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NO. 73195-5-I

COURT OF APPEALS, DIVISION ONE
SUPERIOR COURT
OF THE STATE OF WASHINGTON

WARREN E. BOHON

Appellant,

vs.

CITY OF STANWOOD,

Respondent,

BRIEF OF APPELLANT

Warren E. Bohon, Pro se
881 port Susan Terrace
Camano Island Wa 98282
Cell (425) 463- 8460

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APPELLANT BRIEF KEATING, BUCKLIN
& McORMACK, INC., P.C.

On October 20, 1992 STANWOOD – PUBLIC- WORKS supervisor Robert Donohoe hired me as a Public Works Department Employee, he assigned me a public works department vehicle. He assigned me to an Office in the Public Works Building located adjacent to the City of Stanwood (COS) LAGOON.

a Public Works Storm water and Sewer Division was in an office below mine. John Mc Gill was the Public Works Manager of that division. A Public Works Water (Potable) Division Office was also below mine. The “Potable Water” division Manager was William (Bill) Beckman. Kevin Hushaugen worked for John Mc Gill in the sewer division. John Case, Rodney (Rod) Sundberg and Tom Heaphy worked in the Water Division for Bill Beckman.

I was hired as the COS Code Enforcement Officer originally working part time and directed to attend Night College courses at Everett Community College which required an additional Employment 12 hours a weeks.

In December 1992 I was given Building Inspector Work requiring increasing hours per week because COS was becoming the Fastest Growing City in the State of Washington. There was a Teamster Union Collective Bargaining agreement (CBA) for all Public Works Employees working over 800 hours

per year which I only learned of from Kevin Hushaugen.

Upon inquiring about getting included in the CBA I was told by Joyce George the Personnel Clerk. I was not a Public Works Employee.

The City Growth, night school and relocation of my residence And change of City Mayor and Public Works Supervisor all At the same time caused a general shuffling of COS job Positions and work responsibilities.

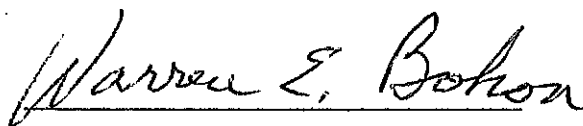
At a night school coffee break I learned from another Military Veteran of Preference Employment benefits. When I inquired of the new Public Works Supervisor. He said well Warren he was also a vet and would check into it and let me know what he found out. His statement afterward to me was that I did not qualify for any Veteran Employment benefits. He intentional misinformed me. Because I later found out that I was entitled to Veterans preference points Benefits when asking for a job. The public works supervisor told me wrongfully so I would not be able to out bid him for a job.

Subsequently Bill Beckman asked my help to investigate what he Though might be illegal water consumption at farm supplied water by by the city.

I was able to quickly solve the problem and during the investigation report contact with Bill Beckman and John Case it was obvious to me Beckman

I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct

Signed this 19th day of May, 2016 at Camano Island, Washington.

A handwritten signature in cursive script that reads "Warren E. Bohon". The signature is written in black ink and is positioned above a solid horizontal line.

WARREN E. BOHON

BOHON BRIEF

RCW 43.08.140
Embezzlement — Penalty.

If any person holding the office of state treasurer fails to account for and pay over all moneys in his or her hands in accordance with law, or unlawfully converts to his or her own use in any way whatever, or uses by way of investment in any kind of property, or loans without authority of law, any portion of the public money intrusted to him or her for safekeeping, transfer, or disbursement, or unlawfully converts to his or her own use any money that comes into his or her hands by virtue of his or her office, the person is guilty of a class B felony, and upon conviction thereof, shall be imprisoned in a state correctional facility not exceeding fourteen years, and fined a sum equal to the amount embezzled.

[2003 c 53 § 224; 1992 c 7 § 40; 1985 c 8 § 43.08.140. Prior: 1890 p 644 § 10; RRS § 11027; prior: 1886 p 105 § 11.]

Notes:

Intent -- Effective date -- 2003 c 53: See notes following RCW 2.48.180.

Misappropriation of funds: RCW 42.20.070, 42.20.090.

Chapter 42.20 RCW
Misconduct of public officers

RCW Sections

- 42.20.020 Powers may not be delegated for profit.
- 42.20.030 Intrusion into and refusal to surrender public office.
- 42.20.040 False report.
- 42.20.050 Public officer making false certificate.
- 42.20.060 Falsely auditing and paying claims.
- 42.20.070 Misappropriation and falsification of accounts by public officer.
- 42.20.080 Other violations by officers.
- 42.20.090 Misappropriation, etc., by treasurer.
- 42.20.100 Failure of duty by public officer a misdemeanor.
- 42.20.110 Improper conduct by certain justices.

Notes:

Bidding offenses: Chapter 9.18 RCW.

Bribery or corrupt solicitation prohibited: State Constitution Art. 2 § 30.

Cities

optional municipal code, council-manager plan, forfeiture of office for misconduct: RCW 35A.13.020.
optional municipal code, mayor-council plan, forfeiture of office for misconduct: RCW 35A.12.060.

Cities and towns, commission form, misconduct of officers and employees: RCW 35.17.150.

County officers, misconduct: RCW 36.18.160, 36.18.170.

County treasurer, suspension for misconduct: RCW 36.29.090.

Election officials, misconduct: Chapter 29A.84 RCW.

Flood control district officers, interest in contracts prohibited: RCW 86.09.286.

Forfeiture of office upon conviction of felony or malfeasance: RCW 9.92.120.

Free transportation for public officers prohibited: State Constitution Art. 2 § 39, Art. 12 § 20.

Impersonating public officer: RCW 9A.60.045.

Juries, misconduct of public officers concerning: Chapter 9.51 RCW.

Militia, misconduct: Chapter 38.32 RCW.

Official misconduct: RCW 9A.80.010.

Penitentiary employees, misconduct: RCW 72.01.060.

Private use of public funds, penalty: State Constitution Art. 11 § 14.

School funds, failure to turn over: RCW 28A.635.070.

School officials

disclosing examination questions: RCW 28A.635.040.
grafting: RCW 28A.635.050.

School teachers

failure to display flag: RCW 28A.230.140.

failure to enforce rules: RCW 28A.405.060.

revocation or suspension of certificate or permit to teach -- investigation by superintendent of public instruction -- mandatory revocation for crimes against children: RCW 28A.410.090.

State and judicial officers, impeachment: State Constitution Art. 5.

State treasurer, embezzlement: RCW 43.08.140.

Subversive activities, disqualification from holding public office: RCW 9.81.040.

Utilities and transportation commission members and employees, interest in regulated companies prohibited: RCW 80.01.020.

Chapter 43.01 RCW
State officers — general provisions

RCW Sections

- 43.01.010 Terms of office.
- 43.01.020 Oath of office.
- 43.01.035 Reports -- Periods to be covered.
- 43.01.036 Reports -- Electronic format -- Online access.
- 43.01.040 Vacations -- Computation and accrual -- Transfer -- Statement of necessity required for extension of unused leave.
- 43.01.041 Accrued vacation leave -- Payment upon termination of employment.
- 43.01.042 Vacations -- State institutions of higher learning.
- 43.01.043 Vacations -- Rules and regulations.
- 43.01.044 Vacations -- Accumulation of leave in excess of thirty days authorized without statement of necessity -- Requirements of statement of necessity.
- 43.01.045 Vacations -- Provisions not applicable to officers and employees of state convention and trade center.
- 43.01.047 Vacations -- Provisions not applicable to individual providers, family child care providers, adult family home providers, or language access providers.
- 43.01.050 Daily remittance of moneys to treasury -- Undistributed receipts account -- Use.
- 43.01.060 Daily remittance of moneys to treasury -- Treasurer's duty on default.
- 43.01.070 Daily remittance of moneys to treasury -- Liability of officers for noncompliance.
- 43.01.072 Refund of fees or other payments collected by state.
- 43.01.073 Refund of fees or other payments collected by state -- Voucher.
- 43.01.074 Refund of fees or other payments collected by state -- Warrant.
- 43.01.075 Refund of fees or other payments collected by state -- Limitation where amount is two dollars or less.
- 43.01.090 Departments to share occupancy costs -- Capital projects surcharge.
- 43.01.091 Departments to share debt service costs.
- 43.01.100 Application forms -- Employment -- Licenses -- Mention of race or religion prohibited -- Penalty.
- 43.01.120 Accidental death and dismemberment coverage during aircraft flights for state officers, employees, and legislators.
- 43.01.125 Duty to identify employees whose performance warrants termination from employment.
- 43.01.135 Sexual harassment in the workplace.
- 43.01.150 Power to employ or appoint personnel not to include authority to provide state owned or leased motor vehicle.
- 43.01.160 State publications to be in gender-neutral terms -- Exception -- Effect of noncompliance.
- 43.01.200 Facilitating recovery from Mt. St. Helens eruption -- Legislative findings -- Purpose.
- 43.01.210 Facilitating recovery from Mt. St. Helens eruption -- Scope of state agency action.
- 43.01.215 Facilitating recovery from Mt. St. Helens eruption -- Precedence of court proceedings under RCW 43.01.210 -- Finality of order under RCW 8.04.070 -- Appeal.
- 43.01.220 Commute trip reduction -- Parking revenue -- Definitions.
- 43.01.225 Commute trip reduction -- Parking revenue -- State vehicle parking account.

RCW 43.01.125

Duty to identify employees whose performance warrants termination from employment.

It is the responsibility of each agency head to institute management procedures designed to identify any agency employee, either supervisory or nonsupervisory, whose performance is so inadequate as to warrant termination from state employment. In addition, it is the responsibility of each agency head to remove from a supervisory position any supervisor within the agency who has tolerated the continued employment of any employee under his or her supervision whose performance has warranted termination from state employment.

[1985 c 461 § 15.]

Notes:

Severability – 1985 c 461: See note following RCW 41.06.020.

Adoption of rules to remove supervisors tolerating inadequate employees: RCW 41.06.196.

- 43.01.230 Commute trip reduction -- Use of public funds.
- 43.01.235 Commute trip reduction -- Higher education institutions -- Exemption.
- 43.01.236 Commute trip reduction -- Institutions of higher education -- Exemption.
- 43.01.240 State agency parking account -- Parking rental fees -- Employee parking, limitations.
- 43.01.250 Electric vehicles -- State purchase of power at state office locations -- Report.
- 43.01.900 Terminated entity -- Transfer of assets -- Reversion of funds -- Contractual rights -- Rules and pending business -- 2010 1st sp.s. c 7.

Notes:

- Abolition of certain offices by legislature: State Constitution Art. 3 § 25.
- Accounts, falsifying: RCW 42.20.070.
- Actions against, defense by state: RCW 4.92.060, 4.92.070, 4.92.090 through 4.92.160, 10.01.150.
- Boards and commissions, termination: RCW 43.41.220.
- Bribery: State Constitution Art. 2 § 30; chapters 9.18, 9A.68 RCW.
- Business hours, state officers: RCW 42.04.060.
- Campaign financing, disclosure: Chapter 42.17 RCW.
- Civil service law: Chapter 41.06 RCW.
- Civil service rights preserved when elective office assumed: RCW 41.04.120.
- Collection agency use by state: RCW 19.16.500.
- Compensation not to be changed during term: State Constitution Art. 2 § 25, Art. 3 § 25, Art. 28 § 1.
- Continuity of government during emergency periods: State Constitution Art. 2 § 42; chapter 42.14 RCW.
- Debts owed to state, interest rate: RCW 43.17.240.
- Elections
 - contested: State Constitution Art. 3 § 4.
 - time of: State Constitution Art. 6 § 8.
- Ethics provisions: Chapter 42.52 RCW.
- Expense accounts, falsifying: RCW 9A.60.050.
- Expenses and per diem: RCW 43.03.050.
- False personation of public officer: RCW 42.20.030.
- Free transportation prohibited: State Constitution Art. 2 § 39, Art. 12 § 20.
- Grand jury inquiry as to misconduct: RCW 10.27.100.
- Hospitalization and medical aid for employees and dependents: RCW 41.04.180, 41.04.190.
- Impeachment, who liable to: State Constitution Art. 5 § 2.
- Information to be furnished to governor in writing: State Constitution Art. 3 § 5.
- Interchange of personnel between federal and state agencies: RCW 41.04.140 through 41.04.170.
- Interfering with law enforcement officer: RCW 9A.76.020.

Intrusion into public office without authority: RCW 42.20.030.

Jury duty, exemption from: RCW 2.36.080.

Limitations of actions: Chapter 4.16 RCW.

Meetings, open to public: Chapter 42.30 RCW, RCW 42.32.030.

Mileage allowance: RCW 43.03.060.

Military leave of absence: RCW 38.40.060.

Misappropriation of funds or property: RCW 40.16.020, 42.20.070, 42.20.090.

Misconduct of public officers: Chapter 42.20 RCW.

Misfeasance in office: RCW 42.20.100.

Neglect of duty: RCW 42.20.100.

Passes, acceptance and use prohibited: State Constitution Art. 2 § 39, Art. 12 § 20.

Performing duties without authority: RCW 42.20.030.

Postage, periodicals, purchase by governmental agencies, payment: RCW 42.24.035.

Privileged communications: RCW 5.60.060.

Purchasing, acceptance of benefits or gifts by state officers prohibited: RCW 42.20.020, 43.19.1937.

Qualifications: State Constitution Art. 3 § 25; RCW 42.04.020.

Quo warranto proceedings: Chapter 7.56 RCW.

Recall of elective officers: State Constitution Art. 1 § 33.

Records and documents, destroying, falsifying, misappropriation: RCW 40.16.020, 42.20.040.

Records to be kept at seat of government: State Constitution Art. 3 § 24.

Refusing to pay over money received: RCW 42.20.070.

Residence requirement during term: State Constitution Art. 3 § 24.

Resignations, to whom made: RCW 42.12.020.

Retirement system, state employees: Chapter 41.40 RCW.

Salaries and expenses: Chapter 43.03 RCW.

Seal, refusing to surrender to successor: RCW 42.20.030.

Successor, refusing to surrender office to: RCW 42.20.030.

Supreme court jurisdiction as to state officers, writs: RCW 2.04.010.

Terms: State Constitution Art. 3 § 3.

Tort claims against state: Chapter 4.92 RCW.

Usurpation of office, quo warranto proceedings: Chapter 7.56 RCW.

Venue of actions against: RCW 4.12.020.

Wage deductions for charitable contributions: RCW 41.04.035, 41.04.036.

RCW 42.20.100

Failure of duty by public officer a misdemeanor.

Whenever any duty is enjoined by law upon any public officer or other person holding any public trust or employment, their wilful neglect to perform such duty, except where otherwise specially provided for, shall be a misdemeanor.

[1909 c 249 § 16; RRS § 2268. Prior: Code 1881 § 889; 1854 p 90 § 82.]

Notes:

Official misconduct by public servant: RCW 9A.80.010.

RCW 42.20.070
Misappropriation and falsification of accounts by public officer.

Every public officer, and every other person receiving money on behalf or for or on account of the people of the state or of any department of the state government or of any bureau or fund created by law in which the people are directly or indirectly interested, or for or on account of any county, city, town, or any school, diking, drainage, or irrigation district, who:

(1) Appropriates to his or her own use or the use of any person not entitled thereto, without authority of law, any money so received by him or her as such officer or otherwise; or

(2) Knowingly keeps any false account, or makes any false entry or erasure in any account, of or relating to any money so received by him or her; or

(3) Fraudulently alters, falsifies, conceals, destroys, or obliterates any such account; or

(4) Willfully omits or refuses to pay over to the state, its officer or agent authorized by law to receive the same, or to such county, city, town, or such school, diking, drainage, or irrigation district or to the proper officer or authority empowered to demand and receive the same, any money received by him or her as such officer when it is a duty imposed upon him or her by law to pay over and account for the same,

is guilty of a class B felony and shall be punished by imprisonment in a state correctional facility for not more than fifteen years.

[2003 c 53 § 219; 1992 c 7 § 37; 1909 c 249 § 317; RRS § 2569. Prior: Code 1881 § 890; 1873 p 202 § 92; 1854 p 91 § 83.]

Notes:

Intent -- Effective date -- 2003 c 53: See notes following RCW 2.48.180.



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RCW 9.92.120

Conviction of public officer forfeits trust.

*** CHANGE IN 2011 *** (SEE [5045.SL](#)) ***

The conviction of a public officer of any felony or malfeasance in office shall entail, in addition to such other penalty as may be imposed, the forfeiture of his office, and shall disqualify him from ever afterward holding any public office in this state.

[1909 c 249 § 37; RRS § 2289.]

Notes:

Forfeiture or impeachment, rights preserved: RCW [42.04.040](#).

Misconduct of public officers: Chapter [42.20](#) RCW.

Vacancy of public office, causes: RCW [42.12.010](#).

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RCW 9.92.120

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- Interfering with law enforcement officer: RCW 9A.76.020.

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Jury duty, exemption from: RCW 2.36.080.

Limitations of actions: Chapter 4.16 RCW.

Meetings, open to public: Chapter 42.30 RCW, RCW 42.32.030.

Mileage allowance: RCW 43.03.060.

Military leave of absence: RCW 38.40.060.

Misappropriation of funds or property: RCW 40.16.020, 42.20.070, 42.20.090.

Misconduct of public officers: Chapter 42.20 RCW.

Misfeasance in office: RCW 42.20.100.

Neglect of duty: RCW 42.20.100.

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Performing duties without authority: RCW 42.20.030.

Postage, periodicals, purchase by governmental agencies, payment: RCW 42.24.035.

Privileged communications: RCW 5.60.060.

Purchasing, acceptance of benefits or gifts by state officers prohibited: RCW 42.20.020, 43.19.1937.

Qualifications: State Constitution Art. 3 § 25; RCW 42.04.020.

Quo warranto proceedings: Chapter 7.56 RCW.

Recall of elective officers: State Constitution Art. 1 § 33.

Records and documents, destroying, falsifying, misappropriation: RCW 40.16.020, 42.20.040.

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Refusing to pay over money received: RCW 42.20.070.

Residence requirement during term: State Constitution Art. 3 § 24.

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Salaries and expenses: Chapter 43.03 RCW.

Seal, refusing to surrender to successor: RCW 42.20.030.

Successor, refusing to surrender office to: RCW 42.20.030.

Supreme court jurisdiction as to state officers, writs: RCW 2.04.010.

Terms: State Constitution Art. 3 § 3.

Tort claims against state: Chapter 4.92 RCW.

Usurpation of office, quo warranto proceedings: Chapter 7.56 RCW.

Venue of actions against: RCW 4.12.020.

Wage deductions for charitable contributions: RCW 41.04.035, 41.04.036.

RCW 42.23.070
Prohibited acts.

