact us.

Editor: Connie Elliot **Desktop Designer:** Holly Martin

Initiative 695...Continued from page 1

time and money while enhancing the quality of local service delivery.

A number of professional associations have endorsed continued funding of MRSC, either by resolution of support or letter. As we go to press, the following organizations have expressed their support:

- Washington City/County Management Association
- Washington State Association of Municipal Attorneys
- Washington Finance Officers Association
- Washington Municipal Clerks Association
- American Public Works Association – Washington chapter
- City Engineers Association of Washington

Action by several other organizations is pending. Also, the Legislative Committee of the Association of Washington Cities has passed a resolution supporting continued funding of MRSC.

After the AWC Board meets in mid-December and adopts a specific plan, look for details in the AWC Legislative Bulletin. Also, we will post pertinent information in the *Focus* section on the MRSC Web site (www.mrsc.org).

For further information, please contact Rich Yukubousky at (206) 625-1300.

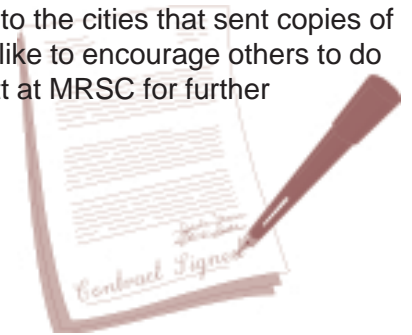
Thank you all for your support. □

*Richard Yukubousky, Executive Director
Municipal Research & Services Center*

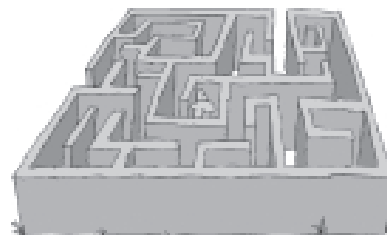
Interlocal Fire Service Contracts

During the past month, MRSC began updating our collection of sample fire service contracts. We also are preparing a Web page on Interlocal Fire Services, one of a series of pages being created to showcase local government intergovernmental services. (Look for it soon at <http://www.mrsc.org/pubsafe/fireservpg.htm>.) We noted that a growing number of cities have opted for functional fire consolidation with adjacent fire districts and cities through interlocal cooperation agreements. It also appears that 39 cities have annexed to fire districts.

We would like to express our appreciation to the cities that sent copies of their updated fire contracts, and we would like to encourage others to do the same. Please contact Lynne De Merritt at MRSC for further information. □



Knowing the Territory



Basic Legal Guidelines for Washington Municipal Officials

The newly revised publication, *Knowing the Territory*, is now available.

Copies are being sent to all counties, cities, and towns in Washington. You may also find it in our Web site at www.mrsc.org/pubs/ktt-30.pdf

Congratulations!

Welcome to the world of local government



The final election results are now certified. You've received your certificate of election. Hopefully, it was interesting and fun to be a candidate. You probably met a lot of new people and heard them talk about their concerns, hopes, aspirations. Now it's time to get sworn in, roll up your sleeves, and take your place at the legislative table to begin working on those things that prompted you to run for public office.

Welcome Aboard!

There are many things for you to be concerned about, to learn about, and to be able to inform your constituents about. You have some clear ideas of things you want to accomplish for your city or for your county. You have some specific things you hope to see change at city hall or at the county courthouse. Cities and counties are very complex organisms. And since the voters have now approved Initiative 695 (I-695), which becomes effective January 1, 2000, it will be even more complex.

Finances. In all likelihood, the city or county budget was getting near completion at the time of the election. The passage of I-695 and its impacts on local government budgets will be significant. The people have spoken. It's now going to be *your* challenge. Perhaps you are lucky enough to be serving in a place that has carefully prepared two alternative draft budgets. If not, your work is just beginning. If you were reelected, you already know something about what you're facing. If you're newly elected, your education in public finance for the entity you've chosen to serve is just about to begin, and it will be a total immersion course.

As governmental entities, cities and counties are at the lower end of the public finance food chain, while also being very close and most visible to the people. The public, those who elected you, have an expectation that you'll be able to make up for many of the funds that your entity will no longer receive from the motor vehicle excise tax (MVET). They'll be expecting you to tap the "reserves" held by your entity, and those held by the state, and to keep services somewhere near what they've come to depend upon. You may quickly find out that many of

"The passage of I-695 and its impacts on local government budgets will be significant. The people have spoken. It's now going to be *your* challenge."

those "reserves" are simply not there, are very limited in amount, or are so restricted in how and for what they can be used that you won't be able to touch them, even if they exist. It's reality time.

In the past, newly elected officials took office following the adoption of the new budget. Essentially, they had more than half a year to get to know how the money flow and the budget processes worked before being faced with the need to build a new budget. If you're newly elected for the first time, you won't have that luxury, but will have to jump in and learn quickly.

There are quite a number of uncertainties as to how money coming through the state to cities and counties will flow. You'll have to learn quickly and "on the job."

Following are some random thoughts and comments on a few of the things with which you'll need to become acquainted:

That **Mayor!** Like it or not, you're going to have to get along with her or him, particularly if you are in a mayor-council city. If you don't, and you display strong feelings in public, especially at council meetings, those meetings are going to run very late. And do you *really* want your council meetings to become known as the Monday night fights? Is that what you were elected for? Will that really serve a positive municipal purpose? That doesn't mean that you and the mayor should always agree. Even agreeing to disagree in a polite or sensitive manner is possible if you both work at it. And chances are if you do, the public will respect both of you for it. The mayor has one clear role. In all cases, it is to chair the council meetings. Depending on the form of government of your city, it may also be to serve as the ceremonial "chief of state." In mayor-council cities and towns, the mayor is the chief administrative officer, and is actually charged with running the city. You need to become knowledgeable about the role of the mayor in your organization. That understanding will help both of you.