(1) No municipal officer may use his or her position to secure special privileges or exemptions for himself, herself, or others.

(2) No municipal officer may, directly or indirectly, give or receive or agree to receive any compensation, gift, reward, or gratuity from a source except the employing municipality, for a matter connected with or related to the officer's services as such an officer unless otherwise provided for by law.

(3) No municipal officer may accept employment or engage in business or professional activity that the officer might reasonably expect would require or induce him or her by reason of his or her official position to disclose confidential information acquired by reason of his or her official position.

(4) No municipal officer may disclose confidential information gained by reason of the officer's position, nor may the officer otherwise use such information for his or her personal gain or benefit.

[1994 c 154 § 121.]

Notes:

Parts and captions not law -- Effective date -- Severability -- 1994 c 154: See RCW 42.52.902, 42.52.904, and 42.52.905.

RCW 9A.80.010
Official misconduct.

***** CHANGE IN 2011 *** (SEE 5045.SL) *****

(1) A public servant is guilty of official misconduct if, with intent to obtain a benefit or to deprive another person of a lawful right or privilege:

- (a) He intentionally commits an unauthorized act under color of law; or
- (b) He intentionally refrains from performing a duty imposed upon him by law.

(2) Official misconduct is a gross misdemeanor.

[1975-'76 2nd ex.s. c 38 § 17; 1975 1st ex.s. c 260 § 9A.80.010.]

Notes:

Effective date -- Severability -- 1975-'76 2nd ex.s. c 38: See notes following RCW 9A.08.020.

Failure of duty by public officers: RCW 42.20.100.

Chapter 42.23 RCW
Code of ethics for municipal officers — contract interests

RCW Sections

- 42.23.010 Declaration of purpose.
- 42.23.020 Definitions.
- 42.23.030 Interest in contracts prohibited -- Exceptions.
- 42.23.040 Remote interests.
- 42.23.050 Prohibited contracts void -- Penalties for violation of chapter.
- 42.23.060 Local charter controls chapter.
- 42.23.070 Prohibited acts.
- 42.23.900 Construction -- Chapter applicable to state registered domestic partnerships -- 2009 c 521.

Notes:

- Cities, free passes, services prohibited: RCW 35.17.150.
- County officers, general provisions: Chapter 36.16 RCW.
- Ethics in public service act: Chapter 42.52 RCW.
- Public employment, civil service: Title 41 RCW.
- State officers, general provisions: Chapter 43.01 RCW.

42.23.010
Declaration of purpose.

It is the purpose and intent of this chapter to revise and make uniform the laws of this state concerning the transaction of business by municipal officers, as defined in chapter 268, Laws of 1961, in conflict with the proper performance of their duties in the public interest; and to promote the efficiency of local government by prohibiting certain instances and areas of conflict while at the same time sanctioning, under sufficient controls, certain other instances and areas of conflict wherein the private interest of the municipal officer is deemed to be only remote, to the end that, without sacrificing necessary public responsibility and enforceability in areas of significant and clearly conflicting interests, the selection of municipal officers may be made from a wider group of responsible citizens of the communities which they are called upon to serve.

[1961 c 268 § 2.]

42.23.020
Definitions.

For the purpose of chapter 268, Laws of 1961:

- (1) "Municipality" shall include all counties, cities, towns, districts, and other municipal corporations and quasi municipal corporations organized under the laws of the state of Washington;
- (2) "Municipal officer" and "officer" shall each include all elected and appointed officers of a municipality, together with all deputies and assistants of such an officer, and all persons exercising or undertaking to exercise any of the powers or functions of a municipal officer;
- (3) "Contract" shall include any contract, sale, lease or purchase;
- (4) "Contracting party" shall include any person, partnership, association, cooperative, corporation, or other business entity which is a party to a contract with a municipality.

[1961 c 268 § 3.]

42.23.030**Interest in contracts prohibited — Exceptions.**

No municipal officer shall be beneficially interested, directly or indirectly, in any contract which may be made by, through or under the supervision of such officer, in whole or in part, or which may be made for the benefit of his or her office, or accept, directly or indirectly, any compensation, gratuity or reward in connection with such contract from any other person beneficially interested therein. This section shall not apply in the following cases:

- (1) The furnishing of electrical, water or other utility services by a municipality engaged in the business of furnishing such services, at the same rates and on the same terms as are available to the public generally;
- (2) The designation of public depositaries for municipal funds;
- (3) The publication of legal notices required by law to be published by any municipality, upon competitive bidding or at rates not higher than prescribed by law for members of the general public;
- (4) The designation of a school director as clerk or as both clerk and purchasing agent of a school district;
- (5) The employment of any person by a municipality for unskilled day labor at wages not exceeding two hundred dollars in any calendar month. The exception provided in this subsection does not apply to a county with a population of one hundred twenty-five thousand or more, a city with a population of more than one thousand five hundred, an irrigation district encompassing more than fifty thousand acres, or a first-class school district;
- (6)(a) The letting of any other contract in which the total amount received under the contract or contracts by the municipal officer or the municipal officer's business does not exceed one thousand five hundred dollars in any calendar month.

(b) However, in the case of a particular officer of a second-class city or town, or a noncharter optional code city, or a member of any county fair board in a county which has not established a county purchasing department pursuant to RCW 36.32.240, the total amount of such contract or contracts authorized in this subsection (6) may exceed one thousand five hundred dollars in any calendar month but shall not exceed eighteen thousand dollars in any calendar year.

(c)(i) In the case of a particular officer of a rural public hospital district, as defined in RCW 70.44.460, the total amount of such contract or contracts authorized in this subsection (6) may exceed one thousand five hundred dollars in any calendar month, but shall not exceed twenty-four thousand dollars in any calendar year.

(ii) At the beginning of each calendar year, beginning with the 2006 calendar year, the legislative authority of the rural public hospital district shall increase the calendar year limitation described in this subsection (6)(c) by an amount equal to the dollar amount for the previous calendar year multiplied by the change in the consumer price index as of the close of the twelve-month period ending December 31st of that previous calendar year. If the new dollar amount established under this subsection is not a multiple of ten dollars, the increase shall be rounded to the next lowest multiple of ten dollars. As used in this subsection, "consumer price index" means the consumer price index compiled by the bureau of labor statistics, United States department of labor for the state of Washington. If the bureau of labor statistics develops more than one consumer price index for areas within the state, the index covering the greatest number of people, covering areas exclusively within the boundaries of the state, and including all items shall be used.
- (d) The exceptions provided in this subsection (6) do not apply to:
 - (i) A sale or lease by the municipality as the seller or lessor;
 - (ii) The letting of any contract by a county with a population of one hundred twenty-five thousand or more, a city with a population of ten thousand or more, or an irrigation district encompassing more than fifty thousand acres; or
 - (iii) Contracts for legal services, except for reimbursement of expenditures.
- (e) The municipality shall maintain a list of all contracts that are awarded under this subsection (6). The list must be made available for public inspection and copying;
- (7) The leasing by a port district as lessor of port district property to a municipal officer or to a contracting party in which a municipal officer may be beneficially interested, if in addition to all other legal requirements, a board of three disinterested appraisers and the superior court in the county where the property is situated finds that all terms and conditions of such lease are fair to the port district and are in the public interest. The appraisers must be appointed from members of the American Institute of Real Estate Appraisers by the presiding judge of the superior court;

(8) The letting of any employment contract for the driving of a school bus in a second-class school district if the terms of such contract are commensurate with the pay plan or collective bargaining agreement operating in the district;

(9) The letting of an employment contract as a substitute teacher or substitute educational aide to an officer of a second-class school district that has two hundred or fewer full-time equivalent students, if the terms of the contract are commensurate with the pay plan or collective bargaining agreement operating in the district and the board of directors has found, consistent with the written policy under RCW 28A.330.240, that there is a shortage of substitute teachers in the school district;

(10) The letting of any employment contract to the spouse of an officer of a school district, when such contract is solely for employment as a substitute teacher for the school district. This exception applies only if the terms of the contract are commensurate with the pay plan or collective bargaining agreement applicable to all district employees and the board of directors has found, consistent with the written policy under RCW 28A.330.240, that there is a shortage of substitute teachers in the school district;

(11) The letting of any employment contract to the spouse of an officer of a school district if the spouse was under contract as a certificated or classified employee with the school district before the date in which the officer assumes office and the terms of the contract are commensurate with the pay plan or collective bargaining agreement operating in the district. However, in a second-class school district that has less than two hundred full-time equivalent students enrolled at the start of the school year as defined in *RCW 28A.150.040, the spouse is not required to be under contract as a certificated or classified employee before the date on which the officer assumes office;

(12) The authorization, approval, or ratification of any employment contract with the spouse of a public hospital district commissioner if: (a) The spouse was employed by the public hospital district before the date the commissioner was initially elected; (b) the terms of the contract are commensurate with the pay plan or collective bargaining agreement operating in the district for similar employees; (c) the interest of the commissioner is disclosed to the board of commissioners and noted in the official minutes or similar records of the public hospital district prior to the letting or continuation of the contract; and (d) and the commissioner does not vote on the authorization, approval, or ratification of the contract or any conditions in the contract.

A municipal officer may not vote in the authorization, approval, or ratification of a contract in which he or she is beneficially interested even though one of the exemptions allowing the awarding of such a contract applies. The interest of the municipal officer must be disclosed to the governing body of the municipality and noted in the official minutes or similar records of the municipality before the formation of the contract.

[2007 c 298 § 1; 2006 c 121 § 1; 2005 c 114 § 1; 1999 c 261 § 2; 1997 c 98 § 1; 1996 c 246 § 1. Prior: 1994 c 81 § 77; 1994 c 20 § 1; 1993 c 308 § 1; 1991 c 363 § 120; 1990 c 33 § 573; 1989 c 263 § 1; 1983 1st ex.s. c 44 § 1; prior: 1980 c 39 § 1; 1979 ex.s. c 4 § 1; 1971 ex.s. c 242 § 1; 1961 c 268 § 4.]

Notes:

***Reviser's note:** RCW 28A.150.040 was repealed by 2009 c 548 § 710, effective September 1, 2011.

Findings -- Intent -- 1999 c 261: "The legislature finds that:

(1) The current statutes pertaining to municipal officers' beneficial interest in contracts are quite confusing and have resulted in some inadvertent violations of the law.

(2) The dollar thresholds for many of the exemptions have not been changed in over thirty-five years, and the restrictions apply to the total amount of the contract instead of the portion of the contract that pertains to the business operated by the municipal officer.

(3) The confusion existing over these current statutes discourages some municipalities from accessing some efficiencies available to them.

Therefore, it is the intent of the legislature to clarify the statutes pertaining to municipal officers and contracts and to enact reasonable protections against inappropriate conflicts of interest." [1999 c 261 § 1.]

Purpose -- Captions not law -- 1991 c 363: See notes following RCW 2.32.180.

Purpose -- Statutory references -- Severability -- 1990 c 33: See RCW 28A.900.100 through 28A.900.102.

Severability -- 1989 c 263: "If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected." [1989 c 263 § 3.]

Severability -- 1980 c 39: "If any provision of this amendatory act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected." [1980 c 39 § 3.]

42.23.040**Remote interests.**

A municipal officer is not interested in a contract, within the meaning of RCW

42.23.030, if the officer has only a remote interest in the contract and the extent of the interest is disclosed to the governing body of the municipality of which the officer is an officer and noted in the official minutes or similar records of the municipality prior to the formation of the contract, and thereafter the governing body authorizes, approves, or ratifies the contract in good faith by a vote of its membership sufficient for the purpose without counting the vote or votes of the officer having the remote interest. As used in this section "remote interest" means:

- (1) That of a nonsalaried officer of a nonprofit corporation;
- (2) That of an employee or agent of a contracting party where the compensation of such employee or agent consists entirely of fixed wages or salary;
- (3) That of a landlord or tenant of a contracting party;
- (4) That of a holder of less than one percent of the shares of a corporation or cooperative which is a contracting party.

None of the provisions of this section are applicable to any officer interested in a contract, even if the officer's interest is only remote, if the officer influences or attempts to influence any other officer of the municipality of which he or she is an officer to enter into the contract.

[1999 c 261 § 3; 1961 c 268 § 5.]

Notes:

Findings -- Intent -- 1999 c 261: See note following RCW 42.23.030.

42.23.050**Prohibited contracts void — Penalties for violation of chapter.**

Any contract made in violation of the provisions of this chapter is void and the performance thereof, in full or in part, by a contracting party shall not be the basis of any claim against the municipality. Any officer violating the provisions of this chapter is liable to the municipality of which he or she is an officer for a penalty in the amount of five hundred dollars, in addition to such other civil or criminal liability or penalty as may otherwise be imposed upon the officer by law.

In addition to all other penalties, civil or criminal, the violation by any officer of the provisions of this chapter may be grounds for forfeiture of his or her office.

[1999 c 261 § 4; 1961 c 268 § 6.]

Notes:

Findings -- Intent -- 1999 c 261: See note following RCW 42.23.030.

42.23.060**Local charter controls chapter.**

If any provision of this chapter conflicts with any provision of a city or county charter, or with any provision of a city-county charter, the charter shall control if it contains stricter requirements than this chapter. The provisions of this chapter shall be considered as minimum standards to be enforced by municipalities.

[1999 c 261 § 5; 1961 c 268 § 16.]

Notes:

Findings -- Intent -- 1999 c 261: See note following RCW 42.23.030.

42.23.070

Prohibited acts.

(1) No municipal officer may use his or her position to secure special privileges or exemptions for himself, herself, or others.

(2) No municipal officer may, directly or indirectly, give or receive or agree to receive any compensation, gift, reward, or gratuity from a source except the employing municipality, for a matter connected with or related to the officer's services as such an officer unless otherwise provided for by law.

(3) No municipal officer may accept employment or engage in business or professional activity that the officer might reasonably expect would require or induce him or her by reason of his or her official position to disclose confidential information acquired by reason of his or her official position.

(4) No municipal officer may disclose confidential information gained by reason of the officer's position, nor may the officer otherwise use such information for his or her personal gain or benefit.

[1994 c 154 § 121.]

Notes:

Parts and captions not law -- Effective date -- Severability -- 1994 c 154: See RCW 42.52.902, 42.52.904, and 42.52.905.

42.23.900

Construction — Chapter applicable to state registered domestic partnerships — 2009 c 521.

For the purposes of this chapter, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships as well as to marital relationships and married persons, and references to dissolution of marriage shall apply equally to state registered domestic partnerships that have been terminated, dissolved, or invalidated, to the extent that such interpretation does not conflict with federal law. Where necessary to implement chapter 521, Laws of 2009, gender-specific terms such as husband and wife used in any statute, rule, or other law shall be construed to be gender neutral, and applicable to individuals in state registered domestic partnerships.

[2009 c 521 § 104.]

Chapter 42.23 RCW
Code of ethics for municipal officers — contract interests

RCW Sections

- 42.23.010 Declaration of purpose.
- 42.23.020 Definitions.
- 42.23.030 Interest in contracts prohibited — Exceptions.
- 42.23.040 Remote interests.
- 42.23.050 Prohibited contracts void — Penalties for violation of chapter.
- 42.23.060 Local charter controls chapter.
- 42.23.070 Prohibited acts.
- 42.23.900 Construction — Chapter applicable to state registered domestic partnerships — 2009 c 521.

Notes:

- Cities, free passes, services prohibited: RCW 35.17.150.
- County officers, general provisions: Chapter 36.16 RCW.
- Ethics in public service act: Chapter 42.52 RCW.
- Public employment, civil service: Title 41 RCW.
- State officers, general provisions: Chapter 43.01 RCW.

Chapter 42.23 RCW

Code of ethics for municipal officers — contract interests

RCW Sections

42.23.010 Declaration of purpose.

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42.23.050 Prohibited contracts void -- Penalties for violation of chapter.

42.23.060 Local charter controls chapter.

42.23.070 Prohibited acts.

42.23.900 Construction -- Chapter applicable to state registered domestic partnerships -- 2009 c 521.

Notes:

Cities, free passes, services prohibited: RCW 35.17.150.

County officers, general provisions: Chapter 36.16 RCW.

Ethics in public service act: Chapter 42.52 RCW.

Public employment, civil service: Title 41 RCW.

State officers, general provisions: Chapter 43.01 RCW.

5/7/01

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CITY OF STANWOOD

*Regular Meeting of the City Council
Monday, May 7, 2001 – 7:30 p.m. – City Hall*

MINUTES

- **Call to Order and Pledge of Allegiance**

Mayor Matthew J. McCune called the meeting to order at 7:30 p.m. and led the Pledge of Allegiance.

- **Roll Call**

Clerk Treasurer Landy Manuel called the roll with the following Councilmembers present: Herb Kuhnly and Cheryl Baker. Councilmembers Thompson and Klasse were excused. There was no quorum.

- **Presentation**

- Mayor McCune presented former Councilmember Les Anderson with an award plaque, recognizing his years of service to the City of Stanwood. Mr. Anderson resigned his Council seat in April to accept the Public Works Supervisor position.

MM
LA

- **Citizen Petitions, Comments and Communications (for non-agenda items)**

There were no citizen petitions, comments or communications.

- **Committee Reports**

Public Works / Community Development Committee

Community Development Director Stephanie Cleveland reported that the committee has not met since the last meeting. Ms. Cleveland requested a committee meeting to discuss the Pioneer Hills final plat prior to the next Council meeting.

Finance / Personnel Committee

Councilmember Kuhnly reported that committee has not met since the last meeting.

HK

Public Safety Committee

Councilmember Anderson gave an Ambulance Board report.

LA

Police Chief Dave Bales gave an update on the scheduling of the 800 MHz workshop.

Chief Bales also reminded Council of the Police Department's long-term planning meeting on Wednesday, March 21, 2001 from 10:00 a.m. to 2:00 p.m.

8. Miscellaneous Business

Councilmember Baker reported on the recent Library Board meeting.

9. Appropriations; Approve Payroll Checks and Vouchers

Motion by Councilmember Thompson, second by Councilmember Kuhnly, to approve voucher checks #2630 through #2713 in the amount of \$220,602.52 and payroll checks #6806 through #6828 in the amount of \$16,460.00. Motion unanimously carried.

HK


10. Citizen Closing Comments

There were no citizen closing comments.

11. Adjourn

There being no further business before the Council, Mayor McCune declared the meeting adjourned at 8:49 p.m.

CITY OF STANWOOD


Matthew J. McCune, Mayor


Landy Manuel, Clerk Treasurer

Public Works / Community Development Committee

- **104th Drive Reconstruction Project**

Public Works Director Bill Beckman introduced Joel Birchman, of Perteet Engineering, and presented Council with materials outlining proposed changes to the 104th Drive reconstruction project. Mr. Birchman answered technical questions from the Council.

Motion by Councilmember Kuhnly, second by Councilmember Thompson, to authorize the Mayor to sign a supplement contract for the 104th Drive reconstruction project, as submitted, in the amount of \$27,991.00. A discussion ensued regarding funding for the project. Clerk Treasurer Landy Manuel responded to Council's budget inquiries. Motion unanimously carried.

- **271st Street Project**

Mr. Beckman explained that in order to move the 271st Street project forward it will be necessary to conduct an environmental assessment and budget for drainage and water main improvements. He also informed Council that the committee consensus was to proceed with the project rather than give up the \$250,000 grant. A discussion ensued regarding the possibility of doing one biological assessment for the entire area, as opposed to one for each project.

Motion by Councilmember Kuhnly, second by Councilmember Klasse to authorize going to bid for consultant services for the 271st Street construction HUD project. Motion unanimously carried.

Councilmember Kuhnly reported that the committee met on April 5, 2001 to discuss the 104th Drive, Triangle Road, and 271st Street projects, as well as to consider a request for a sewer connection at the Hamilton site.

Mr. Beckman announced that the Public Works Supervisor position has been filled. Mayor McCune congratulated Councilmember Anderson on being chosen to fill the position and thanked him for his eight years of service on the City Council.

Community Development Director Stephanie Cleveland reminded Council of the upcoming workshop on Tuesday, April 24, 2001 on the Essential Public Facilities Interlocal and Infill Development, and updated Council on the Cedarhome annexation petition, stating that the applicants have obtained all but 5% of the required signatures.

RCW 42.23.030

Interest in contracts prohibited — Exceptions.

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- (1) The furnishing of electrical, water or other utility services by a municipality engaged in the business of furnishing such services, at the same rates and on the same terms as are available to the public generally;
- (2) The designation of public depositaries for municipal funds;
- (3) The publication of legal notices required by law to be published by any municipality, upon competitive bidding or at rates not higher than prescribed by law for members of the general public;
- (4) The designation of a school director as clerk or as both clerk and purchasing agent of a school district;
- (5) The employment of any person by a municipality for unskilled day labor at wages not exceeding two hundred dollars in any calendar month. The exception provided in this subsection does not apply to a county with a population of one hundred twenty-five thousand or more, a city with a population of more than one thousand five hundred, an irrigation district encompassing more than fifty thousand acres, or a first-class school district;
- (6)(a) The letting of any other contract in which the total amount received under the contract or contracts by the municipal officer or the municipal officer's business does not exceed one thousand five hundred dollars in any calendar month.
 - (b) However, in the case of a particular officer of a second-class city or town, or a noncharter optional code city, or a member of any county fair board in a county which has not established a county purchasing department pursuant to RCW 36.32.240, the total amount of such contract or contracts authorized in this subsection (6) may exceed one thousand five hundred dollars in any calendar month but shall not exceed eighteen thousand dollars in any calendar year.
 - (c)(i) In the case of a particular officer of a rural public hospital district, as defined in RCW 70.44.460, the total amount of such contract or contracts authorized in this subsection (6) may exceed one thousand five hundred dollars in any calendar month, but shall not exceed twenty-four thousand dollars in any calendar year.
 - (ii) At the beginning of each calendar year, beginning with the 2006 calendar year, the legislative authority of the rural public hospital district shall increase the calendar year limitation described in this subsection (6)(c) by an amount equal to the dollar amount for the previous calendar year multiplied by the change in the consumer price index as of the close of the twelve-month period ending December 31st of that previous calendar year. If the new dollar amount established under this subsection is not a multiple of ten dollars, the increase shall be rounded to the next lowest multiple of ten dollars. As used in this subsection, "consumer price index" means the consumer price index compiled by the bureau of labor statistics, United States department of labor for the state of Washington. If the bureau of labor statistics develops more than one consumer price index for areas within the state, the index covering the greatest number of people, covering areas exclusively within the boundaries of the state, and including all items shall be used.
- (d) The exceptions provided in this subsection (6) do not apply to:
 - (i) A sale or lease by the municipality as the seller or lessor;
 - (ii) The letting of any contract by a county with a population of one hundred twenty-five thousand or more, a city with a population of ten thousand or more, or an irrigation district encompassing more than fifty thousand acres; or
 - (iii) Contracts for legal services, except for reimbursement of expenditures.
- (e) The municipality shall maintain a list of all contracts that are awarded under this subsection (6). The list must be made available for public inspection and copying;
- (7) The leasing by a port district as lessor of port district property to a municipal officer or to a contracting party in which a municipal officer may be beneficially interested, if in addition to all other legal requirements, a board of three disinterested appraisers and the superior court in the county where the property is situated finds that all terms and conditions of such lease are fair to the port district and are in the public interest. The appraisers must be appointed from members of the American Institute of Real Estate Appraisers by the presiding judge of the superior court;
- (8) The letting of any employment contract for the driving of a school bus in a second-class school district if the terms of such contract are commensurate with the pay plan or collective bargaining agreement operating in the district;
- (9) The letting of an employment contract as a substitute teacher or substitute educational aide to an officer of a second-

RCW 42.23.030

Interest in contracts prohibited — Exceptions.

No municipal officer shall be beneficially interested, directly or indirectly, in any contract which may be made by, through or under the supervision of such officer, in whole or in part, or which may be made for the benefit of his or her office, or accept, directly or indirectly, any compensation, gratuity or reward in connection with such contract from any other person beneficially interested therein. This section shall not apply in the following cases:

- (1) The furnishing of electrical, water or other utility services by a municipality engaged in the business of furnishing such services, at the same rates and on the same terms as are available to the public generally;
- (2) The designation of public depositaries for municipal funds;
- (3) The publication of legal notices required by law to be published by any municipality, upon competitive bidding or at rates not higher than prescribed by law for members of the general public;
- (4) The designation of a school director as clerk or as both clerk and purchasing agent of a school district;
- (5) The employment of any person by a municipality for unskilled day labor at wages not exceeding two hundred dollars in any calendar month. The exception provided in this subsection does not apply to a county with a population of one hundred twenty-five thousand or more, a city with a population of more than one thousand five hundred, an irrigation district encompassing more than fifty thousand acres, or a first-class school district;
- (6)(a) The letting of any other contract in which the total amount received under the contract or contracts by the municipal officer or the municipal officer's business does not exceed one thousand five hundred dollars in any calendar month.
 - (b) However, in the case of a particular officer of a second-class city or town, or a noncharter optional code city, or a member of any county fair board in a county which has not established a county purchasing department pursuant to RCW 36.32.240, the total amount of such contract or contracts authorized in this subsection (6) may exceed one thousand five hundred dollars in any calendar month but shall not exceed eighteen thousand dollars in any calendar year.
 - (c)(i) In the case of a particular officer of a rural public hospital district, as defined in RCW 70.44.460, the total amount of such contract or contracts authorized in this subsection (6) may exceed one thousand five hundred dollars in any calendar month, but shall not exceed twenty-four thousand dollars in any calendar year.
 - (ii) At the beginning of each calendar year, beginning with the 2006 calendar year, the legislative authority of the rural public hospital district shall increase the calendar year limitation described in this subsection (6)(c) by an amount equal to the dollar amount for the previous calendar year multiplied by the change in the consumer price index as of the close of the twelve-month period ending December 31st of that previous calendar year. If the new dollar amount established under this subsection is not a multiple of ten dollars, the increase shall be rounded to the next lowest multiple of ten dollars. As used in this subsection, "consumer price index" means the consumer price index compiled by the bureau of labor statistics, United States department of labor for the state of Washington. If the bureau of labor statistics develops more than one consumer price index for areas within the state, the index covering the greatest number of people, covering areas exclusively within the boundaries of the state, and including all items shall be used.
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 - (iii) Contracts for legal services, except for reimbursement of expenditures.
- (e) The municipality shall maintain a list of all contracts that are awarded under this subsection (6). The list must be made available for public inspection and copying;
- (7) The leasing by a port district as lessor of port district property to a municipal officer or to a contracting party in which a municipal officer may be beneficially interested, if in addition to all other legal requirements, a board of three disinterested appraisers and the superior court in the county where the property is situated finds that all terms and conditions of such lease are fair to the port district and are in the public interest. The appraisers must be appointed from members of the American Institute of Real Estate Appraisers by the presiding judge of the superior court;
- (8) The letting of any employment contract for the driving of a school bus in a second-class school district if the terms of such contract are commensurate with the pay plan or collective bargaining agreement operating in the district;
- (9) The letting of an employment contract as a substitute teacher or substitute educational aide to an officer of a second-



STANWOOD POLICE DEPARTMENT

DAVID S. BALES
Chief of Police

8727 - 271st Street NW, Stanwood, Washington 98292-0127
Mail: Post Office Box 127

Police: 360-629-4555 360-435-7733 Fax: 360-629-2886
EMERGENCY: 911

June 12, 2000

Mr. Clint Kallock
PO Box 606
Stanwood, WA 98292

RE: Unlawful Drug Activity at 26925-103rd Drive NW Stanwood Case # 00-594

This is to notify you that the property at 26925 103rd Dr NW, Stanwood Washington, occupied by Jimmy Pierce, Heather Slater, Aubrey Laws, and other unidentified persons has been involved in illegal drug activity. Public Records indicate that you hold an ownership interest in, or have management responsibility for this property. The Stanwood Police Department has information which shows that illegal drugs have been sold, used, possessed, or manufactured at this location.

On March 9, 1988, the Washington State Legislature passed a law, RCW 7.43.010, which provides the properties involved in illegal drug activity may be ABATED as a nuisance. By this letter you are hereby formally placed on notice that the above referenced property is a location at which illegal drugs have been used, sold, possessed or manufactured. Property used for such a purpose is, by law, a nuisance. If you fail to respond to this information regarding drug activity on the above referenced property, or if illegal drugs are again sold, used, possessed or manufactured on your property, legal proceedings may be initiated to ABATE this nuisance (RCW 7.43.090). If an ABATEMENT ORDER is entered, the property can be closed for up to one year, and will be subject to a lien for the costs of the ABATEMENT.

In addition, any person who manages or controls any building, and who knowingly rents, leases or makes such building available for the manufacture, delivery, sale, storage, or possession of illegal drugs, may be committing a Class "C" Felony unless such person notifies a law enforcement agency of the drug activity, or processes an Unlawful Detainer Action against the tenant or occupant.

It is your responsibility to manage the use of your property. In 1988 the Washington Legislature passed HB1445. This measure allows landlords to quickly evict tenants known to be involved in drug related activities. You may avoid the above exposures by working cooperatively with the Stanwood Police Department to halt or prevent the reoccurrence of drug activity at your property. Please Call Chief David Bales at (360) 629-4555 within the next ten (10) days to discuss the criminal activity occurring on your property.

Sincerely,


David S. Bales
Chief

the duties of his office. (Ord. 1017, 1997; Ord. 814 § 6, 1991; Ord. 729 § 1, 1987; Ord. 681 § 6, 1986; Ord. 647 § 6, 1984; Ord. 626 § 6, 1984; Ord. 614 § 6, 1983; Ord. 515 § 7, 1978; Ord. 388 § 2, 1973).

2.08.260 Council member – Compensation – Reimbursement.

(1) Regular Meetings. The compensation of each council member shall be \$75.00 for each regular meeting of the council, not to exceed two meetings in any one month.

(2) Other Meetings. For attending any special meeting; a regularly called committee meeting; and for attendance at any Association of Washington Cities, Puget Sound Governmental Conference, or other official meetings authorized by the mayor or a majority of the council, they shall receive the sum of \$30.00, except when the meeting is consecutive with a meeting for which other payment is authorized.

(3) Payroll Procedure.

(a) The city clerk-treasurer shall include payment on the next payroll for attendance at regular and special meetings of the council where roll is taken and minutes are recorded.

(b) A council member may submit a payroll voucher, listing the date, place and purpose of other meetings. The voucher is subject to the audit and approval of the city council before payment may be made.

(4) Expenses. Each member of the city council shall be reimbursed for actual expenses incurred in the discharge of his official duties upon presentation of a claim therefor, after allowance and approval by motion of the city council.

(5) The effective date of the ordinance codified in this section shall be January 1, 2000. (Ord. 1079, 1999; Ord. 945 § 1, 1995; Ord. 815 § 1, 1991; Ord. 729 § 2, 1987; Ord. 650 § 1, 1985; Ord. 403 § 1, 1973; Ord. 388 § 3, 1973).

2.08.350 Reimbursement of expenses.

(1) Reimbursements Allowed. Meals occurring when the officer, agent or employee is on city business, or while in his official capacity as officer, agent, or employee attending a meeting of an organization or group of which the city is a member, or the officer,

agent, or employee is a member; lodging while on city business, away from the city overnight; automobile mileage at 90 percent of the standard mileage rate as set forth in the most current issue of IRS Publication 17, while on city business; parking tolls, public transportation, and registration/material fees. Agents may include persons requested by the city to act on the city's behalf or perform a service for the city.

(2) Reimbursement Not Allowed. Alcoholic beverages, traffic and parking tickets, and expenses for persons not officers, employees, or agents of the city shall not be reimbursed. Reimbursement for expenses shall not be allowed except as provided in subsection (1) of this section.

(3) City Credit Cards. City credit cards may in no case be used to provide gas, supplies or other expenses of personal vehicles in lieu of the automobile mileage rate.

(4) Reimbursement Procedure. All claims for expenses by the mayor, council members, or officers, agents, or employees of the city shall be submitted and approved for payment by the city council, as follows:

(a) Vouchers – General. All claims for reimbursement shall be submitted on a voucher provided by the city and shall be subject to audit and approval by the appropriate department head and council.

(b) The voucher must state the date the expense was incurred, the purpose of the expense, the destination, the mileage for travel mileage claimed, the name of the business, organization, office visited or meeting attended.

(5) Expenses Charged to City. The following expenses may be charged directly to the city or prepaid when authorized.

(a) Hotel, motel room charges, not to include parking, valet services, meals or other charges.

(b) Registration and other fees for meetings, conferences, conventions, etc. which may include meals, materials or other charges.

(6) Receipts Required. Receipts are required for all reimbursement claims except for the following:

(a) Tolls, parking, and other charges where receipts are not normally available.

or third degree, or custodial assault, he or she assaults another.

(2) Assault in the fourth degree is a gross misdemeanor. [1987 c 188 § 2; 1986 c 257 § 7.]

Effective date—1986 c 257 §§ 3-10: See note following RCW 9A.04.110.

Effective date—1987 c 188: See note following RCW 9A.36.100.

Severability—1986 c 257: See note following RCW 9A.56.010.

9A.36.045 Reckless endangerment in the first degree.

(1) A person is guilty of reckless endangerment in the first degree when he or she recklessly discharges a firearm in a manner which creates a substantial risk of death or serious physical injury to another person and the discharge is either from a motor vehicle or from the immediate area of a motor vehicle that was used to transport the shooter or the firearm to the scene of the discharge.

(2) A person who unlawfully discharges a firearm from a moving motor vehicle may be inferred to have engaged in reckless conduct, unless the discharge is shown by evidence satisfactory to the trier of fact to have been made without such recklessness.

(3) Reckless endangerment in the first degree is a class C felony. [1989 c 271 § 109.]

Finding—Intent—1989 c 271 §§ 102, 109, and 110: See note following RCW 9A.36.050.

Application—1989 c 271 §§ 101 through 111: See note following RCW 9.94A.310.

Severability—1989 c 271: See note following RCW 9.94A.310.

9A.36.050 Reckless endangerment in the second degree. (1) A person is guilty of reckless endangerment in the second degree when he recklessly engages in conduct not amounting to reckless endangerment in the first degree but which creates a substantial risk of death or serious physical injury to another person.

(2) Reckless endangerment in the second degree is a gross misdemeanor. [1989 c 271 § 110; 1975 1st ex.s. c 260 § 9A.36.050.]

Finding—Intent—1989 c 271 §§ 102, 109, and 110: "The legislature finds that increased trafficking in illegal drugs has increased the likelihood of "drive-by shootings." It is the intent of the legislature in sections 102, 109, and 110 of this act to categorize such reckless and criminal activity into a separate crime and to provide for an appropriate punishment." [1989 c 271 § 108.] "Sections 102, 109, and 110 of this act" consist of the enactment of RCW 9A.36.045 and the 1989 c 271 amendments to RCW 9.94A.320 and 9A.36.050.

Application—1989 c 271 §§ 101 through 111: See note following RCW 9.94A.310.

Severability—1989 c 271: See note following RCW 9.94A.310.

9A.36.060 Promoting a suicide attempt. (1) A person is guilty of promoting a suicide attempt when he knowingly causes or aids another person to attempt suicide.

(2) Promoting a suicide attempt is a class C felony. [1975 1st ex.s. c 260 § 9A.36.060.]

9A.36.070 Coercion. (1) A person is guilty of coercion if by use of a threat he compels or induces a person to engage in conduct which the latter has a legal right to abstain from, or to abstain from conduct which he has a legal right to engage in.

(2) "Threat" as used in this section means:

(a) To communicate, directly or indirectly, the intent immediately to use force against any person who is present at the time; or

(b) Threats as defined in RCW 9A.04.110(25)(a), (b), or (c).

(3) Coercion is a gross misdemeanor. [1975 1st ex.s. c 260 § 9A.36.070.]

9A.36.080 Malicious harassment. (1) A person is guilty of malicious harassment if he maliciously and with the intent to intimidate or harass another person because of, or in a way that is reasonably related to, associated with, or directed toward, that person's race, color, religion, ancestry, national origin, or mental, physical, or sensory handicap:

(a) Causes physical injury to another person; or

(b) By words or conduct places another person in reasonable fear of harm to his person or property or harm to the person or property of a third person. Such words or conduct include, but are not limited to, (i) cross burning, (ii) painting, drawing, or depicting symbols or words on the property of the victim when the symbols or words historically or traditionally connote hatred or threats toward the victim, or (iii) written or oral communication designed to intimidate or harass because of, or in a way that is reasonably related to, associated with, or directed toward, that person's race, color, religion, ancestry, national origin, or mental, physical, or sensory handicap. However, it does not constitute malicious harassment for a person to speak or act in a critical, insulting, or deprecatory way unless the context or circumstances surrounding the words or conduct places another person in reasonable fear of harm to his or her person or property or harm to the person or property of a third person; or

(c) Causes physical damage to or destruction of the property of another person.

(2) The following constitute per se violations of this section:

(a) Cross burning; or

(b) Defacement of the property of the victim or a third person with symbols or words when the symbols or words historically or traditionally connote hatred or threats toward the victim.

(3) Malicious harassment is a class C felony.

(4) In addition to the criminal penalty provided in subsection (3) of this section, there is hereby created a civil cause of action for malicious harassment. A person may be liable to the victim of malicious harassment for actual damages and punitive damages of up to ten thousand dollars.