Those **Councilmembers!** You may like most of them. Or maybe you don't. That is *not* the issue. The issue *is*—you have one vote, and each of them has one vote. You'll have to

learn about consensus building. They won't always all agree with you, nor will you always agree with them. Your job will be to educate and convince them. And you'll have to do the same with your constituents.

Those other **County Commissioners!** They may be from a different political party. And you simply don't understand how they can often be so wrong! If you're the new county commissioner in a county without home rule, you'll soon find that the "art" of compromise and finding common ground is something that will make your new job possible and help you avoid ulcers and high blood pressure. And despite the apparent differences in the ways each of you see the world or perceive your respective roles, you'll all get to know what objectives drive each other. And when you do, hopefully the board of commissioners can be a cohesive policy-making body.

Those other **Elected Officials!** If you're in a county without home rule, besides you and the other two commissioners, there are all those other elected people—the assessor, auditor, clerk, coroner, prosecuting attorney, sheriff, treasurer. Depending on the size of the county, some of these positions may be combined. Each of them is also elected and occupies a position called for in the state constitution or state statutes. (See RCW 36.16.030). The complex organization resulting from so many people being elected can lead to competition and strife. It's your opportunity to be a statesman or stateswoman. It would be good to meet with and get to know those other elected officials. You need their trust and support to be successful.

Staff. Whether you're in a city or a county, there is a group of very dedicated appointed people who work for that local government. And if

you're newly elected, they can be a great storehouse of information that can be helpful to you. Generally, they'll be glad to give you a tour of their area of responsibility and share their observations. The sooner you can have those tours and those discussions, the better prepared you'll be to vote knowledgeably when called upon to do so. And you'll also be in a much better position to talk knowledgeably with constituents.

Intergovernmental Relations. You might not even like the term. But in these days of scarce dollars for services, you may not have a choice. There are lots of examples out there of local governments that routinely do something in concert with another government, be it a special district, city or town, county, or whatever. Or it's done jointly with a private organization, all correctly documented and contracted. The result can be a better service for less money, or one that provides better service for the same amount. Those kinds of success stories reflect very positively on elected people. And now you're going to be one of them. In some instances, federal and state mandates are approved by higher level legislative bodies that require you to do things in concert with others. In those cases you won't have any choice about being involved in intergovernmental relations. It's probably best if you can view the subject as a potential opportunity.

Appearance of Fairness. What this means is that if it even *appears* to be not quite right, you'll hear about it! Washington has a strong law on this subject. It's known as the "appearance of fairness doctrine" and is contained in chapter 42.36 RCW. It applies only to local *quasi-judicial* land use actions. Briefly, it requires that you disclose publicly any personal interest you might have in a quasi-judicial matter coming before you. ("Quasi judicial" matters are those in

which public officials act more like judges than administrators or legislators in a contested proceeding.) Or if you have a real personal interest, such as you own the property in question, you can't vote on it. You shouldn't even be at the table or in the chamber when the matter is heard. It requires that you not prejudice issues that might be presented in a public hearing coming before you. That means you shouldn't have gone out to look at the situation and perhaps talked with someone first. You *must* be impartial. Your city attorney or county prosecuting attorney should be anxious to have you understand all about it.

Open Meetings. Governing bodies in all levels of government in Washington State are specifically required by the Open Public Meetings Act to conduct their business openly. See chapter 42.30 RCW. RCW 42.30.010 provides:

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

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

That's strong language. There are a number of specific instances in which executive or closed sessions of a governing body are permitted, and there is a specific process by which those closed sessions must be held. The news media covering your meetings will be closely watching any use of closed sessions and *will* report on them.

Ethics. They're required by law in all cities, towns, and counties in Washington. Hopefully, your city or town attorney, or your county prosecuting attorney, or perhaps another of your local officials will talk with you about the subject. It's covered in chapter 42.23 RCW, titled "Code of Ethics for Municipal Officers - Contract Interests." You need to get familiar with it. If you get involved in one of the orientation sessions mentioned below, you should hear something about it. Also, your city or county may have its own code of ethics for officials and employees with which you should become familiar.

Taxes. They're certainly a major part of financing. And you want them to be lower. Don't we all? However, chances are you'll have to get to know a lot about how they work in your city or county before you can just lower them. Taxes are just one source of revenue you'll have to rely upon to have well-rounded operations and meet citizen needs and desires. In fact, you'll need to know about all the revenue sources available to your local government. You'll learn that you need to look at the big picture of all sources of funds and all services before doing a lot of adjusting. Sometimes what might look like a small "tweak" in a limited area can have impacts on other parts of your operation. And neither you nor the citizens will like the result. You need to be a real student of all financial matters. And the recent passage of I-695 will

materially impact your thinking on this subject.

Getting Started. In this time of transition following the approval of I-695, you as a local government elected official are in a position to provide a key link with the public. You were elected with hope, both on your part and on that of those who elected you. Your role in teaching your constituents will be a most unique and necessary one. Hopefully, you won't regret that you ran for the office you're about to assume. And, also hopefully, you'll like doing your bit for the city or county where you live. You don't have to become an expert in everything instantly. But you owe it to yourself to become educated. And you owe it to the people who elected you to be able to teach them that being an elected official isn't always easy, and that many issues are very complex. You need the necessary background information to make knowledgeable and wise decisions. And...

Help Is Available!

Mayor and Councilmember Orientation. As a new (or old) councilmember or mayor, you will have the opportunity to go to one or more sessions designed to orient and train you for your new role. These are put on by the Association of Washington Cities (AWC). It's not a session designed to brainwash you with the way it's "always been done," or with the "good old boy" (or girl) network. It should help you to hit the ground running. It will be an opportunity for you to meet others from other cities and towns who are in the same boat as you. You'll also get to meet experienced mayors and councilmembers. If possible, you should attend one of these sessions. You'll find it very helpful. Also, it's likely that the staff of the city you're about to serve will give you a tour of facilities and help familiarize you with how things have

been done in the past. That doesn't mean that the staff is unwilling to listen to your ideas. It will be good to learn as much as you can so you have a background that will enable you at least to talk the same language. And knowing names and faces of those who work for the city or town is certainly helpful.

County Elected Official Orientation. The county organizations in Olympia will be announcing a session for newly elected county officials. It's usually held in Olympia and, among other things, attempts to have you meet your various state representatives and senators as a part of it. Watch for the announcement.

Municipal Research & Services Center of Washington. The Municipal Research & Services Center of Washington (MRSC) in Seattle is a nonprofit organization that has a large specialized library of local government materials and 12 professional consultants and other staff to serve you. The organization serves both cities and counties. They will "talk through" a question with you, or research your question and, in many cases, can send you sample materials or other information. MRSC services are delivered primarily by phone, fax, e-mail, UPS, or mail. Your city, town, or county has already paid for this service. In addition, you can access MRSC through its Web site at www.mrsc.org. The Web site contains lots of information relating to city and county government and has links to many other sources of local government information, including AWC, WSAC, and WACO (see below). MRSC can be reached at (206) 625-1300 or at (800) 933-6772.

Association of Washington Cities. The Association of Washington Cities (AWC) in Olympia is the lobbying and coordinating organization serving Washington cities. It holds

Congratulations...Continued
from page 6

many meetings of city officials at various places around the state each year. AWC keeps your city posted on what's happening for you and to you based on what's going on in the legislature and in some state departments. Every city in Washington is a member and pays dues for that membership. AWC's phone number is (360) 753-4137.

Washington State Association of Counties and Washington Association of County Officials.

Three major resources are available to you if you're in a county. They are Washington State Association of Counties (WSAC), Washington Association of County Officials (WACO), and Municipal Research & Services Center of Washington (MRSC), mentioned above. Both WSAC and WACO are in Olympia and share the same building. WSAC is comprised of county commissioners, county councilmembers, and county executives. WSAC's phone number is (360) 753-1886. WACO is comprised of the other elected county officials (not commissioners or county councilmembers). WACO's phone number is (360) 753-7319. Both organizations have staff that can assist with your questions. Both also lobby the state legislature for county issues. As mentioned above, MRSC can be reached at (206) 625-1300 or at (800) 933-6772, or through its Web site at www.mrsc.org. Both WSAC and WACO Web sites can be reached by links through the MRSC site.

It's now time to get started.

Again, welcome aboard!

Good luck! And enjoy!☐

*Ron Bartels, Public Policy & Management Consultant
Municipal Research & Services Center*

Driving Under the Influence (of a cellular phone)

Can a city in the state of Washington prohibit driving while using a hand-held mobile phone? The city of Brooklyn, Ohio, has passed such an ordinance, some state legislatures are considering a statewide ban, and Germany has recently enacted a law to that effect. The basis for such regulation comes from growing statistical evidence showing a much higher accident rate for those whose attention is diverted by use of a hand-held mobile phone.

Thus far, no city in Washington has enacted such a regulation, but the issue has been raised. Before taking such a step, we recommend that a city discuss the issue with legal counsel. Any attorney researching this issue should read *State v. Rabon*, 45 Wn.App. 832 (1986).

Questions to ponder – Does it make sense to have different regulations in adjoining jurisdictions? How can a city inform drivers passing through town of the local regulation – signs on every street leading into the city? Is it important enough to your city to be the first to pass such an ordinance, and perhaps bear the burden of paying for the costs of a legal challenge?

Washington State may eventually pass a regulation concerning use of hand-held mobile phones. However, this year we suspect the legislature will probably be focused on budget concerns.

Interestingly, Brooklyn, Ohio, was also the first city in the country to require the use of automobile seatbelts (1966).☐



UPDATE

Telecommunications

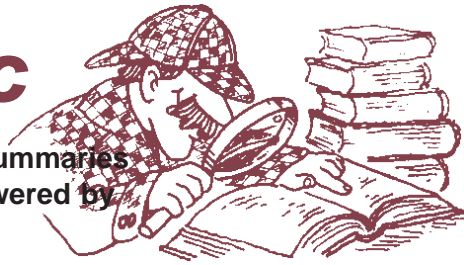
Web page updated

MRSC has added a new section to our telecommunications page – County Utility Accommodation Policies. The new Web page contains sample county policies for telecommunication and other right-of-way users and model policies and procedures from the County Road Administration Board. Cities should review the sample county policies. We think many cities could benefit from adopting right-of-way use

policies with similar provisions. There are an increasing number of telecommunication companies wanting access to the public rights-of-way. Even rural areas are going to see expanded demand for access, sometimes for fiber optic cables being installed for schools. Good coordination during infrastructure installation can minimize the roadway costs and inconvenience to the public.☐

Ask MRSC

This column contains summaries of recent inquiries answered by MRSC consultants.