(5) The penalties provided in this section for malicious harassment do not preclude the victims from seeking any other remedies otherwise available under law. [1989 c 95 § 1; 1984 c 268 § 1; 1981 c 267 § 1.]

Construction—1989 c 95: "The provisions of this act shall be liberally construed in order to effectuate its purpose." [1989 c 95 § 3.]

Severability—1989 c 95: "If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected." [1989 c 95 § 4.]

ARC

ARCO

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Bohon v. Stanwood, Cause No. 73195-5-I

Brief of Appellant

Appendix A

Warren Pre-termination Hearing 1.9.06

Present: Darren Bohon, Randy Richard, Erik
Abrahamson

City: Mayor Donna White, Grant Wood, Lynda
Jeffries

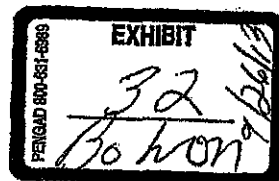
Warren - tape recording notes - Claimed
protection under whistleblower - Grant
said no, and explained purpose of
Loudermill meeting

Warren - Conflict of interest of Grant being
here - G.W. said no - he rep City not its
employees

WB - City has been working on this for 8 months
~~and~~ spent "thousands" on working to do this +
he hasn't had but 10 days - not enough time
to present it all

Grant - no time limit today -
WB feels he hasn't been given sufficient
time to prepare

Says his notice wasn't sent by mail
~~and~~ it was left in his yard
feels this is "negligence"



D00658

Darren pre-termination hearing pd

GW
Confirm that he did receive, + returned
what we are here

WB for 13 yrs City abused his employment
presented sec. security statement - he
was hired by PD Director, City "hid" info
that there was a union; feels he should
have been given step increase

GROSS MISCONDUCT + abuse of public \$
Patricia - Rod Sundberg - straw that
broke Camels back

WB Gary Armstrong told him he was the
final word

WB Jeff. termination is fraud - BB has "lied"
+ should be terminated

WB Issues w/ Les Anderson + how he shouldn't
have been hired; went to CC personnel
committee - he feels they have authority
to enforce personnel policies

WB BB called mtg w/ Mayor + employees
+ that was unfair

feels others have violated policies + not
been reprimanded

Pre-termination Hearing

p3

Issues w/ Les's hiring + Les being given authority over sewer dept.

Requests public hearing - GW where do you find that? WB I don't know I'll find it

Believes CC members are too "scared" to come fwd.

WB believes city is getting rid of him becauz he knows too much

Reason his office @ PD is much better than being at city hall - "between two women" when he's muddy etc

~~So~~ Person who put him over there is dead now & can't testify - parking, maps, battery charger - feels this is retaliation

↓
BB told emp. he wouldn't hire L.A. & got Kevin to w/D his app. & promised as would never be over sewer dept.

Feels that as a Council member, cannot participate in contracts that will benefit you financially

Conspiracy between Matt Machine,
 Los Anderson, + Bill Beckman

"Violates" pers policy which "promises"
 City will hire from within

• ~~Ex~~ George mistakes w/ salary
 disparaging remarks against JG

Threatened if suing, he will go for
 damages, back pay, stress

GW: @ Clamping - happened 14 yrs
 ago? WB 13 yrs ago

WB expl. of soc. sec. statement. had
 hrs exceeded collective bargaining
 agreement.

GW: what is connection between
 13 yrs ago + reasons for termination?

WB: "abuse of authority" happening
 for years - he is "exposing" it +
 St. is saying his complaints are
 unsubstantiated

Says Landy manual said to forget

it's just "move on"

WB says he will prove he is a (PW) employee + was up until Steph was hired + he is more qualified to be a dept. head than Stephanie

feels he was not promoted becauz of what he knows about Bill Berkman

wrote code saying his position reports to building official

- requested "subpoena"
 - his personnel file
 - Steph's personnel file

GD we are not here to talk about subpoena records, we are here... (reasons)

Showed GD BC. sec. pt - GD is that s'thing you want us to consider? We will make a copy

WB - yes I do - this is proof

RR - I'm going to have to head out

WB WB pre + km + Hanning p6
wants RR to stay while he
reads something to the group

pers policy - back to 194

9.1 Disc + Terminations
(Quoted Section)

• said this relates to US
hiring

GW reminder - we're not here to discuss
L.A.

Lying - BB lied in hiring of Les
"Getting into equitable treatment"

(appt. forgetting upsd)

Jph's comments malicious + false rep.

+
- read most of section 9) + believes
Les violated this section

→ WB feels he is being made a "scape
goat" and will put this to US
Supreme Court

WB to DW falsehoods were told to her
by H.K. and BB

• "Bias in hiring has been updated" SMC, LCU,

Pre-emp Hearing
pers policy, OBA's, etc

p. 7

Says there's plenty of proof + can't get
D + all in this mtg.

his proof is KWC + law
+ says there is a "cover up" going on

DW - I wouldn't be here if you didn't
move your dg

WB - reasons his dg is where it is + make
about his "jerked him around" when
on Council, ~~etc~~

asked RW that mayor cannot keep ^{staff} ~~employees~~
~~employees~~ from talking to council

RW - is it your position that you have
final decision in where your office is?

WB - she probably does (pointing to DW)
I wanted her to hear everything bt
making a decision
(became argumentative + raised his voice to
WB "retaliation")

Reference Janice Corbin training - said
she intimidated employees

GW - what else would you like to provide us

WB presented § 103 of uniform body code
wants us to have a copy

WB - personnel policy - what are sections that were referenced in letter? Grant read sections 103 & 105

WB - Lettering - says this is fraudulent claiming rights under freedom of info act + freedom of speech

"he has a right to talk to Patricia to investigate if she has been abused"
"no specific time was given"

GW - what do you want to provide us?

WB - dishonesty - part of reas. we're here is handling of other emp. dishonesty Rod Sundberg + the way BB + LA handled situation

WB 1992 BB was a mgr + had 2 people asking for him John Case + Rod Sund.
John Case never read meters.

GW How does this relate?

WB just a minute, I'm getting to it
RS comes along + Patricia ~~and~~ Gina to
get readings, + Red says he'll handle
his own readings.

WB Cie. PM raised issue w/ mgmt + got
chastised and RS got a "pat on back"

WB Story of her asking for paychecks +
"scaring" Patricia, "harrassed her"
that's his "nature" and "all I did
was blow the whistle"

"We'll go to the Supreme Court of United
States if we have to"

GW - what other info would you like to
provide us ~~with~~ with?

WB - 2.44.270 - he thinks this is from
RCW - "city council members had the authority
to enforce rules" - CBA, pers. policy.

WB - everything was Beckman sitting in room
not "good faith bargaining"

"There is some who works for city who is
far better qualified than BB"

WB Pre-term hearing

p10

DW: that doesn't relate to this situation

EA - @ Warren - how much \$ has copy spent training you? Ever had bad review? You feel like you're being terminated for some reason that is untrue?

WB - 10K's of \$ in training; ~~3~~ always good reviews, everything I've said is true

WB ^{mainly} office - I said I am not being insubordinate

EA - you are arguing that you are a victim of other people's dishonesty?

WB - yes -

GW - any other info you'd like to share?

WB - yes

EA - @ on less hiring - 2 attempts to get LA appointed

GW - this is Warren's opportunity (to WB) anything more? what we want to hear is your response to the 12/20 memo sent to you + reasons for your termination

D00667

WB Pre-term hearing

p11

WB: the leaking issue is not true, I was fact finding

WB: this says I didn't know what I was talking about + made false statements, + that's what they want it out of my office

WB: they wanted to "shut me up" + issued a gag order

WB: direct ^{term:} result of what I said at the Janice Orkin meeting

WB: had come I have an exemplary record and now I'm sitting in front of you

WB: I told us never to try this again with me (re: moving etc.)

WB: I can do a letter about it current etc

WB cited RCW on the sessions - "public hearing or meeting must be conducted" - "I'm asking for a P.H."

WB - Councilman ⁷⁸ hand book - "I blew whistle becaz Ords were not being followed"

p.B

p.23 CC Handbook - major req. by statute to make appointments

... Council + Staff Communications

... exec jobs to carry out policies put in place by Council...

WB: noting JC abuse of authority + waste of tax payer \$.

WB copy to us of file incl:

- ① Sec 9 "disc + term" - 3 pages
- ② Ch. 5 "Perf Eval Train + Rec" - p. 14
- ③ Ch. 1 "General" Sec 1.1 - 2 pages
- ④ 2.9.4 - 2.10 "reclassification"
- ⑤ 1.3 Equal Emp Opp
- ⑥ 1.4 Sexual Harassment
- ⑦ Comp bidding requirements
MRSC "knowing the territory"

WB got upset as GW was naming off docs in packet + threatened to leave the meeting
then decided to go thru ~~and~~ ^{page by page} forward what he is giving us to see if it matched his files

D00669

PB

WB: "I'm 72 yrs old so you have to understand
no one else is going to hire me and
I won't be railroaded here"

GW: have you given us what you'd like us
to consider

WB: I believe I have
(then re-bounded pages)

WB: ch 5 "briefed"

GW: we can read what you've given us, so
if any more info about why ^{you} empl. s/b
terminated, we'll take it into consideration

WB: Quoted "knowing the territory" MRSC
p. 33 Item 4. - over sessions

WB: "cc has been closed off from relevant
info in regards to my termination"
(after GW repeated what we need to
know)

~~GW~~ GW: how do you think that statute
was violated CPMA

WB: then I want to hear the exact dates
of lettering

GW: no, this is your oppo to respond to the
3 pieces of correspondence -

WB: I want to see the corresp.

D00670

WB Pre-term hearing

P14

GW: read what the 3 letters are
You rec'd all of these and you're
welcomed to respond

WB: I want specifics if you want
specifics (got up to leave
again)

GW: THIS IS your opp. to resp. to City's
Corresp.

WB: OK I will

I have not made false statements
or derogatory remarks everything
I've said I have proof of ~~it~~ here.

What are the specifics - I have not been
given enough time to give all answers

I've never been accused of the
things in the letter

E.A. - Someone might have written letter
for Depane's signature

WB - You haven't given me enough time

E.A. - w/ acceptance of moving etc, haven't
heard of any of these

I can give you more info if you give me
more time

D00671

WB - Pre-term Hearing

p. 15

WB - Ifer does that he shld be a PD employee

GW - Tell us what that has to do w/

WB - For yrs I have tried to get things correct

GW - Is the doc you showed me s'thing you would like us to consider?

WB - Yrs you can make a copy at cost of auth + gross waste of \$ (more remarks about Jia George, Landy Manuel, Gary Armstrong) offered to take LWOP to have time to prepare argument.

5:15

GW: You've done a good job of exp. yr concerns, unless there's s'thing new - -

WB: moving doc is intentional infliction of emotional stress + intentional interference w/ employee contract

GW GW will take into cons^{id} what you have said, we trust you will give us a copy of tape + decision will be made + you will be notified when a decision has been made, this week or next

WB Pretermination hearing

plc

WB - Mayor should inquire about my character w/ "most moral person in city" (didn't @ all who I've been an ideal employee pls don't judge me about this situation - Kevin one of ~~most~~ best employees etc.

Rd: empls feel it's retaliation against Warren for talking during Janice Larkin training

EDUCATION AND EXPERIENCE

Background Info. Given at Stanwood Employment Interviews. By Public Works Supervisor,
ROBERT DONOHOE, ET. AL.

Education

High School Graduation Ballard Seattle

Engineering Prep, Classes

AA Degree Business

Shoreline CC

AA Degree Real Estate

Everett CC

University of Washington

Pre Engineering & Air Force Reserve Officer Training

(Drop out after One Quarter Due to Ski Accident.)

United States Marine Corp 1953 – 1957

Non – Commissioned Officer- Squad Leader

Armored Amphibious Tractor- Tank Commander

Combat Infantry- Fire- Team- Leader

Atomic Biological Chemical Warfare School

United State Marine Corp Rifle Team, S.W Regional's

Tracked Vehicle Maintenance, Squad Leader School.

1957 Inactive USMC Reserve

1961 Honorable Discharge with Korean Campaign Ribbon

USMC Correspondence School- Supervisor / Management

Work Experience

Summers between High School

Carpenter Helper – Fentron Industries

Machine Operator - N. W. Bolt -and – Nut

Baker Assistant – Frank Bakery

Private Industry Employment

3 years Floor Supervisor Ballard Hardware Store

6 years Assistant Manager – Waterfront Truck Service

11 years Marketing Representative ARCO Oil.Corp

9 years ARCO Oil Corp – Distribution

Washington State Real Estate – License

Manager Residential 4 Plex

Board of Directors of Investors – 80 units Complex

Owner 3 Single Family Rental Houses

5 years Research and Development Director – Dicomp Enterprises

Commercial real Estate – Location Feasibility Researcher & Development

JOB REQUIRED

Certificates of Completion

NUMBER OF

| | | | | |
|-------------------------------|--|-----|---------------|-------------------------------------|
| 1 | Building Codes | I | Fall 94 | Everett Comm. Coll. |
| 2 | " " | II | Winter 95 | " " " |
| 3 | " " | III | Spring 95 | " " " |
| 4 | OSHA HAZ COMMUN STS | | Sept 95 | BB SIGNED AS SUPRV. |
| (5) 94 UNIF FIRE CODE SEMINAR | | | AUG 95 | NAME BADGE COS PUB WKS. DEPT. |
| 6 | INTRODUCTION TO SOILS | | FEB 21 '96 | ICBO |
| 7 | DESIGN PLAN REVIEW "EXITING" | | FEB 23 '96 | ICBO |
| 8 | PERSONNEL LAW UPDATE | | FEB 27-28 '96 | COUNCIL ON EDUC. M |
| 9 | OVERVIEW OF UNIF FIRE CODE | | NOV '96 | IFCI |
| 10 | CONST SITE EROSION AND SEDIMENT CONTROL | | MAR 18 '97 | WA ST DOT |
| 11 | 1997 EARTHQUAKE REGS OVERVIEW AND PERSPECTIVE I | | FEB 2, 2000 | ICBO |
| 12 | FIRE & LIFE SAFETY ISSUES OF INSP | | FEB 3, 2000 | ICBO |
| 13 | SPECIAL TOPICS OF INSPECTION | | FEB 4, 2000 | ICBO |
| 14 | COMMUNICATION STRATEGIES FOR PUBLIC OFFICIALS | | JAN 22 2001 | CODE ENF. ^{PROF.} DEV. SE. |
| 15 | STANDARD FIRST AID | | MAY 23 1995 | AMER RED CRS |
| 16 | ADULT CPR | | MAY 23 1995 | " " " |

16 x 10 = 160 mo

Proof Documents

City of Stanwood – Copy of My Personnel File

Collective Bargaining Contract

Personnel Manuals

13 Certificates of Achievements

Education and Experience Resume

Personnel Evaluations

Pay Raises Approved

Job Description

COS- False Documents Submitted for record in Public Office

COS- Budgets Documents

Kevin Hushagen File

Randy Richards File

EEOC File

Deposition File

2029 Pages COS Discovery Provided Documents

6 Years College

4 Years Military Service – USMC NCO

(ROTC) - Air Force Reserve Officer training @ U of Washington

Washington State Real Estate License



5360 WORKMAN MILL ROAD • WHITTIER, CALIFORNIA 90601-2298
 (310) 699-0541
 FED ID# 95-2005137

| | | | |
|----|----------|----------|---|
| CA | 10/14/96 | 97114957 | 1 |
|----|----------|----------|---|

Mr Warren Bohon
 Code Enforcement Officer
 City of Stanwood
 10220 270th St NW
 Stanwood, WA 98292

S-I-P-I-O

| 1028623-8 | N. Fullerton | | | CASH ON RECEIPT | |
|-----------|---|--------------|---------------|-----------------|-------------------|
| ITEM NO. | DESCRIPTION | QTY. SHIPPED | QTY. BACK ORD | UNIT PRICE | AMOUNT |
| | Appl UBC Fire Code Personnel Registration Fees | | | \$125.00 | |
| | Event Ticket Fees | | | \$0.00 | |
| 125.00 | 0.00 | 0.00 | 0.00 | 125.00 | 0.00 |
| | | | | | AMOUNT DUE |
| | | | | | \$125.00 |

ALL RETURNS SUBJECT TO A 20% RESTOCKING FEE
 NO RETURNS OR REFUNDS AFTER 6 MONTHS
 NO REFUNDS ISSUED ON OVERPAYMENTS UNDER \$5.00
 RETURNED CHECKS SUBJECT TO A \$25.00 SERVICE CHARGE
 ALL CREDITS MUST BE USED WITHIN 12 MONTHS

PLEASE MAKE CHECK PAYABLE TO: ICBO

CUSTOMER COI



5360 WORKMAN MILL ROAD • WHITTIER, CALIFORNIA 90601-2298
 (310) 699-0541
 FED ID# 95-2005137

| | | | |
|----|----------|----------|---|
| CA | 10/14/96 | 97114957 | 1 |
|----|----------|----------|---|

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SHIP TO

| 1028623-8 | N. Fullerton | | | | CASH ON RECEIPT |
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| 125.00 | 0.00 | 0.00 | 0.00 | 125.00 | 0.00 |
| | | | | | AMOUNT DUE |
| | | | | | \$125.00 |

ALL RETURNS SUBJECT TO A 20% RESTOCKING FEE
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PLEASE MAKE CHECK PAYABLE TO: ICBO

CUSTOMER COPY

Warren Bohon Personnel File

7/20/05

List of Contents

It is my opinion that Warren's performance would warrant any promotion and/or pay raise

- Fax cover sheet 2/13/06
- Cobra Notice to Administrator
- Sprint/Nextel Notice
- Letter dated 1/13/06
- Memo dated 12/19/05 from Stephanie Hansen
- Memo dated 12/7/05 from Mayor Herb Kuhnley
- Voided check #1758
- 2005 --- • Performance Appraisal 1/26/05 ✓
- 2005 --- • Payroll status change 1/1/05
- 2005 --- • DRS Annual Retirement Statement 2003
- 2002 --- • Payroll status change 1/1/04
- 2002 --- • Performance Appraisal 2/28/02 ✓ *97 out of 100*
- 2002 --- • Memo from Joyce George dated 9/8/03 re: August 2003 payment
- 2003 --- • Performance Appraisal 3/20/03 ✓ *97 out of 100*
- 2003 --- • DRS Annual Retirement Statement 2002 *It would be recommended a pay raise for Warren for compensation for his efforts*
- 2003 --- • DRS Annual Retirement Statement 2001
- 2003 --- • Payroll status change 1/1/02
- 2003 --- • Memo dated 9/5/01 from Joyce George
- 2003 --- • Memo authorizing paychecks to Nancy Fullerton when Warren isn't available 4/11/01
- 2003 --- • Deferred Comp change form 10/31/00
- 2003 --- • DRS Annual Retirement Statement 2000
- 2003 --- • Check #3384 from Warren to City
- 2003 --- • Employer invoice
- 2003 --- • Payroll status change 1/1/01
- 2003 --- • Note to discontinue ICMA payroll deduction 1/31/01
- 2003 --- • Fax 1/8/01 Maria Dahlin
- 2003 --- • DRS Verification of Employment
- 2003 --- • Letter to Joyce George 8/31/01
- 2003 --- • PERS membership eligibility
- 2003 --- • W-2 1999
- 2003 --- • Note to discontinue ICMA payroll deduction 3/31/99
- 2000 --- • Performance Evaluation 1/4/00 ✓ *Excellent*
- 2000 --- • ICMA catch up sheets
- 2000 --- • ICMA declaration of normal retirement age 1998
- 2000 --- • ICMA catch up sheet
- 2000 --- • ICMA employee change form 1998
- 2000 --- • Worksheets
- 2000 --- • Payroll history reports 9/29/98

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- Memo Warren examined file 7/13/98
- Memo to Richard Craig from Tim Nordtvedt 6/23/98
- DRS Annual Retirement Statement 1997
- ICMA enrollment form
- DRS Annual Retirement Statement 1996
- PERS statement

5.

- 1995 payroll change
- Memo to Gary Armstrong 1/25/96
- NW Administrators - Cobra 1/3/96
- Sexual harassment policy 5/17/95
- Memo from John Bach 5/23/95
- PERS statement 1994
- DRS enrollment form 1993

6

- Memo to Mayor Larson 12/30/93
- City drug policy acknowledgment 11/4/93
- W-4 1992
- Enrollment eligibility verification 10/15/92
- Copies of Drivers License and Social Security Card
- PERS Plan 2/DRS Member Handbook
- Medical Plan B (AWC/Regence Blue Shield)
- Dental Plan A (AWC)
- Entire Contents of Supervisor's file as of 3/15/06

certificate of recognition

Congratulations

to

Warren Bohon

for completion of a training session on the OSHA Hazard Communication Standard.

Name of Company City of Starwood

Supervisor's Name Bill Buckman

Date September 12, 1995



INTERNATIONAL CONFERENCE
of BUILDING OFFICIALS

Certifies that

WARREN BOHON

has satisfactorily completed a course of instruction in

***1997 UBC Earthquake Regulations
"Overview and Perspective - Part 1"***

and has been credited with .6 Continuing Education Units.

Awarded at Everett, Washington on this 2nd day of February, 2000.

A handwritten signature in cursive script, reading "Jon S. Traut".

For the International Conference of Building Officials



INTERNATIONAL CONFERENCE
of BUILDING OFFICIALS

Certifies that

WARREN BOHON

has satisfactorily completed a course of instruction in

*Fire and Life-safety Issues of Inspection
Issues of Inspection*

and has been credited with .6 Continuing Education Units.

Awarded at Everett, Washington this 3rd day of February, 2000.

For the International Conference of Building Officials



INTERNATIONAL CONFERENCE *of* BUILDING OFFICIALS

Certifies that

WARREN BOHON

has satisfactorily completed a course of instruction in

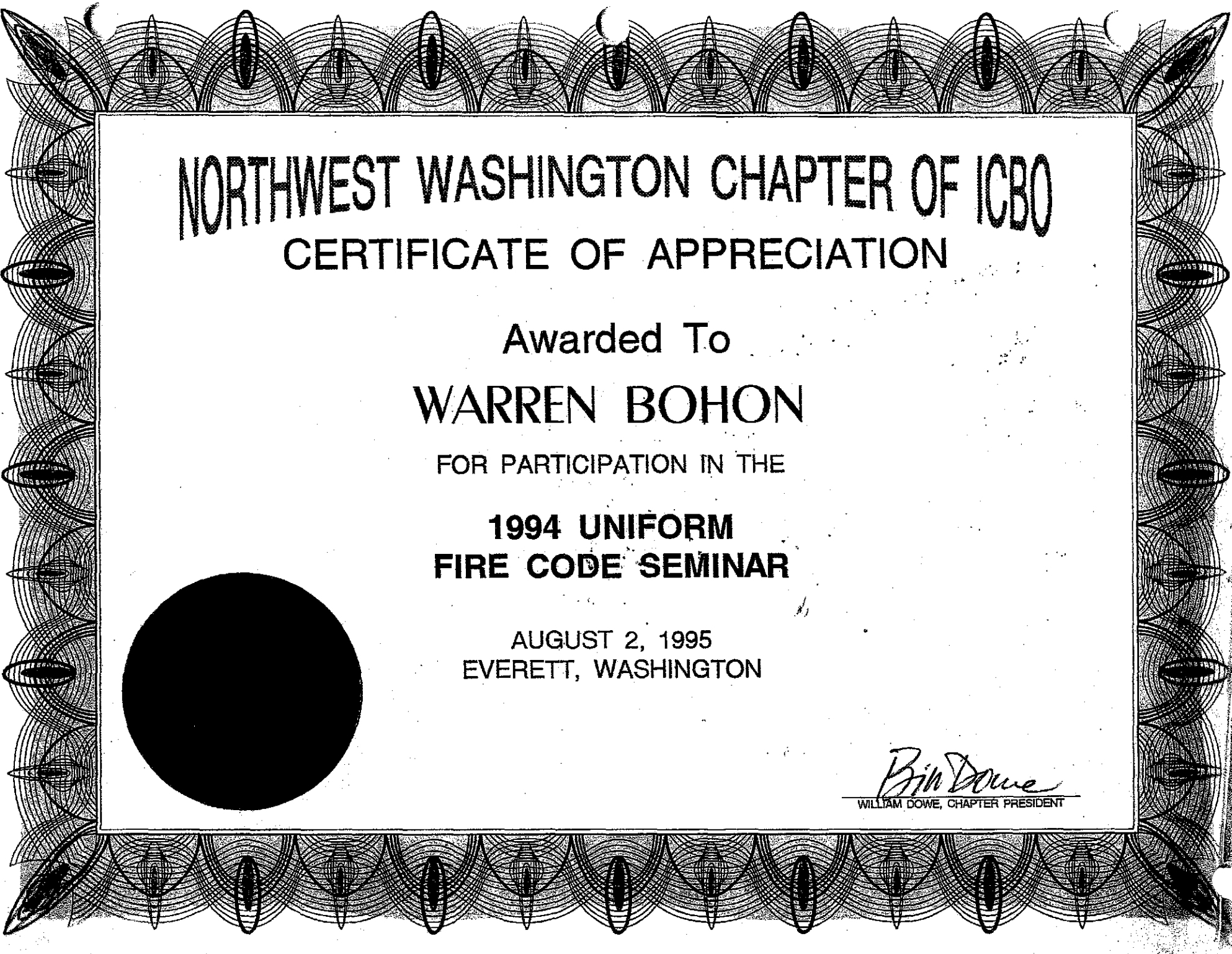
*Design Plan Review III
"Exiting"*

and has been credited with 1.3 Continuing Education Units.

Awarded at Tumwater, Washington this 23rd day of February, 1996

Jon G. Traut

For the International Conference of Building Officials



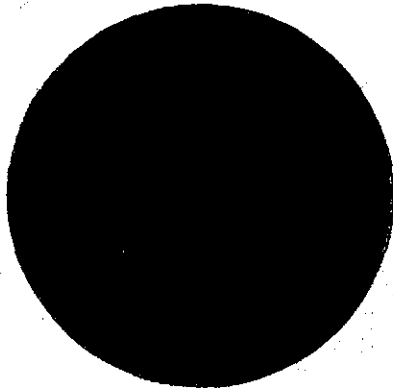
NORTHWEST WASHINGTON CHAPTER OF ICBO
CERTIFICATE OF APPRECIATION

Awarded To
WARREN BOHON

FOR PARTICIPATION IN THE

**1994 UNIFORM
FIRE CODE SEMINAR**

AUGUST 2, 1995
EVERETT, WASHINGTON



Bill Dowe
WILLIAM DOWE, CHAPTER PRESIDENT

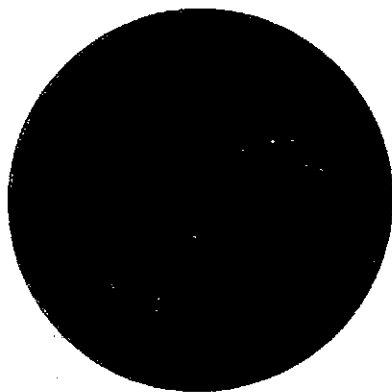
NORTHWEST WASHINGTON CHAPTER OF ICBO
CERTIFICATE OF APPRECIATION

Awarded To
WARREN BOHON

FOR PARTICIPATION IN THE

**1994 UNIFORM
FIRE CODE SEMINAR**

AUGUST 2, 1995
EVERETT, WASHINGTON



Bill Dowe
WILLIAM DOWE, CHAPTER PRESIDENT

60

Certificate of Training

is Certified

*Had to
photo*

of Lead

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Sediment

*Copy to
send*

and
n Course

Hani Schaffler
Water Quality Program Manager

3/18/97
Certification Date

David S. Jenkins
David S. Jenkins
Statewide Erosion Control Coordinator

3/18/2000
Expiration Date



Washington State Department of Transportation

American
Red Cross



American
Red Cross



This certifies that
WARREN BOHON
has completed the requirements for
STANDARD FIRST AID
sponsored by

Snohomish County Chapter

Date completed

MAY 23 1995

This certifies that
WARREN BOHON
has completed the requirements for
ADULT CPR
sponsored by

Snohomish County Chapter

Date completed

MAY 23 1995

International Fire Code Institut

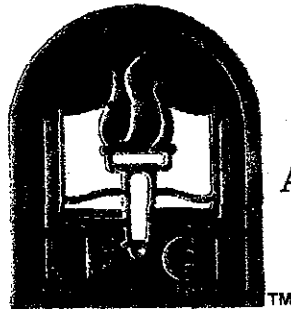
Certifies that

Warren Bohon

has satisfactorily completed a course of instruction in

Overview of the Uniform Fire Code

and has been credited with 1.3 Continuing Education U



Awarded at Bellevue, Washington this 20th day of No

A handwritten signature in black ink, reading "A. Lee Wheeler". The signature is written in a cursive style and is positioned above a horizontal line.

A. Lee Wheeler, Chairman



INTERNATIONAL CONFERENCE
of BUILDING OFFICIALS

Certifies that

WARREN BOHON

has satisfactorily completed a course of instruction in

Special Topics of Inspection

and has been credited with .6 Continuing Education Units.

Awarded at Everett, Washington this 4th day of February, 2000.

A handwritten signature in black ink, which appears to read "Jon G. Trau". The signature is written in a cursive style.

For the International Conference of Building Officials

COUNCIL ON
EDUCATION IN MANAGEMENT™

Certificate of Completion

This Is To Certify That

WARREN BOHON

Has Successfully Completed The Seminar

PERSONNEL LAW UPDATE

Conducted in **BELLEVUE, WA** , on **FEBRUARY 27 - 28, 1996**

And Is Awarded 1.2 Continuing Education Units (CEU's)

Diana Helfrich

Diana Helfrich, Managing Director
Council On Education In Management
325 Lennon Lane, Walnut Creek, CA 94598

CERTIFICATE OF COMPLETION

This certifies that

Warren Bohon

participated in a seminar on

COMMUNICATION STRATEGIES FOR PUBLIC OFFICIALS

on January 22, 2001

Contact Hours: 4

Instructor:

David Park

CODE ENFORCEMENT PROFESSIONAL DEVELOPMENT SEMINARS

Rainier Chapter of ICBO

CERTIFICATE OF COMPLETION

awarded to

Warren Bohon

for completing a course of instruction in

Introduction to Soils

February 21, 1996

Wade R. Dill
President, Rainier Chapter

EVERETT COMMUNITY COLLEGE
801 WETMORE
EVERETT
QUARTERLY WA 98201

GRADE
REPORT

STUDENT NAME

BOHON WARREN

STUDENT NUMBER

QUARTER

FALL 94

ADVISOR

PROGRAM

JOB RELATED

BOHON WARREN
10220 270TH STREET
STANWOOD WA 98292

| DEPT./DIV. | COURSE | SECT. | COURSE TITLE | CREDITS | GRADE | GRADE POINTS |
|------------|--------|-------|------------------|---------|-------|--------------|
| CONED | 024 | S | BUILDING CODES I | 3.0 | B+ | 9.9 |

| | | | | | | | |
|----------------|----------------|------|--------------|-------------|----------------|------|--------------|
| 3.0 | 3.0 | 3.30 | 9.9 | 3.0 | 3.0 | 3.30 | 9.9 |
| GPA CREDIT | CREDITS EARNED | GPA | GRADE POINTS | GPA CREDIT | CREDITS EARNED | GPA | GRADE POINTS |
| CUM CUMULATIVE | | | | CUM QUARTER | | | |

FOR EXPLANATION OF GRADING LEGEND SEE REVERSE SIDE

EVERETT COMMUNITY COLLEGE
801 WETMORE
EVERETT
QUARTERLY WA 98201

GRADE
REPORT

STUDENT NAME

BOHON WARREN

STUDENT NUMBER

QUARTER

WINTER 95

ADVISOR

PROGRAM

JOB RELATED

BOHON WARREN
10220 270TH STREET
STANWOOD WA 98292

| DEPT./DIV. | COURSE | SECT. | COURSE TITLE | CREDITS | GRADE | GRADE POINTS |
|------------|--------|-------|-------------------|---------|-------|--------------|
| CONED | 025 | S | BUILDING CODES II | 0.0 | B- | 0.0 |

| | | | | | | | |
|----------------|----------------|------|--------------|-------------|----------------|------|--------------|
| 3.0 | 3.0 | 3.30 | 9.9 | 0.0 | 0.0 | 0.00 | 0.0 |
| GPA CREDIT | CREDITS EARNED | GPA | GRADE POINTS | GPA CREDIT | CREDITS EARNED | GPA | GRADE POINTS |
| CUM CUMULATIVE | | | | CUM QUARTER | | | |

FOR EXPLANATION OF GRADING LEGEND SEE REVERSE SIDE

EVERETT COMMUNITY COLLEGE
801 WETMORE
EVERETT
QUARTERLY WA 98201

GRADE
REPORT

STUDENT NAME

BOHON WARREN

STUDENT NUMBER

QUARTER

SPRING 95

| DEPT./DIV. | COURSE | SECT. | COURSE TITLE | CREDITS | GRADE | GRADE POINTS |
|------------|--------|-------|--------------------|---------|-------|--------------|
| CONED | 026 | S | BUILDING CODES III | 0.0 | C+ | 0 |

1994

TO: PAYROLL DEPARTMENT

PLEASE ENTER THE FOLLOWING CHANGE(S) IN YOUR RECORDS TO TAKE

d
ent

EFFECT 1/1/94
(DATE & TIME)

EMPLOYEE Warren E Bohan

SOCIAL SECURITY NO. [REDACTED] CLOCK NO. _____

THE CHANGE(S)

| <input checked="" type="checkbox"/> CHECK ALL APPLICABLE BOXES | FROM | TO |
|--|-------|-------|
| <input type="checkbox"/> DEPARTMENT | | |
| <input type="checkbox"/> JOB | | |
| <input type="checkbox"/> SHIFT | | |
| <input checked="" type="checkbox"/> RATE | 10.00 | 10.50 |
| <input type="checkbox"/> | | |

REASON FOR THE CHANGE(S)

- HIRED
- RE-HIRED
- PROMOTION
- DEMOTION
- TRANSFER
- MERIT INCREASE
- UNION SCALE
- PROBATIONARY PERIOD COMPLETED
- LENGTH OF SERVICE INCREASE
- RE-EVALUATION OF EXISTING JOB
- RESIGNATION
- RETIREMENT
- LAYOFF
- DISCHARGE

Warre
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ase co

LEAVE OF ABSENCE FROM _____ UNTIL _____
(DATE) (DATE)

OTHER (EXPLAIN) _____

CHANGE AUTHORIZED BY [Signature] DATE _____

CHANGE APPROVED BY [Signature] DATE _____

PAYROLL STATUS CHANGE

EFFECTIVE DATE

11 / 1 / 04

NAME: *Warren Bahon*

PAYROLL #: *4080*

| | | | |
|-------------|------------------|-----------------------|---------------------|
| NEW ADDRESS | STREET | FOR NEW EMPLOYEE ONLY | SOCIAL SECURITY NO. |
| | CITY, STATE, ZIP | | DATE OF BIRTH |
| | TELEPHONE | | |

| CHANGE | FROM <small>(DOES NOT APPLY TO NEW EMPLOYEE)</small> | TO |
|------------|---|-----------------------|
| JOB | | |
| DEPARTMENT | | |
| SHIFT | | |
| PAY | <i>\$1578.50 /mo.</i> | <i>\$1658.50 /mo.</i> |

REASON FOR CHANGE

- | | | |
|------------------------------------|---|--|
| <input type="checkbox"/> HIRED | <input type="checkbox"/> MERIT INCREASE | <input checked="" type="checkbox"/> LENGTH OF SERVICE INCREASE |
| <input type="checkbox"/> REHIRED | <input type="checkbox"/> RESIGNATION | <input type="checkbox"/> REEVALUATION OF CURRENT JOB |
| <input type="checkbox"/> PROMOTION | <input type="checkbox"/> RETIREMENT | <input type="checkbox"/> PROBATION PERIOD COMPLETED |
| <input type="checkbox"/> DEMOTION | <input type="checkbox"/> LAYOFF | <input type="checkbox"/> UNION CONTRACT |
| <input type="checkbox"/> TRANSFER | <input type="checkbox"/> DISCHARGE | <input type="checkbox"/> |

COMMENTS, IF NECESSARY *Salary adjustment to keep within range - typical for 10-year old employees / code enforcement officers. (S.I. approved by Council in CD budget).*

| | | |
|------------------|---------------------|------------------------------|
| LEAVE OF ABSENCE | CHARGED TO VACATION | <input type="checkbox"/> YES |
| | | <input type="checkbox"/> NO |
| FROM: | OTHER, EXPLAIN | |
| TO: | | |

APPROVED BY *[Signature]*

EMPLOYEE PERFORMANCE EVALUATION

2000

| | | |
|---------------------------------|-------------------------|--------------------------------------|
| EMPLOYEE WARREN BOWEN | | TITLE BUILDING INSPECTOR |
| DEPARTMENT | | EMPLOYEE NO. 0006 FA FORCE |
| DATE OF PRESENT POSITION | DATE OF LAST EVALUATION | NEXT SCHEDULED EVALUATION |