City Office Hours Who has authority to establish city hall office hours?

The responsibility for setting hours of work is the city council's and must be established by ordinance. RCW 35.21.175 states:

"Offices to be open certain days and hours. All city and town offices shall be kept open for the transaction of business during such days and hours as the municipal legislative authority shall by ordinance prescribe."

Concurrency Must a city or county subject to the Growth Management Act have a separate transportation concurrency ordinance or may it use SEPA and other existing ordinances to implement concurrency?

Although RCW 36.70A.070(6)(b) requires local jurisdictions subject to the GMA to adopt and enforce transportation concurrency ordinances, the statutes are not specific about the type of ordinance necessary to implement concurrency. Many cities are adopting separate concurrency ordinances to implement their concurrency program, but a few are relying primarily on SEPA.

Whether a local jurisdiction chooses to implement concurrency through its SEPA regulations or another part of its code, the development regulations should include specific concurrency language that prohibits development

when level of service standards for transportation facilities cannot be met. See RCW 36.70A.070(6)(b).

In addition, a Western Washington Growth Management Hearings Board case indicates that local jurisdictions should spell out their methodology for assuring concurrency compliance either within their comprehensive plans or development regulations.

De-Annexing Property Is there a process to de-annex property from a city?

Although it is technically possible to de-annex property from a city, it is not easy to do. (However, one city did so at the November 1999 election.) The procedure is outlined in chapter 35A.16 RCW for code cities and chapter 35.16 for other cities. A petition must be signed by persons representing at least 10 percent of the number of votes cast at the last general municipal election. Alternatively, the procedure can be started by a council resolution. If the petition is filed or resolution passed, an election is held. If three-fifths of the voters favor the reduction of the corporate limits, the property would be excluded from the city.

De Facto Officer Are the actions of a council or board valid if one of its members is later found to have been improperly holding office?

The actions of such a councilmember or commissioner would be valid under the "de facto officer doctrine." A de

facto officer is an officer who has the appearance or reputation of being the officer he or she assumes to be but who, in fact, has no right or title to the office. The person does hold office under some color of right or title, but for some reason is actually ineligible or improperly holding the office.

The acts of a de facto officer, although that officer's title may be improper, are valid so far as they concern the public or third persons who have an interest in the thing done. So the actions and votes taken by the city council or board of county commissioners while this individual was holding office, even if he or she was holding office improperly, are valid and cannot be challenged or invalidated later.

Dedication of Right-of-Way Whether a dedication of a right-of-way through a lot, by itself, effects a division of land that is subject to short plat requirements.

There is generally no division of land effected by a mere dedication of right-of-way, so neither the subdivision nor short subdivision process is invoked by a dedication. As a general rule, dedication of a right-of-way involves conveyance of an easement for public travel and not the conveyance of fee title to property. So, a lot that is split by a right-of-way remains one lot.

Nevertheless, there may be cases where the underlying fee title to property has been conveyed in conjunction with a dedication of right-of-way. Only in those cases would a division of land occur so as to subject the transaction to compliance with state subdivision or local short subdivision requirements.

Executive Session May council meet in executive session to review the qualifications of candidates for selection as an independent contractor?

No. The only possible provision for executive sessions in the Open Public Meetings Act under which this could possibly fit is RCW 42.30.110(1)(g). That section allows an executive session “[t]o evaluate the qualifications of an applicant for public employment.”

The council could meet in executive session in this case under this provision only if “an applicant for public employment” could be construed to cover an “applicant” to be an independent contractor. Since the Open Public Meetings Act is to be “liberally construed” by the courts so that any exceptions are narrowly confined (RCW 42.30.910), a court would not likely construe an independent contractor to be a public employee, since they are two different legal statuses.

Hotel-Motel Tax Can a city use hotel-motel tax funds to advertise a circus?

No. Although the circus brings people into town from the surrounding area, it would be a gift of funds to use city money for advertising the circus. Perhaps if the circus and the city wrote a contract whereby the circus would provide free admission for low-income children in exchange for the provision of city advertising, this might be permitted.

Landscaping Plans Must landscaping plans be stamped by a licensed landscape architect?

The state statute regarding landscape architects, chapter 18.96 RCW, requires that all plans prepared by a

licensed landscape architect be stamped with the seal of the *registered* landscape architect (RCW 18.96.150). However, the statute does not address which plans are required to be stamped by a licensed landscape architect. Each jurisdiction determines which plans must be stamped by a licensed landscape architect and should follow its own regulations. Some jurisdictions have prepared city landscape standards, which outline the types of landscaping plans that must be prepared and stamped by a licensed landscape architect.

Mileage Reimbursement

What is the IRS limit in 2000 on mileage reimbursement for use of employee-owned vehicles?

For 2000, it is 32.5 cents per mile, up from 31 cents in 1999.

Piggybacking Is it legal to piggyback onto a bid from a municipality from another state?

Yes. RCW 39.34.020, a section of the Interlocal Cooperation Act, authorizes intergovernmental agreements for joint purchasing with municipalities from another state. The city or county should enter into an interlocal agreement prior to the advertisement by the other entity for quotes or bids from qualified vendors. The agreement must specify that the bidding requirements of the piggybacking jurisdiction be met.