REASON FOR EVALUATION

- ANNUAL MERIT PERFORMANCE
 END OF PROBATION PROMOTION OTHER _____

INSTRUCTIONS: Evaluate employee's work performance as it pertains to the job requirements. Circle the letter that best describes the employee's performance since the last evaluation. Add comments if necessary. (N/A if Not Applicable)

E - Excellent A - Above Average S - Satisfactory D - Decreased Performance U - Unsatisfactory

| FACTORS | SINCE LAST EVALUATION | COMMENTS |
|---|-----------------------|---|
| AVAILABILITY The degree to which an employee is prompt, follows rules concerning break and meal periods and overall attendance. | E A S D U | N/A - Evaluator here only late afternoons (Warren's assessment) |
| ADHERENCE TO POLICY The degree to which an employee follows safety rules and other regulations. | E A S D U | Warren adheres to hard hat and all safety procedures meticulously on the job. Also a careful driver. |
| BEHAVIOR PATTERN The stability, politeness, and judgement shown on the job. | E A S D U | Warren displays excellent judgement with technical issues as well as difficult people |
| CREATIVITY The degree to which an employee suggests ideas, discovers new and better ways of accomplishing goals. | E A S D U | Many years of experience enhance Warren's discernment ability in solving problems and accomplishing goals |
| DEPENDABILITY The degree to which an employee can be relied upon to complete a job. | E A S D U | N/A (Warren's assessment) Above average when I am here. |
| INDEPENDENCE The degree of work accomplished with little or no supervision. | E A S D U | No supervision is required for Warren. He knows when he needs help and asks questions |
| INITIATIVE The degree to which an employee searches out new tasks and expands abilities professionally and personally. | E A S D U | Warren spends "free" time studying codes and regulations. He pursues educational opportunities (32) |

| | | | | |
|---|---|---|-----------|--|
| <p>9. Creativity: Evaluate the degree to which an employee proposes ideas, finds new and better ways of doing things.</p> | <input checked="" type="radio"/> O <input type="radio"/> G <input type="radio"/> I <input type="radio"/> U | <p>90 - 100 80 - 89 70 - 79 60 - 69</p> | <p>98</p> | <p>Warren is always proactive in solving problems in the field</p> |
| <p>10. Initiative: The degree to which an employee seeks out new assignments and assumes additional duties when necessary.</p> | <input checked="" type="radio"/> O <input type="radio"/> G <input type="radio"/> I <input type="radio"/> U | <p>90 - 100 80 - 89 70 - 79 60 - 69</p> | <p>98</p> | <p>Initiative in solving erosion problems affecting streets proves Warren's initiative</p> |
| <p>11. Adherence to Company Rules: The degree to which an employee follows policies and procedures regarding safety, security, other regulations and adheres to company policies.</p> | <input checked="" type="radio"/> O <input type="radio"/> G <input type="radio"/> I <input type="radio"/> U | <p>90 - 100 80 - 89 70 - 79 60 - 69</p> | <p>94</p> | <p>To the extent I see Warren, he follows all city policies.</p> |
| <p>12. Personality: Evaluate the employee's cooperativeness, decision making skills, ability to work for and with others and ability to handle confrontations.</p> | <input checked="" type="radio"/> O <input type="radio"/> G <input type="radio"/> I <input type="radio"/> U | <p>90 - 100 80 - 89 70 - 79 60 - 69</p> | <p>99</p> | <p>Warren cooperates and interacts well with the public as well as fellow employees.</p> |
| <p>13. Communication Skills: Evaluate the employee's ability to use language effectively, ability to express ideas clearly and grammatically, command of oral and written language, and ability to explain concepts to others.</p> | <input checked="" type="radio"/> O <input type="radio"/> G <input type="radio"/> I <input type="radio"/> U | <p>90 - 100 80 - 89 70 - 79 60 - 69</p> | <p>94</p> | <p>Warren is competent in verbal and written communication</p> |

R Employee's overall performance in comparison to position duties and responsibilities. Outstanding 90 - 100
 Good 80 - 89
 Improvement Needed 70 - 79
 Unsatisfactory 60 - 69

Total Points 1060 + Number of Factors Rated 11 = 97 Overall Rating

General Comments

Overall Accomplishments: Warren works very well with the public and gains compliance to building a zoning regulations without creating a hostile environment.

Goals for Improvements: Continue study and mastery of all code - especially new International Codes

Developmental Needs: As much training which is now critical with the evolution of the code process to new body of codes.

Absences: Frequency _____ Number of days _____

Employee Comments

I believe my excellent performance should be much better reflected in my salary compensation

Discussed with Employee Yes No

Assignment date 2/28/02 Employee's Signature Warren Bodoy Date 2/28/02

Next Review date 1/1 Evaluator's Signature D. Swartz Date 2/28/02

| FACTORS | PERFORMANCE RATING | COMMENTS |
|--|-----------------------|---|
| PERSONAL RELATIONSHIPS willingness and ability to communicate, cooperate, and work with co-workers, supervisors, and customers. | E A S D U | Warren demonstrates excellent working relationships with the public as well as co-workers |
| KNOWLEDGE OF JOB Useful technical skills and information used at work. | E A S D U | zoning and residential overall codes and commercial building |
| PRODUCTIVITY The accuracy of work finished in a specific amount of time | E A S D U | Warren completes required tasks in a thorough and professional manner |
| QUALITY The accuracy, detail, and acceptability of work accomplished. | E A S D U | Warren is a conscientious and dedicated in promoting public safety. |

E - Excellent A - Above Average S - Satisfactory D - Decreased Performance U - Unsatisfactory

NEW ACCOMPLISHMENTS OR ABILITIES SINCE LAST EVALUATION:
 Warren has contributed numerous suggestions for improving the efficiency of the Building Dept, zoning and construction projects

AREAS WHICH NEED IMPROVEMENT
 Continued Uniform Codes proficiency

RECOMMENDATIONS FOR CAREER DEVELOPMENT - SCHOOLING, SEMINARS, ETC.
 Increase opportunities for classes and seminars

Rate Employee's Performance overall in comparison to the Job Requirements involved with his/her position.

EXCELLENT AVERAGE UNSATISFACTORY
 ABOVE AVERAGE BELOW AVERAGE NOT RATED

COMMENTS
 Warren does an excellent job in his areas of expertise. He is thorough, conscientious, and credible in code administration.

Individual was evaluated on 1 / 14 / 00 Employee's Signature Warren E. Bohon

Follow up evaluation requested Yes No Follow Up Date 1 / 1

Evaluator or TIM NORDTVEED Date 1-4-00

Supervisor STEPHANIE CLEVELAND Date _____

2002

See both front & back this page

Performance Appraisal

Employee Name BOTTON WARREN PLEASE PRINT
 LAST FIRST MIDDLE
 Position COO'S ENF OFF. BUILDING INSP
 Department _____ Employee/Payroll # _____

Reason for Review Annual Promotion Peer Appraisal Unsatisfactory Performance
 Merit End of Introductory Period Other _____
 Date employee began present position 10/20/92 Date of last appraisal / / Scheduled appraisal date / /

Instructions: Clearly evaluate the major objectives the employee was expected to accomplish and to what extent these objectives were met. Check rating circle to indicate the employee's performance. Indicate N/A if not applicable. Assign points for each rating within the scale and write that number in the corresponding points circle. Points will be totaled and averaged for an overall performance score.

Performance Definitions

Rating: Considering all factors, check the definition which best describes the employee's overall performance.

O - Outstanding: This rating best describes a level of accomplishment that goes well beyond reasonable but demanding standards of performance, especially in the key, critical areas of major responsibilities.

G - Good: This rating is reserved for those who clearly demonstrate performance which meets all the requirements of the position in terms of quality and quantity of output.

I - Improvement Needed: This rating best describes employees who have the ability to complete most assignments, however, the need for improvement and further development is clearly recognized.

U - Unsatisfactory: This category includes the noticeably less than acceptable. Performance of those whose work in terms of quality and quantity is obviously below job requirements, even when close supervision has been provided.

| GENERAL FACTORS | RATING | SCALE | POINTS | COMMENTS |
|--|---|-----------------------------------|--------|---|
| 1. General Quality of Work: Evaluate the employee's accuracy, attention to detail, originality, and degree of supervision needed to accomplish tasks. | <input checked="" type="radio"/> O <input type="radio"/> G <input type="radio"/> I <input type="radio"/> U | 90-100 80-89 70-79 60-69 | (98) | Warren excels in quality and is knowledgeable and personable. |
| 2. Quantity of Work: Evaluate the quantity of work turned out and the promptness with which it is completed. | <input checked="" type="radio"/> O <input type="radio"/> G <input type="radio"/> I <input type="radio"/> U | 90-100 80-89 70-79 60-69 | (96) | To the extent I see Warren's work, he completes his assignments. |
| 3. Job Knowledge: Evaluate the degree to which an employee possesses the practical/technical knowledge required on the job. | <input checked="" type="radio"/> O <input type="radio"/> G <input type="radio"/> I <input type="radio"/> U | 90-100 80-89 70-79 60-69 | (98) | Warren works hard to study and master the extensive and complex codes for building enforcement. |
| 4. Reliability: Evaluate an employee's attentiveness, ability to follow instructions, and ability to meet deadlines. | <input checked="" type="radio"/> O <input type="radio"/> G <input type="radio"/> I <input type="radio"/> U | 90-100 80-89 70-79 60-69 | (98) | Warren works on his own and accomplishes all that is expected of his position. |
| 5. Attendance: Evaluate the degree to which an employee is punctual, observes prescribed work break/meal periods, and has an acceptable overall attendance record. | <input checked="" type="radio"/> O <input type="radio"/> G <input type="radio"/> I <input type="radio"/> U | 90-100 80-89 70-79 60-69 | (92) | To the best of my knowledge, his attendance is excellent. |
| 6. Independence: Evaluate the degree to which an employee performs work with little or no supervision. | <input checked="" type="radio"/> O <input type="radio"/> G <input type="radio"/> I <input type="radio"/> U | 90-100 80-89 70-79 60-69 | (95) | Warren carries out most of his tasks with little supervision. (12) |

83

| | | | | |
|---|---|-----------------------------------|------|--|
| <p>9. Creativity: Evaluate the degree to which an employee proposes ideas, finds new and better ways of doing things.</p> | <input checked="" type="radio"/> O <input type="radio"/> G <input type="radio"/> I <input type="radio"/> U | 90-100 80-89 70-79 60-69 | (98) | Warren is always proactive in solving problems in the field. |
| <p>10. Initiative: The degree to which an employee seeks out new assignments and assumes additional duties when necessary.</p> | <input checked="" type="radio"/> O <input type="radio"/> G <input type="radio"/> I <input type="radio"/> U | 90-100 80-89 70-79 60-69 | (98) | Initiative in solving erosion problems affecting streets proves Warren's initiative. |
| <p>11. Adherence to Company Rules: The degree to which an employee follows policies and procedures regarding safety, security, other regulations and adheres to company policies.</p> | <input checked="" type="radio"/> O <input type="radio"/> G <input type="radio"/> I <input type="radio"/> U | 90-100 80-89 70-79 60-69 | (94) | To the extent I see Warren, he follows all city policies. |
| <p>12. Personality: Evaluate the employee's cooperativeness, decision making skills, ability to work for and with others and ability to handle confrontations.</p> | <input checked="" type="radio"/> O <input type="radio"/> G <input type="radio"/> I <input type="radio"/> U | 90-100 80-89 70-79 60-69 | (99) | Warren cooperates and interacts well with the public as well as fellow employees. |
| <p>13. Communication Skills: Evaluate the employee's ability to use language effectively, ability to express ideas clearly and grammatically, command of oral and written language, and ability to explain concepts to others.</p> | <input checked="" type="radio"/> O <input type="radio"/> G <input type="radio"/> I <input type="radio"/> U | 90-100 80-89 70-79 60-69 | (94) | Warren is competent in verbal and written communication. |

R: Employee's overall performance in comparison to position
 duties and responsibilities.

Outstanding 90-100
 Good 80-89
 Improvement Needed 70-79
 Unsatisfactory 60-69

Total Points (1066) ÷ Number of Factors Rated (11) = (97) Overall Rating

General Comments

Overall Accomplishments: Warren works very well with the public and gains compliance to building zoning regulations without creating a hostile environment.

Goals for Improvements: Continue study and mastery of all code - especially new International Codes.

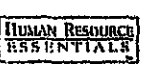
Developmental Needs: As much training which is now critical with the evolution of the code process to new body of codes.

Absences: Frequency _____ Number of days _____

Employee Comments

I believe my excellent performance should be much better reflected in my salary compensation.

Discussed with Employee Yes No
 Employee's Signature: Warren Bohop Date: 2/28/02
 Issued date: 2/28/02
 Evaluator's Signature: [Signature] Date: 2/28/02
 Next Review date: 1/1



Performance Appraisal

Employee Name Baton WARREN PLEASE PRINT E. Position BUILDING INSPECTOR
LAST FIRST MIDDLE CODE ENFORCEMENT
 Department _____ Employee/Payroll # _____

Reason for Review Annual Promotion Peer Appraisal Unsatisfactory Performance
 Merit End of Introductory Period Other _____
 Date employee began present position ___/___/___ Date of last appraisal ___/___/___ Scheduled appraisal date ___/___/___

Instructions: Clearly evaluate the major objectives the employee was expected to accomplish and to what extent these objectives were met. Check rating circle to indicate the employee's performance. Indicate N/A if not applicable. Assign points for each rating within the scale and write that number in the corresponding points circle. Points will be totaled and averaged for an overall performance score.

Performance Definitions

Rating: Considering all factors, check the definition which best describes the employee's overall performance.

O - Outstanding: This rating best describes a level of accomplishment that goes well beyond reasonable but demanding standards of performance, especially in the key, critical areas of major responsibilities.

G - Good: This rating is reserved for those who clearly demonstrate performance which meets all the requirements of the position in terms of quality and quantity of output.

I - Improvement Needed: This rating best describes employees who have the ability to complete most assignments, however, the need for improvement and further development is clearly recognized.

U - Unsatisfactory: This category includes the noticeably less than acceptable. Performance of those whose work in terms of quality and quantity is obviously below job requirements, even when close supervision has been provided.

| GENERAL FACTORS | RATING | SCALE | POINTS | COMMENTS |
|--|---|---|--------|--|
| 1. General Quality of Work: Evaluate the employee's accuracy, attention to detail, originality, and degree of supervision needed to accomplish tasks. | <input checked="" type="radio"/> O <input type="radio"/> G <input type="radio"/> I <input type="radio"/> U | 90 - 100 80 - 89 70 - 79 60 - 69 | (100) | Watch is conscientious. Crawls every crawl space. |
| 2. Quantity of Work: Evaluate the quantity of work turned out and the promptness with which it is completed. | <input checked="" type="radio"/> O <input type="radio"/> G <input type="radio"/> I <input type="radio"/> U | 90 - 100 80 - 89 70 - 79 60 - 69 | (100) | Warren completes all work. |
| 3. Job Knowledge: Evaluate the degree to which an employee possesses the practical/technical knowledge required on the job. | <input type="radio"/> O <input checked="" type="radio"/> G <input type="radio"/> I <input type="radio"/> U | 90 - 100 80 - 89 70 - 79 60 - 69 | (89) | Warren is conscientious and very good with residential construction. He is working hard learning complex commercial. |
| 4. Reliability: Evaluate an employee's attentiveness, ability to follow instructions, and ability to meet deadlines. | <input checked="" type="radio"/> O <input type="radio"/> G <input type="radio"/> I <input type="radio"/> U | 90 - 100 80 - 89 70 - 79 60 - 69 | (100) | Warren completes jobs. |
| 5. Attendance: Evaluate the degree to which an employee is punctual, observes prescribed work break/meal periods, and has an acceptable overall attendance record. | <input checked="" type="radio"/> O <input type="radio"/> G <input type="radio"/> I <input type="radio"/> U | 90 - 100 80 - 89 70 - 79 60 - 69 | (100) | No issues. |
| 6. Independence: Evaluate the degree to which an employee performs work with little or no supervision. | <input checked="" type="radio"/> O <input type="radio"/> G <input type="radio"/> I <input type="radio"/> U | 90 - 100 80 - 89 70 - 79 60 - 69 | (100) | Warren works independently. |

(14)
35

7. Creativity:

Evaluate the degree to which an employee proposes ideas, finds new and better ways of doing things.

- O 90-100
- G 80-89
- I 70-79
- U 60-69

95

Warren is great in working with people he gains compliance without creating animosity

8. Initiative:

The degree to which an employee seeks out new assignments and assumes additional duties when necessary.

- O 90-100
- G 80-89
- I 70-79
- U 60-69

95

Warren looks for work and is concerned with the big picture in Stanwood

9. Adherence to Company Rules:

The degree to which an employee follows policies and procedures regarding safety, security, other regulations and adheres to company policies.

- O 90-100
- G 80-89
- I 70-79
- U 60-69

100

No issues

10. Personality:

Evaluate the employee's cooperativeness, decision making skills, ability to work for and with others and ability to handle confrontations.

- O 90-100
- G 80-89
- I 70-79
- U 60-69

100

Warren is personable with the public. No complaints. works well with fellow employees
Good communication

11. Communication Skills:

Evaluate the employee's ability to use language effectively, ability to express ideas clearly and grammatically, command of oral and written language, and ability to explain concepts to others.

- O 90-100
- G 80-89
- I 70-79
- U 60-69

89

Rate employee's overall performance in comparison to position duties and responsibilities.

- Outstanding 90-100
- Good 80-89
- Improvement Needed 70-79
- Unsatisfactory 60-69

Total Points (1068) + Number of Factors Rated (11) = (97) Overall Rating

General Comments

Overall Accomplishments Warren does his job very well and has diplomatic skills that are excellent in gaining compliance to the codes

Goals for Improvements Increasing commercial construction inspection experience with projects coming up in the near future.