Public Disclosure Is a list of individual county or city employee e-mail addresses subject to public disclosure?

Yes, there is no statutory exemption from public disclosure that would apply here. Since these are workplace and not home e-mail addresses, there are no personal privacy implications. The e-mail list is really no different than a list of work telephone extension numbers.

Traffic Do most traffic regulations apply on private streets?

No. RCW 46.61.005 provides:

“The provisions of this chapter relating to the operation of vehicles refer exclusively to the operation of vehicles upon highways except: (1) Where a different place is specifically referred to in a given section. (2) The provisions of RCW 46.52.010 through 46.52.090, RCW 46.61.500 through RCW 46.61.525, and RCW 46.61.5249 shall apply upon highways and elsewhere throughout the state.”

RCW 46.04.197 defines highway as:

“Highway means the entire width between the boundary lines of every way publicly maintained when any part thereof is open to use of the public for purposes of vehicular travel.”

So most of the traffic laws only apply to highways in the state, and highway is defined as every way that is publicly maintained. A private road is not publicly maintained and so the traffic laws do not apply. There are some exceptions, such as for DUI laws in RCW 46.61.500 through 46.61.525. □

mrsc@mrsc.org



1-800-933-MRSC



Web News (www.mrsc.org)

What's New on the MRSC Web site?

- In recent months, we've added a lot of new information to the MRSC Web site, including the new *Washington State Model Design and Construction Manual*. The manual contains chapters on design standards, construction management, and bidding. We've included sample and model documents that you can readily adapt for local agency use on both transportation and non-transportation related capital projects.
- We've also added a wide variety of sample forms from planning, finance, administration, and public works departments. In some cases, we've linked to forms posted online by cities and counties; in other cases, we have scanned the forms. Also, take a look at the extensive sets of other sample documents that we've previously posted, including ordinances, job descriptions, contracts, agreements, plans, and policies.

- In the area of public safety, we've added the full text of *The Washington Association of Sheriffs and Police Chiefs Policy Manual*, and the *Law Enforcement Agencies Records Retention Schedule and Records Management Manual*. Also, see the other records retention manuals that we've posted.
- Local governments are beginning to provide services via the Web. These services range from license applications, to sale of records such as birth and death certificates, to billing and fine payment systems. Take a look at a variety of these local government services linked from our new E-commerce page www.mrsc.org/infoserv/govservpg.htm.

How Do I?

Q: How do I download a sample document from the MRSC Web site?

A: First locate the document by using

the "Sample Documents" listings near the bottom of the right-hand column of the MRSC home page (www.mrsc.org). For most documents, you may then block the entire document or selected text, paste it into your word-processing program, and you're done. For documents in Adobe Acrobat format only (which we've denoted by the Acrobat icon), you may block text if the document started out as a word-processing document. Click on the T (Text Select Tool) at the top of the Acrobat window, use your mouse to select the text, and then use the right mouse button to select and copy the text. This will not work if we scanned the document initially since it is then a graphic and not text. If you have any questions about downloading documents, please feel free to contact Fred Ward at MRSC. □

*Fred Ward, Mgr. of Library & Information Services
Municipal Research & Services Center*

Brownfields Assessment Pilots

The U.S. Environmental Protection Agency is now accepting application proposals for the National Brownfields Assessment Demonstration Pilot program. The Brownfields Assessment Pilots test cleanup and redevelopment planning models, direct special efforts toward removing regulatory barriers without sacrificing protectiveness, and facilitate coordinated environmental cleanup and redevelopment efforts at the federal, state, tribal, and local levels. Each award will be up to \$200,000 over two years. An addi-

tional \$50,000 may be awarded to an applicant to assess the contamination of a brownfields site(s) that is or will be used for greenspace purposes. EPA expects to select up to 50 additional national assessment pilots by April 2000. States, cities, towns, counties, and federally recognized Indian tribes are invited to apply by the deadline, February 16, 2000. Copies of the application guidelines are available via the Internet at <http://www.epa.gov/brownfields/applicat.htm>.

Information on the current Assessment Pilots can be found on the Internet at <http://www.epa.gov/brownfields/pilot.htm>. General information on the Brownfields Initiative can be found at <http://www.epa.gov/brownfields/>. If you have questions regarding the application, you may call EPA's Superfund Hotline at the following numbers: Outside Washington, D.C. Metro at 1-800-424-9346; TDD for the hearing impaired at 1-800-553-7672. □



Heads Up

Emerging Information for Local Government

Seattle Downtown Safety Ambassador Program

Seattle is using downtown “safety ambassadors” to provide advice and assistance to pedestrians. These guides are trained to identify, report, and problem solve public safety issues. They work in partnership with the police department, mental health and substance abuse programs, and human service agencies. The program will also create a public safety coalition and an e-mail and fax network where Seattle police, internal building security, safety patrol personnel, and human services professionals can coordinate efforts and share information.

The program is part of a Downtown-wide Business Improvement Area (DBIA) managed by the Downtown Seattle Association and approved by the city council in July 1999. In addition to the public safety component, there is a maintenance program and a marketing and public relations program designed to promote a positive image of the assessment area.