Developmental Needs As much training as possible

Absences: Frequency

Number of days

NOTE: I WOULD RECOMMEND A RAISE FOR WARREN FOR COMPENSATION FOR HIS EFFORTS

Discussed with Employee Yes No

Employee's Signature

Discussed with Tim Nordlund Web 3/20/03

Date 1/1

Discussion date 1/1

Evaluator's Signature

J. D. Welch

Date 3/20/03

Next Review date 1/1

7: article 3004 2005
Sign



PERFORMANCE APPRAISAL

NAME: Warren Behm POSITION: Build. Inspect / Code Enf. Of
 DATE OF HIRE: 10/92 DATE ASSIGNED TO CURRENT POSITION: 10/92
 APPRAISAL PERIOD: From: 1/04 To: 12/04
 APPRAISER: Cleveland Nordqvist DATE: 1/26/05

THIS APPRAISAL SHOULD BE COMPLETED BY BOTH YOU AND YOUR SUPERVISOR SEPARATELY BEFORE YOUR MEETING. PLEASE USE THIS OPPORTUNITY TO COMMUNICATE ABOUT ISSUES THAT ARE IMPORTANT TO YOU. **THIS FORM IS CONFIDENTIAL.** IT IS FOR YOUR USE, AND THAT OF YOUR SUPERVISOR. COPIES WILL BE KEPT AS PART OF YOUR PERSONNEL RECORDS.

| RATING CATEGORIES | |
|----------------------------------|--|
| Superior (S) | <ul style="list-style-type: none"> ■ Performance significantly exceeds the requirements of the job and is among the best in the department. ■ Achieves objectives at a superior level and demonstrates exceptional skills and innovation in work performance. |
| Exceeds Expectations (EE) | <ul style="list-style-type: none"> ■ Performance exceeds job requirements in all major areas. ■ Achieves performance objectives, often beyond expectations. |
| Meets Expectations (ME) | <ul style="list-style-type: none"> ■ Performance meets job requirements in all-important areas. ■ Achieves performance objectives as stated. |
| Below Expectations (BE) | <ul style="list-style-type: none"> ■ Performance is below job requirements in one or more important areas and immediate improvement will be required. ■ Performance in one or more skill areas is less than expected and needs improvement. ■ Additional training or learning is required in order for objectives to be achieved. |
| Unsatisfactory (U) | <ul style="list-style-type: none"> ■ Performance is significantly below job requirements in several important areas. ■ Performance in several skill areas is substantially weak. ■ Performance objectives are not met, even under close supervision. |

8

87

PART II: GOALS & OBJECTIVES:

Employee Name: Behr

Date: 1/26/05

For the period from: 1/1/05 to: 1/1/06

1. Start by reviewing your job description. Does your job description need to be revised to eliminate less important activities so that you can take on other, more important activities? Are there any areas where it would be helpful to clarify your role? (Job description can be attached.)

Job description is mostly accurate. See amendments to job title (add "Code Enforcement Officer") and some minor edits

2. Describe progress to achieve goals that you and your supervisor agreed to in your last performance review.

N/A

3. Identify additional important assignments or responsibilities that you completed this year in addition to those identified in question #2.

*Follow-up to long-term Bryant case.
Larger projects include BFC, Senior Center
apts, the Waste water Treatment Plant.*

4. Recommend job-related and/or career goals you anticipate working this year. Identify specific activities that you would like to work on in support of the City's work program for the next year, which begins on

Jan 5, 2005

Goals for 2005 Discussed with Warren:

- ① Check in with permit coordinator regularly; keep up daily communication, and let her know when running bet*
- ② Support planning division by enforcing zoning cond on permits and in code enforcement cases.*
- ③ Get permission for over-time prior to taking it; or at latest, if emergency, on the day of.*
- ④ Follow up chronic code enforcement issues.*

5. What skills or expertise would you like to develop to enable you to achieve personal and/or professional goals? What help do you need from the City? Identify training needs along with recommended time frames.

training in IBC (Dept head goal).

I need the City to promote me to Code Enforcement Manager & make it more equitable to the job responsibilities. The City needs to correct the enormous inequities it has allowed to occur in regards to pay increases for me. I have the skills and expertise for Manager and it will enhance the interaction with City personnel & residents. *WED*

6. Do you have any suggestions on how to improve the overall functioning of the City, enhance teamwork, or increase productivity? What can management do to make your job more satisfactory to you? (Optional)

Warren believes that the Community Development Department is not given the needed work space, finances, or status required and deserved in comparison to the demands put on it and to other city departments.

Employee Initials: WED 2/3/05

Supervisor Initials: _____

Department Director Initials: SK

Mayor Initials: W

Date: 1 12 10 05

Department keep copy for file, send original to Personnel

b. Takes on assignments and addresses problems or complaints.....
without being asked.

6. TEAMWORK

- a. Contributes to the inter-departmental as well as Citywide spirit of.....
cooperation and positive image.
- b. Uses good interpersonal skills and exhibits a positive attitude.
- c. Involves and informs others as appropriate.
- d. Works toward team and individual goal achievement.....

C. MANAGEMENT/SUPERVISORY INDICATORS (when applicable)

- 1. Provides clear direction to employees.
- 2. Provides timely and meaningful feedback to employees.
- 3. Plans budget based on goals and objectives and then monitors.....
expenditures to ensure fiscal responsibility.
- 4. Pursues organizational goals ahead of personal agendas.

D. JOB SPECIFIC INDICATORS

- 1. Regularly handles difficult customers.....
- 2. in code enforcement cases.....
- 3. _____.....
- 4. _____.....
- 5. _____.....
- 6. _____.....
- 7. _____.....
- 8. _____.....
- 9. _____.....
- 10. _____.....

E. Supervisor comments relevant to the employee's overall performance and examples illustrating strengths and areas improvement:

Warren is exceptionally proficient in dealing with building inspection / code enforcement challenges that require good judgement and maturity. He also is gifted in interfacing with the range of personality types.

These qualities are paramount in importance to the overall performances of his job responsibilities.

It is my opinion that Warren's performance would warrant any promotion and/or pay raise. (- Tim Abdriva)

F. Employee Comments:

I believe my work for the city has been better than the former position.

I am aware of other City employees who do not perform their obligations to the City and its residents and businesses as well as I do who have received both promotions and pay raises much more often than I have. When promotions have been done I have received them from the person who is more knowledgeable of what our job entails, and the everyday issues I handle. I herein expect to be made.

Employee Signature
Warren Bohon

Date
2/3/05

Supervisor Signature
[Signature]

Date
1-26-05

Department Director Signature
[Signature]

Date
3-30-05

Mayor Signature

Date

Department keep copy for file, send original to HR.

Manager of Code Enforcement and given a substantial pay raise.

also I ask that the prior job description and the revised or amended description be attached as a part of this evaluation, and a copy given me for my file.

[Signature]

1996

TO: PAYROLL DEPARTMENT

PLEASE ENTER THE FOLLOWING CHANGE(S) IN YOUR RECORDS TO TAKE

EFFECT 1/1/96
(DATE & TIME)

EMPLOYEE Warren E. Bohan

SOCIAL SECURITY NO. [REDACTED] BLOCK NO. _____

THE CHANGE(S)

| <input checked="" type="checkbox"/> CHECK ALL APPLICABLE BOXES | FROM | TO |
|--|-------|-------|
| <input type="checkbox"/> DEPARTMENT | | |
| <input type="checkbox"/> JOB | | |
| <input type="checkbox"/> SHIFT | | |
| <input checked="" type="checkbox"/> RATE | 10.50 | 12.50 |
| <input type="checkbox"/> | | |

REASON FOR THE CHANGE(S)

- HIRED
- RE-HIRED
- PROMOTION
- DEMOTION
- TRANSFER
- MERIT INCREASE
- UNION SCALE
- PROBATIONARY PERIOD COMPLETED
- LENGTH OF SERVICE INCREASE
- RE-EVALUATION OF EXISTING JOB
- RESIGNATION
- RETIREMENT
- LAYOFF
- DISCHARGE

LEAVE OF ABSENCE FROM _____ (DATE) UNTIL _____ (DATE)

OTHER (EXPLAIN) Full time employee as of 1/1/96 (Code Enforcer)

CHANGE AUTHORIZED BY [Signature] DATE 1/29/96

CHANGE APPROVED BY [Signature] DATE 3-1-96

Handwritten notes:
Cable
Job Description
H. out

No. 0090911061 Date 4/11/16

RECEIVED OF ~~Warren~~ Allied Law Group

DOLLARS \$ 25,000.⁰⁰

| | | |
|-----------------|------|--|
| Amt. of Account | | |
| Amt. Paid | | |
| Balance Due | 0.00 | |

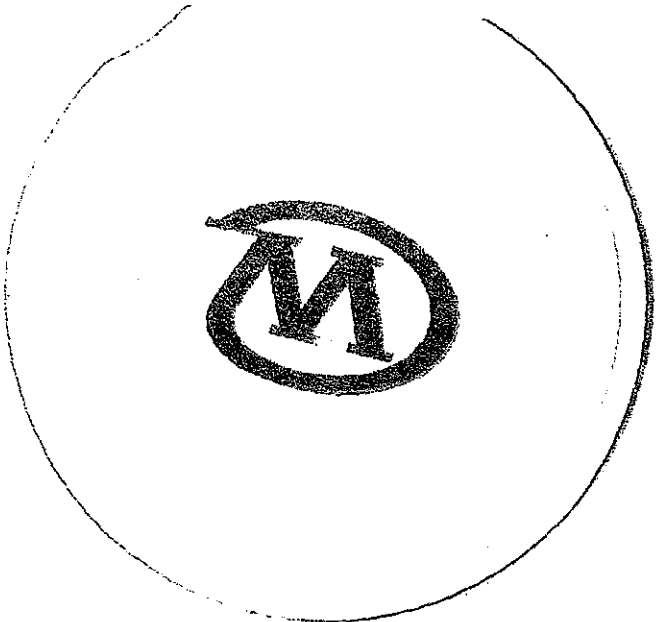
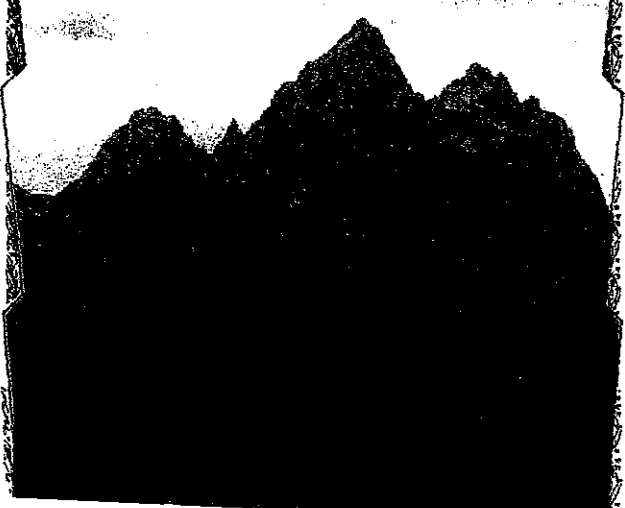
BY Warren Bohon

JACKSON HOLE PICTURE MAP

2011

Your **BEST GUIDE** to
Shops · Galleries · Restaurants
Lodging · Services

INCLUDING START Bus stops



ASH THIS SIDE UP-ON DASH

STATE OF WASHINGTON
CAPITOL CAMPUS
1 HOUR PARKING

Lot: NRB
Meter: 00000018-5328
Trans: 04B747
Time: 2:38PM
Date: NOV 12 2014
Cost: \$1.50

PERMIT VALID UNTIL:
**3:38PM WED
NOV 12 2014**

PLACE FACE UP ON DASH
QUESTIONS? 360-725-0030
SALES TAX IS INCLUDED
HAVE A NICE DAY!

ASH THIS SIDE UP-ON DASH

Do not expose to excessive heat or direct sunlight.

STAPLE
HERE

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BOHON/WARRENE
BOARDING PASS

UA 130 JAN 15
FROM DENVER
TO SEATTLE

GATE B32
BOARDS AT 3:11 PM

SEAT 30

CONFIRMATION NBR 016200
016 0425387203 CPN 2
ISSUED BY J160926 AT SBBTAF DENVER


BOHON/WARRENE

UA 130 JAN 15
FROM DENVER
TO SEATTLE

GATE B32
DEPARTS AT 3:41 PM

SEAT 30

F-CABIN
016 0425387203 CPN 2



The Wort Hotel
 50 North Glenwood P.O. Box 69
 Jackson, WY 83001
 Tel: (307) 733-2190
 Fax: (307) 733-2067

Guest Name: Warren Bohon
 14019 2nd Ave Nw
 Marysville, WA 98271 USA

Room #: 111
 Folio #: R1EF74 - 1
 Group #:
 Guests: 1
 Clerk: TRF

CL #:
 CC #: *****

Arrive: 01/12/11 Time: 02:02 PM Depart: 01/15/11 Time: 10:45 AM Status: HIST

| Date | Description | Reference | Comment | Charges | Credits |
|------------|---------------------|--------------|---------------------------------|----------|------------|
| 01/10/2011 | DEP VISA | 01-108130 | *****0579 00537C | \$0.00 | (\$394.66) |
| 01/12/2011 | SILVER DOLLAR GRILL | 1283 | Silver Dollar Grille T#: 1-1283 | \$74.60 | \$0.00 |
| 01/12/2011 | ROOM CHARGE | 111 | | \$179.00 | \$0.00 |
| 01/12/2011 | ROOM SALES TAX | 111t | Room Tax | \$10.74 | \$0.00 |
| 01/12/2011 | COMMUNITY SURCHARGE | 111t | COMMUNITY SURCHARGE AND T/ | \$7.59 | \$0.00 |
| 01/13/2011 | SILVER DOLLAR BAR | 1443 | Silver Dollar Bar T#: 2-1443 | \$43.44 | \$0.00 |
| 01/13/2011 | ROOM CHARGE | 111 | | \$179.00 | \$0.00 |
| 01/13/2011 | ROOM SALES TAX | 111t | Room Tax | \$10.74 | \$0.00 |
| 01/13/2011 | COMMUNITY SURCHARGE | 111t | COMMUNITY SURCHARGE AND T/ | \$7.59 | \$0.00 |
| 01/14/2011 | SILVER DOLLAR BAR | 1648 | Silver Dollar Bar T#: 2-1648 | \$20.20 | \$0.00 |
| 01/14/2011 | ACTIVITY DESK | V#11992 | All Trans | \$17.00 | \$0.00 |
| 01/14/2011 | ROOM CHARGE | 111 | | \$179.00 | \$0.00 |
| 01/14/2011 | ROOM SALES TAX | 111t | Room Tax | \$10.74 | \$0.00 |
| 01/14/2011 | COMMUNITY SURCHARGE | 111t | COMMUNITY SURCHARGE AND T/ | \$7.59 | \$0.00 |
| 01/15/2011 | PAY VISA | Ck Out 10:44 | *****0579 00522C | \$0.00 | (\$352.57) |

Folio Balance: \$0.00

Signature: _____

Bohon v. Stanwood, Cause No. 73195-5-I

Brief of Appellant

Appendix B

CITY OFFICIALS

Mayor

(Four Year Term)

Matthew J. McCune

Term expires 12/31/01

Council members

(Four Year Term)

| | |
|-----------------|-----------------------|
| Cheryl Baker | Term expires 12/31/01 |
| Shelley Klasse | Term expires 12/31/01 |
| Les Anderson | Term expires 12/31/03 |
| Bill Zingarelli | Term expires 12/31/03 |
| Paul Thompson | Term expires 12/31/03 |

Planning Commissioners

(Five Year Term)

| | |
|---------------------|-----------------------|
| Linda Utgard, Chair | Term expires 12/31/02 |
| Jim Lund | Term expires 12/31/02 |
| Dave Eldridge | Term expires 12/31/02 |
| Herb Kuhnly | Term expires 12/31/02 |
| Dale Weber | Term expires 12/31/04 |
| Wade Starckenberg | Term expires 12/31/03 |

Department Heads

| | |
|---------------------|----------------------------------|
| Bill Beckman | * Public Works Director |
| Stephanie Cleveland | * Community Development Director |
| Landy Manuel | * Clerk Treasurer |
| Dave Bales | Chief of Police |
| Scott Koehler | Fire Chief |

City Attorney

Thomas D. Coughlin

1996

CITY COUNCIL COMMITTEES

Ambulance

Les Anderson work 239-9741
 home 629-2972
Matt McCune work 206 266-6718
 home 629-6418

Education and Community Service

Erik Abrahamson home 629-3905
Randy Jergensen home 629-4028

Finance

Barb Gstohl home 629-3234
Les Anderson

Health

Erik Abrahamson

Library

Barb Gstohl

Ordinance

Randy Jergensen
Matt McCune

Public Safety

Les Anderson
Matt McCune

Public Works

Barb Gstohl
Les Anderson

Regional Affairs & Community Transit

Randy Jergensen
Erik Abrahamson
Barb Gstohl (Alternate)

Snohomish County Tomorrow

Matt McCune
Barb Gstohl (Alternate)



City of Stanwood

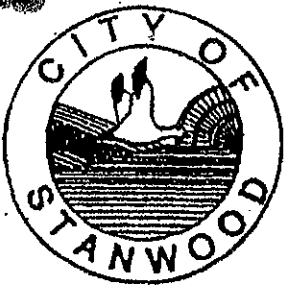
10220 270th Street NW
Stanwood, Washington 98292
(360) 629-2181
FAX (360) 629-3009

STANWOOD CITY COUNCIL AGENDA

*Regular Meeting of the City Council
Thursday, October 6, 2005 - 7:00 p.m. - City Hall*

1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE
2. ROLL CALL
3. CITIZEN COMMENTS
4. APPROVAL OF THE AGENDA
5. CONSENT AGENDA
 - a. Approval of Payroll Checks and Vouchers 5.1-5.2
 - b. Minutes of the September 15, 2005 Regular Meeting 5.3-5.6
6. PUBLIC HEARINGS
 - a. Ordinance 1178, Interlocal Agreement for Collection of School Impact Fees, 1st Reading 6.1-6.9
7. NEW BUSINESS
 - a. Ordinance 1176, School Impact Fees Proposed Code Amendments, 1st Reading 7.1-7.13
 - b. Authorize Mayor to enter into Professional Svcs. Agreement w/ Boggs Drainage 7.14-7.28
 - c. 2006 Draft Budget Presentation 7.29-7.41
 - d. Authorize Mayor to enter into Rate Study Agreement with HDR Engineering 7.42-7.57
 - e.
8. REPORTS OF OFFICERS AND COMMITTEES
 - a. Mayor's Report
 - b. City Administrator / Public Works
 - c. Community Development
 - d. Building
 - e. Parks
 - f. Finance
 - g. Personnel / City Clerk
 - h. Public Safety
9. CITIZEN COMMENTS
10. ADJOURN TO EXECUTIVE SESSION
11. RECONVENE AND ADJOURN

THERE WILL BE NO STUDY SESSION TONIGHT



City of Stanwood

10220 - 270th Street NW
Stanwood, Washington 98292
(360) 629-2181 or (360) 629-4577
FAX (360) 629-3009

*Posted
Jan 2001*

Dear Applicant:

Enclosed you will find:

- Public Works job description
- Employment application
- Authorization for background investigation
- General information for applicants

Please attach a resume to your application.

The City of Stanwood is a full service city, providing water, sewer, police and fire protection. We have 26 full time employees and a general fund budget of approximately 3 million dollars.

This position is open until filled.