The maintenance program includes sidewalk sweeping, graffiti removal, special projects to clean up problem areas, and monitoring and problem solving for alley maintenance and trash removal problems. This program will also operate as a job-training program targeting people who are homeless in the downtown area. (Resolution No. 29965, Ordinance 119541, Seattle Press Release 7-19-99, *Daily Journal of Commerce*, Oct 13, 1999.)

Panhandler Donations via “Parking Meter”

Two communities in British Columbia, Burnaby and Kamloops, are experimenting with the use of specially designated parking meters for citizens to use for making donations instead of giving money directly to panhandlers. Kamloops installed six panhandling meters in its downtown last year and Burnaby will install two meters. Money from the meters will be given to food banks, shelters, and other charities. (*Daily Journal of Commerce*, October 7, 1999.)

Student Courts for Minor Offenses

High schools in the Lake Stevens and Kent areas are using the concept of student courts to handle minor offenses such as traffic tickets. The Lake Stevens student court was an idea of the Lake Stevens Police Chief – his staff coordinates the court. Students staff the court by acting as judges and attorneys. The Kent Municipal Court Judge oversees the Kent student court. Students act as jurors and clerks. Students receive community service as punishments. The value of these courts is educational, they shorten processing time, and they provide another option for resolving mistakes. (*Lake Stevens Journal*, 9-15-99 and *South County Journal*, 9-29-99.)

Regulation of Internet Gambling

While Congress debates whether to prohibit Internet gambling, a number of

analysts believe that lawmakers and prohibitionists cannot effectively stop Internet gambling and that it will be legalized like other forms of gambling. According to a Cato Institute policy analysis, the architecture of the Internet will frustrate those who attempt to prohibit Internet gambling. Consumer demand for Internet gambling and the states’ demand for tax revenue will create pressures for legalization. (“Internet Gambling: Popular, Inexorable, and (Eventually) Legal,” by Tom Bell, Cato Institute Policy Analysis No. 336, (3-99). <http://www.cato.org/pubs/pas/pa-336es.html>.)

Delivering City Videos via the Web

The “new media” is providing cities and counties with new opportunities to interface with citizens. Seattle, in cooperation with its public access television station, is making videos available through its Web site at <http://media.ci.seattle.wa.us/>. Since there aren’t many government organizations that are currently delivering audio or video across the Internet, information is provided on how to get started. Seattle hopes that its site will provide insight and inspiration to others in the public sector. □

State Legal Holidays for 2000

The following are Washington State's legal holidays for 2000. Counties, cities, and towns do not have to follow this holiday schedule. MRSC follows the state holiday schedule and our office will be closed these days.

State Legal Holiday Names	State Statutory Designation of Holiday (RCW 1.16.050)	2000 Holiday Dates
New Year's Day*	January 1	December 31, 1999 (Friday)
Martin Luther King, Jr.'s Birthday	Third Monday in January	January 17, 2000 (Monday)
Presidents' Day	Third Monday in February	February 21, 2000 (Monday)
Memorial Day	Last Monday of May	May 29, 2000 (Monday)
Independence Day	July 4	July 4, 2000 (Tuesday)
Labor Day	First Monday in September	September 4, 2000 (Monday)
Veterans' Day	November 11	November 10, 2000 (Friday)
Thanksgiving Day	Fourth Thursday in November	November 23, 2000 (Thursday)
Day immediately following Thanksgiving	Day immediately following Thanksgiving	November 24, 2000 (Friday)
Christmas Day	December 25	December 25, 2000 (Monday)
Floating Holiday	Selected in accordance with local ordinance or resolution and personnel policies	

*Since New Year's Day, 2000, falls on a Saturday, the holiday will be taken on Friday, December 31, 1999. RCW 1.16.050 provides that when a legal holiday falls upon a Saturday, the preceding Friday shall be the legal holiday.



Resource Sharing Information Partnership Program

The *Information Partnership Program* seeks and collects current materials from the local governments of Washington. The materials received provide answers and support to the challenges faced by cities and counties every day. You may order the materials below by contacting the MRSC library at (800) 933-6772 or (206) 625-1300, fax (206) 625-1220, or E-mail us at mrsc@mrsc.org. Due to space limitations, the list below may not be complete. A comprehensive list of IP materials received may be requested from the library or viewed on our Web site at www.mrsc.org/library/rshare.htm.

We encourage you to make this list available to those departments who would benefit from its contents.

City Council Handbooks

Colville Resolution #01-1980 establishing rules of conduct for council meetings, 2 p., 1980 (G 4.2100); **Dayton** Resolution No. 870 establishing rules of conduct for council meetings; Resolution No. 921 establishing council committees and their procedures; Resolution 1007 amending council rules of procedure, 9 p. (G 4.2100); **Des Moines** City Council Rules of Procedure, 26 p., 06/95. (G 4.2100); **Ellensburg** Handbook for councilmembers and board, commission and committee members, 45 p., 1997 (G 4.1100 E43 H35 1997); **Goldendale** Ordinance No. 1182 Rules for City Council, 8 p., 1998, (G 4.2100); Ordinance 1221 Updating Order of Business agenda for council meetings, 3 p., 1998, (G 4.2100); **Port Angeles** City Council Rules of Procedure, 9 p., 1999 (G 4.2100); **Poulsbo** City Council Rules of Proce-

dures, 13 p., published February 1 1995, amended June 2, 1999. (G 4.2100 P58 C58 1999**); **Spokane** City Council Rules of Procedure, 1 vol., 1981 (G 4.2100 S73 C58 1981).

Fixed Assets Inventory Systems & Forms

East Wenatchee Physical inventory sheet, 1 p., 1999 (F 2.2210); **Ellensburg** Fixed asset inventory systems and forms, 6 p., (F 2.2210); **Friday Harbor** Fixed assets policy and procedures, 9 p., 1999 (F 2.2210); **Kennewick** Fixed asset transaction form, 2 p., (F 2.2210); **Poulsbo** Capitalization policy and fixed asset forms, 16 p. 1992, 1999. (F 2.2210); **Omak** Resolution 18-99 adopting policy and procedures for fixed assets, 14 p., August 2, 1999 (F 2.2210); **Port Angeles** Implementation of fixed assets procedures, 6 p., (F 2.2210); **Shelton** Resolution No. 561 providing new uniform policy and procedure for fixed assets, 13 p., 1990 (F 2.2210); **Tumwater** Acquisition/status change form, 1 p., (F 2.2210)

Information Technology Strategic and Long-Range Plans

Des Moines 1999 Budget for computer operations, 9 p. (IS 1.2000); **Friday Harbor** Information management plan for the Town of Friday Harbor, 33 p., 1995 (IS 1.2000 F75 I54 1995)

Lien Forms for Non-Payment of Utilities

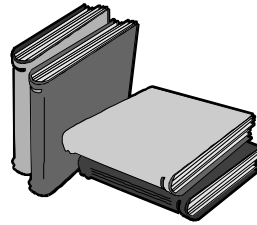
Camas Claim of lien form, 2 p., (U 1.3400); Doorknob shut-off notice (U 1.3300); **Dayton** Notice of lien for utility services, 1 p., 1994. (U 1.3400);

Gig Harbor Utility shut-off notice, 1 p. (U 1.3300); **Kennewick** Utility account information form, 1 p., (U 1.3000); **Omak** Sewer lien notice and utility lien notice, 2 p., (U 1.3400); **Poulsbo** Lien and Release lien form, 2 p. (U 1.3400); **Ritzville** Lien notices and Utility Billing statutes, 7 p., 1999 (U 1.3400); **Stanwood** Utility lien notice, 1 p. (U 1.3400); **Westport** Utility lien, 1 p. (U 1.3400); **Wilbur** Garbage lien notice & release, 2 p. ; Sewer lien notice & release, 2 p. (U 1.3400); **Winthrop** Claim of lien, 1 p. (U 1.3400)

Records Management Policies/Procedures

Colville Public records request form, 1 p., (G 5.9500); **Des Moines** Disclosure of public records: policies, forms and fees, 15 p., 1999. (G 5.9500); **Ellensburg** Public disclosure ordinance and implementation forms, 15 p., 1999 (G 5.9500); **Goldendale** Request for/access to public records, 1 p., (G 5.9500); **Kennewick** Requests for access to or copies of city/public records, 14 p., (G 5.9500); **Poulsbo** Ordinance No. 92-28 establishing new chapter in municipal code: 2.98 – Public Records, 10 p. (G 5.9500); Request for public record forms, 5 p. (G 5.9500); Records management policy and procedures, 10 p., 1992 (G 9.4000); Internal records retention schedules, 9 p., 1998 (G 9.4000); **Omak** Ordinance 1217 implementing procedures for the inspection of public records, 8 p., March 1, 1993 (G 5.9500); **Port Angeles** PMC Ch. 2.74 – Inspection of public records with request form, 6 p., 1993 (G 5.9500); **Winthrop** Request for public records form, 2 p. (G 5.9500)□

New Acquisitions



This list contains new publications, ordinances, and other materials recently received by the MRSC library. We also prepare a more comprehensive list of new acquisitions each month which is posted on our Web site at www.mrsc.org/library/newacq.htm. If you would like to borrow one or more of these publications, please contact Sarah Sadt in our library at (206) 625-1300.

Economic Development

"Catching on to Clusters", by Ted K. Bradshaw, James R. King, and Stephen Wahlstrom, *Planning*, June 1999, pp. 18-21. (ED 5.3300)

"Economic Benefits of Parks and Open Space," American Planning Association, *Public Investment*, September 1999, 4 p. (PL 5.2800)

How to Market Your City to the Film Industry, Washington State Film Office (WSFO), 1 vol., June 1999. (ED 5.3250 W3 H655 1999**)

Environment

Bainbridge Island, WA Ordinance No. 99-22 - Clarifies the types of educational and scientific activities that are allowed in wetlands and streams and their environmental buffers, passed 5-99. (EN 4.1000)

Finance

A Guide for Preparing a Debt Policy, by Patricia Tighe, Chicago, Government Finance Officers Association, 1998, vi, 24 p., 1 computer disk. [F 7.1000 G85 1998 KIT]

The Internet Tax Revolt: State and Local Officials, Policy Wonks and E-commerce Vendors Battle Over How and Whether to Tax Business Over the Internet, by Heather Hayes, *civic.com*, August 1999, pp. 22-29 (5). (F 5.1207)

Government Administration

"The Council-Staff Partnership: A Team in Service to the Community," by John Nalbandian, *Western City*, September 1999, pp. 5-10. (G 5.8000)

Lynnwood, WA Ordinance No. 2266 - Creates a Public Facilities District pursuant to Chapter 165, Laws of 1999, including the authority to acquire, construct, own, finance, and operate a regional center, passed August 24, 1999, 4 p. (SPD 16.5000)

Trust in Government [compilation], Municipal Research and Services Center, Seattle, WA, 1999, 2 vols. A collection of articles and works focusing on the relationship between government organizations and the citizens they serve. [G 9.1525 T78 1999]

Information Systems

E-topia: "Urban life, Jim - but not as we know it," William J. Mitchell, Cambridge, MA, MIT Press, 1999, 184 p. Discusses how future definitions of architecture and design will incorporate virtual places and infrastructures in addition to the physical. [IS 0.0009 E76 1999]

"Great City Web Sites," by Curt Anderson, *Minnesota Cities*, September 1999, 49 p. (IS 4.3000)

Land Use Planning

Controlling strip development: Sample Ordinances, compiled by Ross A. Moldoff, Salem, NH, 1999, 1 vol. [PL 8.3120 C65 1999]

Outdoor Lighting Manual for Vermont Municipalities, Kathleen Ryan and Michael J. Munson, Ph.D., Essex Junction, VT, Chittendon County Regional Planning Commission, 1996, 48 p., col. ill. [PL 8.2000 O87 1996**]

Smart Development Code Handbook, Oregon Transportation and Growth Management Program, Salem, OR, 1997, 2 vol. An explanation of smart growth development, how it works in Oregon State, and sample development codes, designs, and practices. [PL 8.6270 S533 1997]

Legal

Regulation of Peddlers, Solicitors, Temporary Merchants and Mobile Vendors [compilation], Municipal Research and Services Center of Washington (MRSC) Library, September 1999, Seattle, WA, 1 vol. [LR 68.0000 R455 1999]

Libraries

Financing Public Library Buildings, by Richard B. Hall, New York, Neal-Schuman, 1994, 299 p. [LIB 2.0000 F55 1994]

Model Policies for Small and Medium Public Libraries, Jeanette

Larson and Herman L. Totten, New York, Neal-Schuman, 1998, xviii, 213 p. [LIB 1.3000 M63 1998]

Parks & Recreation

Management of Park and Recreation Agencies, edited by Betty van der Smissen, Merry Moiseichik, Vern J. Hartenburg, and Louis F. Twardzik, Ashburn, VA, National Recreation and Park Assoc., 1999, xxii, 833 p. [P 1.0000 M35 1999]

Personnel

"Censored! 'Free' Speech at Work", by Scott Hays, *Workforce*, September 1999, pp. 34-37. "Where do you set the bar when you're trying to respect and encourage the free exchange of ideas among employees, and create a hostility-free work environment?" (PE 6.6000)

Easy Ergonomics: A Practical Approach for Improving the Workplace, California Department of Industrial Relations, Cal/OSHA Consultation Service Education and Training Unit, Sacramento, CA, State of California, 1999, 88 p. : ill. [PE 1.6000 E37 1999]

How to Conduct Internal Investigations, Albert L. Vreeland, Brentwood, TN, M. Lee Smith, 1999, vi, 56 p. Specially written for human resource managers. [PE 4.0000 H68 1999]

Performance Appraisals: Training for Managers and Supervisors, City of Kennewick, Kennewick, WA, 1994, 36 p. + appendices. [PE 8.1000 K43 P47 1994]

Selecting a Police Chief: A Handbook for Local Government, International City/County Management Association, Police Executive Research Forum, Washington, D.C., 1999, 184 p. [PE 2.3000 S45 1999]

Public Safety

Local Government Law Enforcement Agencies General Records Retention Schedule and Records Management Manual, Washington State Secretary of State Division of Archives and Records Management, September 1999, Olympia, WA, State of Washington, 1 v. (various pagings). [G 9.4000 W3 L38 1999]

Snohomish County Emergency Radio System (ERS) Interlocal Cooperation Agreement, Snohomish County, Everett, WA, 1999, 33 p. + appendices. [PS 5.0000 S61 E54 1999]

"Spotlight on...Hazardous Materials Response," by Tony Lesce, *The Police Chief*, July 1999, pp. 64-68. (PS 1.4400)

Public Works

Operation of Municipal Wastewater Treatment Plants: Manual of Practice No. II, Water Environment Federation, 5th ed., Alexandria, VA, 1996, 3 vols. [US 6.1000 O74 1996]

Stormwater Management in Washington State, Washington State Department of Ecology, Olympia, WA, Washington State, 1999, 5 vols, draft edition. [US 5.0000 W3 S86d 1999]

Transportation

Guide for Snow and Ice Control, American Association of State Highway and Transportation Officials (AASHTO), Washington, D.C., 1999, x, 256 p., ill. [S 2.2300 G85 1999]

Guide for the Development of Bicycle Facilities, prepared by the AASHTO Task Force on Geometric Design, Washington, D.C., 1999, vi, 44 p., ill. [T 6.1000 G85 1999],

Local Agency Pavement Management Application Guide, written by

Margaret Broten, Washington State Department of Transportation, Olympia, WA, Northwest Technology Transfer Center, 1997, 1 vol. [S 2.1400 L63 1997]

Marysville, WA Ordinance No. 2279 - Enacts new municipal code chapter relating to traffic impact fees and mitigation of transportation impacts; revises street capital facilities plan; establishes "Traffic Impact Fee Fund - City," and "Traffic Impact Fee - County," as part of city's budget, passed 9-99. (T 2.2000)

Transportation Infrastructure Standards and Specifications, City of Woodinville, Woodinville, WA, 1999, 1 vol. [PW 2.1000 W6 T73 1999]□

*Our entire staff joins
in wishing you a
Happy Holiday Season*



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