City of Stanwood

10220 - 270th Street NW
Stanwood, Washington 98292
(360) 629-2181 or (360) 629-4577
FAX (360) 629-3009

PUBLIC WORKS FOREMAN CITY OF STANWOOD

Min. 3 yrs exp in util or general maint & trades area
2-3 yrs superv exp., sewer/wtr cert. pref. \$3000-3750/mo
DOQ Open until filled. Apply to: City of Stanwood,
10220 270th ST NW 98292 360-629-2181

PUBLISH EVERETT HERALD FRIDAY, SATURDAY AND SUNDAY,
JANUARY 12, 13 & 14, 2001

FAX NO. 425-252-5613

Jayne George
360-629-2181

PUBLIC WORKS FOREMAN POSITION DESCRIPTION

SALARY: \$3,000 - \$3,750/Month

STATUS: Exempt

GENERAL PURPOSE

Supervises, plans, directs and organizes the operation/maintenance activities of the water, sewer, street and parks functions within the Public Works Department.

SUPERVISION RECEIVED

Works under the immediate supervision of the Public Works Director.

SUPERVISION EXERCISED

Exercises close supervision over City maintenance workers and equipment operators. The number of workers supervised currently consists of nine full time employees and several seasonal employees. Primary emphasis is on the purposeful supervision of work teams engaged in various public works activities relating to water, sewer, street and park maintenance. Incumbent will develop effective working relationships with program officials, as well as with City employees and the general public.

ESSENTIAL DUTIES AND RESPONSIBILITIES

Work is performed with considerable latitude for independent judgment and action. Assignments are received in the form of oral instructions, work orders, established maintenance and service schedules, blueprints, sketches and rough notes. Requires the application of sound judgment and the application of technical engineering, trades and craft techniques and practices in a wide variety of public works activities. Work is reviewed for supervisory effectiveness, quality and timeliness of completed projects and conformance with governing laws, ordinance and local policies and procedures.

Supervises public works crews in a wide variety of tasks, such as maintenance and repair of water mains, pumps, motors, main line valves, fire hydrants, meters and storage tanks, meter reading, operating and servicing heavy road and construction equipment and light motor vehicles, cleaning roadside ditches, culverts and catch basins, repairing streets, guardrails and sidewalks, installing and repairing street and traffic control signs, payment striping, brush cutting and

tree trimming, clearing snow, ice and slide debris from streets and walks, maintenance of buildings and grounds, upkeep of city parks and maintenance and repair of sewer lines, pumps and related facilities.

Requisitions necessary supplies and services for operations in an efficient and effective manner; ensures compliance of with City purchasing policies and manages costs within allowable budgets.

Provides on-site direction and guidance to employees during assignments and inspects work in progress and upon completion, to insure compliance with work standards and local codes and proper safety techniques.

Analyses and troubleshoots problems such as street and sidewalk damage or obstructions, water and sewer main leaks and breaks, malfunctioning or inoperative water system pumps, motors, controls and water systems overload or misuse.

Plans/schedules daily work assignments and establishes work priorities. Periodically inspects tools and equipment to insure proper care and maintenance is being performed.

Prepares periodic work progress reports, maintains required records, logs, maps, blueprints and charts. Verifies employee time and attendance records.

DESIRED MINIMUM QUALIFICATIONS

Education and Experience:

- (a) Graduation from high school or GED equivalent, and
- (b) Minimum three years of progressively responsible work experience in the utilities or general maintenance and trades area, with 2-3 years supervisory experience. Any equivalent combination of education and experience.
- (c) Certifications in water and/or wastewater preferred.

Necessary Knowledge, Skills and Abilities:

- (a) Thorough knowledge of materials, methods and techniques commonly used in construction, maintenance and repair activities, as relates to assigned areas of specialization.
- (b) Thorough knowledge of the occupational hazards and safety standards and practices applicable to the work being supervised.

- (c) Good knowledge of Federal, State and local regulations and standards and of City and department policies and procedures.
- (d) Good knowledge of the properties, utilization and care of the materials, tools and equipment used by the employees supervised.
- (e) Ability to efficiently and effectively supervise and coordinate skilled, semi-skilled and unskilled employees performing a wide variety of maintenance, repair and service functions.
- (f) Ability to make sound and timely recommendations for project implementation, and/or modification based upon established department plans and results of personal observations and needs analysis.
- (g) Ability to read charts, diagrams and blueprints.
- (h) Ability to communicate orally and in writing and establish and maintain effective working relationships with management, employees and the general public.

SPECIAL REQUIREMENTS

Valid State Drivers License, or ability to obtain one.

TOOLS AND EQUIPMENT USED

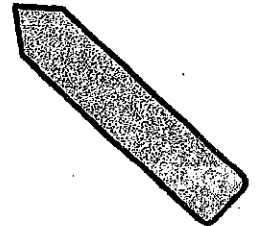
Knowledge of operation and use of motorized vehicles and equipment, including dump truck, pickup truck, utility truck, tamper, plate compactor, saws, pumps, compressors, sander, generators, common hand and power tools, shovels, wrenches, detection devices, mobile radio, phone, ditch witch, etc. Skill in use of detection devices, mobile radio, phones, personal computer, including word processing and other software, copy and fax machine.

WORK ENVIRONMENT

Work is performed primarily outdoors involving moderate risks, discomfort, or unpleasantness such as high level noise, dust, grease or mud, moving vehicles or machines, cold and/or wet weather. Normal safety precautions are required and may wear some protective clothing and equipment, such as rain and snow gear, boots, goggles and gloves.

PHYSICAL DEMANDS

Work requires some physical exertion, such as long periods of standing, walking over rough, uneven surfaces and recurring bending, crouching, stooping and reaching and occasional lifting of moderately heavy items. Work requires average physical agility and dexterity.



SELECTIONS GUIDELINES

Formal application, rating of education and experience; oral interview and reference check; job related tests may be required.

The duties listed above are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related or logical assignment to the position.

The job description does not constitute an employment agreement between the employer and employee and is subject to change by the employer as the needs of the employer and requirements of the job change.

EMPLOYMENT

Applicants who are offered employment with the City of Stanwood will be required to provide proof of identity and authorization to work in the United States. This requirement is the result of the 1986 Federal Immigration Reform and Control Act (IRCA). This law prohibits the hiring of unauthorized aliens. A list of acceptable documents verifying identity and authorization to work will be provided to applicants who are offered employment.

HOURS OF WORK - The normal work week is forty (40) hours, Monday through Friday. Some weekend, evening, holiday or overtime work may be required.

AT-WILL EMPLOYMENT - Except for those employees who are under contract, all employees are considered "at-will" employees. The employment relationship may be terminated by the City or the employee at any time.

CAREER OPPORTUNITIES - The City encourages career development for its employees and, when possible, seeks to promote qualified employees from within the City.

BENEFITS

Full-time employees receive full medical, dental and vision coverage for employee and dependents, plus State Employee Retirement System for employee.

EEO NOTE - The City of Stanwood does not discriminate in hiring on the basis of race, creed, color, ethnicity, national origin, sex, age, or marital status. In compliance with the Americans with Disabilities Act, the City, recognizing the essential elements of a job, will determine reasonable accommodations to enable you safely and effectively to perform the job for which you are applying.

HA Supp. Appl.



GENERAL INFORMATION FOR APPLICANTS

APPLICATIONS FOR EMPLOYMENT WITH THE CITY OF STANWOOD ARE AVAILABLE ONLY WHEN A VACANCY EXISTS AND ONLY FOR THE TIME PERIOD SPECIFIED IN THE ANNOUNCEMENT. APPLICATIONS ARE AVAILABLE BY MAIL OR IN PERSON. IT IS NOT THE CITY'S POLICY TO FAX OR EXPRESS MAIL APPLICATION PACKETS.

FILING OF APPLICATION - A formal application and skills inventory/supplemental questionnaire (if required) must be fully completed and submitted to be considered for the position for which you are applying. RESUMES ALONE ARE NOT SUFFICIENT FOR CONSIDERATION, but may be attached to the application.

CLOSING DATE - Applications may be filed in person, by FAX, or by mail. All applications must be received by 5:00 p.m. on the CLOSING DATE unless otherwise indicated.

SCREENING - The quality and completeness of the information that you provide on the application form and skills inventory/supplemental questionnaire may determine whether or not you are called for an interview. THE APPLICATION FORM AND SKILLS INVENTORY/SUPPLEMENTAL QUESTIONNAIRE MUST BE COMPLETED IN THEIR ENTIRETY IN ORDER FOR YOU TO BE CONSIDERED FOR A POSITION. Incomplete answers or "see resume" will result in your losing points in the rating process and possibly will prevent you from being considered further.

TESTING - Knowledge, skills and/or physical testing may be required to measure a candidate's ability to perform essential functions of the position for which they are applying. Testing may include typing, 10-key, spelling, composition, mathematics functions, code or ordinance interpretation, equipment operation, maintenance and repair skills, etc. Scores of these or other tests will be taken into consideration in determining whether a candidate continues in the selection process.

NOTIFICATION - Persons selected for interview will be notified within approximately fifteen (15) days following the position closing date on the job announcement. If you need special accommodation during the interview phase of the selection process, please provide the City seventy-two (72) hours advanced notice. The City endeavors to reasonably accommodate everyone. All applicants who are interviewed will be notified of the results on the interview process by letter.

NOT SELECTED - No formal notification will be sent by the City to applicants not selected for an interview. SHOULD THE SAME OR ANOTHER POSITION OPEN FOR WHICH YOU WISH TO APPLY, YOU MUST COMPLETE A NEW APPLICATION AND SKILLS INVENTORY/SUPPLEMENTAL QUESTIONNAIRE TO BE CONSIDERED FOR THE NEW OPENING.

4/11/93 - City Drug Free Workplace Policy

CITY OF STANWOOD
Drug-Free Workplace

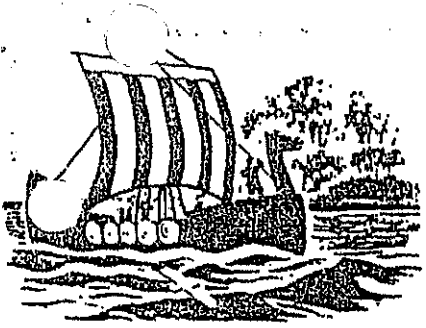
POLICY

- A. Substance abuse in the workplace can affect job performance, decrease productivity, lower morale, and create a hazardous environment, thus being a relevant issue for every City employee. The City establishes this policy in response to the growing awareness of the dangers of substance abuse and in accordance with the Drug-Free Workplace Act of 1988.
- B. The manufacturing, distribution, dispensation, possession and use of unlawful drugs on City premises by City employees is prohibited.
- C. Employees must notify the City within five days of any conviction for a drug violation in the workplace.
- D. The City will endeavor to accommodate an employee with a substance abuse problem in rehabilitative efforts; however, violations of this policy will result in disciplinary action, up to and including immediate termination of employment. Continued poor performance, of failure to successfully complete a rehabilitation program, are grounds for dismissal.
- E. In keeping with its efforts to provide a drug-free workplace for all its employees, the City understands that everyone benefits from a drug-free environment. The City will strive, through ongoing training, to inform employees about the hazards of substance abuse, and about counseling, rehabilitation, and employee assistance programs that are available.
- F. The City is aware of each employee's personal stake in maintaining a safe and productive workplace and assures confidentiality for employees seeking assistance or for employees reporting a suspected substance abuse problem.

PROCEDURE

- A. The City will provide a written copy of this drug policy to all employees and a copy of this policy in the orientation of all new employees.
- B. Ongoing drug awareness training will be conducted within individual departments for all City employees in order to implement the City's policy to maintain a drug-free environment. Supervisors and managers will be given additional training to recognize, document and handle performance-related issues.
- C. The medical insurance carrier for the City covers chemical dependency treatment for the employee. Any City employee

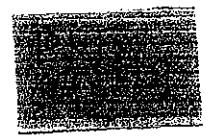
11/4/93



City of Stanwood

10220 - 270th Street NW
Stanwood, Washington 98292

(206) 629-2181
(206) 652-9090



Robert N. Larson
Mayor

CITY DRUG POLICY ACKNOWLEDGMENT

On November 4, 19 93, I reviewed the City
Drug Abuse Policy and Videos.

1. "Drugs at Work"
2. "Taking Action: Substance Abuse in the Workplace"

I understand the City Policy, the availability of treatment
through the City insurance carrier and my obligation to inform
my superior in writing, within Five (5) days upon my conviction
for a drug violation in the workplace.

Warren E. Bohor
Employee Signature

November 4, 1993
Date

[Handwritten Signature]
Supervisor Signature

4 Nov 93
Date

53



wishing confidential assistance is encouraged to contact the insurance carrier.

D. Employee acknowledgment and understanding of Awareness Training received.

Warren E. Bohon
Employee Signature

Nov 4, 1993
Date

Jerry Armstrong
Supervisor Signature

4 Nov 93
Date



City of Stanwood

10220 - 270th Street NW
Stanwood, Washington 98292
(360) 629-2181 (360) 652-9090
FAX (360) 629-3009

5/18/95

CITY SEXUAL HARASSMENT POLICY

On MAY 17, 19 95, I reviewed the City Sexual Harassment Policy and the video "Sexual Harassment is Bad Business".

I understand the City policy concerning the right of any employee to report sexual harassment to his/her supervisor and that disciplinary action will be taken against an employee who commits or participates in any form of sexual harassment, up to and including termination of employment.

Warren E. Bohon
Employee Signature

5/17/95
Date

Jay Bentley
Supervisor Signature

5/18/95
Date

48

1995
5/17/95
Warren E. Bohon
Jay Bentley
Policy

DEPARTMENT LIST**1995****Public Works**

Gary Armstrong
Richard Craig
Del Vey
Tim Nordtvedt
Warren Bohon
Nancy Fullerton
Sandy Horn
Jerry Cronin

Public Works Director
Planning Director
Plumbing Inspector
Building Inspector
Zoning Enforcer/Asst Fire Inspector
Administrative Assistant I
Utility Clerk I
General Services/Maintenance

629-4577

Park/Street

Jerry Fure
Leeon Adams
Randy Richard

Maintenance Leader
Maintenance Worker
Maintenance Helper

629-9617

Sewer/Street

John Magill
Kevin Hushagen

Sewer/Street/Drainage Manager
Maintenance Leader

629-9782

Water

Bill Beckman
John Case
Rod Sundberg
Tom Heaphy

Water Department Manager
Maintenance Worker
Maintenance Worker
Maintenance Helper

629-9781

City Clerk's Office

Ray L. Nielsen
Joyce Geotge
Linda Heinichen
Paula Mick

Clerk Treasurer
Deputy Clerk
Records Specialist
Accounts Payable

629-2181

Ambulance

Bev Handshumaker

Ambulance Billing Clerk

629-3241

Fire Department (Volunteer)

Jerry Hood
Jack Freberg
LeRoy Moses

Fire Chief
Assistant Fire Chief
Fire Marshal/Inspector

629-3897

629-3459

629-2653

**POSITION DESCRIPTION
COMMUNITY DEVELOPMENT DIRECTOR**

SALARY DOQ

GENERAL PURPOSE

Performs a variety of supervisory, administrative, technical and professional tasks in the current and long range planning programs of the city related to the development and implementation of land use and related municipal plans and policies.

SUPERVISION EXERCISED

Exercises supervision over permit coordinator, building inspector/code enforcement officer and other department staff.

ESSENTIAL DUTIES AND RESPONSIBILITIES

Manages and supervises planning operations to achieve goals within available resources; plans and organizes workloads and staff assignments; trains, motivates and evaluates assigned staff; reviews progress and directs changes as needed.

Provides leadership and direction in the development of short and long range plans; gathers, interprets, and prepares data for studies, reports and recommendations; coordinates department activities with other departments and agencies as needed.

Provides professional planning and land use advice to Mayor, Council, Planning Commission and department heads; makes private and public presentations to Council, boards, commissions, civic groups and the general public.

Assures that assigned areas of responsibility are performed within budget; performs cost control activities; monitors revenues and expenditures in assigned area to assure sound fiscal control; prepares annual budget requests; assures effective and efficient use of budgeted funds, personnel, materials, facilities, and time.

Determines work procedures, prepares work schedules, and expedites workflow; studies and standardizes procedures to improve efficiency and effectiveness of operations.

Issues written and oral instructions; assigns duties and examines work for exactness, neatness, and conformance to policies and procedures.

Maintains harmony among workers and resolves grievances;
Performs or assists subordinates in performing duties; adjusts errors and complaints.

CITY OF STANWOOD
1998 BUDGET SUMMARY

Expenditures:

- Contractual increases for wages are 3.7% for police, 3% for public works, 4% for administrative employees and 3% for exempt.
- Retirement, L & I and unemployment rates are expected to decline slightly. Medical costs will rise about 3%.
- School Resource Officer added funded for 1998 in part by COPS grant.
- Part time Animal Control Officer changed to full time Code Enforcement Officer.
- Creating a paid Reserve Officer position twelve hours per week at \$8.00 per hour, no benefits.
- Assistant Planner to permanent full time position with benefits.
- \$25,000 for hardware, software and wiring for networking City Hall and Police Station.
- Amounts adequate to pay 1997 & 1998 costs for jail, prosecuting attorney and public defense pending contract settlement.
- Replacing police chief vehicle.
- Adding night duty officer position in fire department.
- Establish reserve for recreation center.
- Setup and fund equipment replacement reserves for both general government and utilities.

Memorandum

TO: Community Development Department

FROM: Stephanie Cleveland, Community Development Director *SL*

SUBJECT: 2002 Budget Requests

DATE: September 13, 2001

That time has sprung up on us again—or me, maybe I should say. For the next two weeks I will be working on preparing the 2002 departmental budget. Please jot down any requests or thoughts or needs or pie-in-the-sky whims you have—anything that you think will improve your productivity or that of the overall department. Classes, furniture, contracts, employees. Please don't forget to include estimated costs associated with your item. Please get your list to me by Friday, September 21. (Sorry for the short notice.)

Here are some thoughts I had that some of the noted individuals might want to think about.

Nancy—Ordering new notice board signs.

Ann—Watershed contract; engineer contract, intern needs.

Linda—Supply budget; print budget.

Tim—Contract amounts.

For your reference, I included this year's budgets attached.

Thanks.

CITY OF STANWOOD
 ESTIMATED EXPENDITURE REPORT
 08/02/01 09:26

| ACCOUNT NUMBER | DESCRIPTION | 2000 APPROPRIATED | 2000 ACTUAL | 2001 APPROPRIATED | 2001 TO DATE | 2001 BUDGET |
|--------------------------|----------------------------|----------------------|----------------|----------------------|-----------------|----------------|
| BUILDING INSPECTION | | | | | | |
| 001 000 035 559 60 10 00 | SALARIES & WAGES | 26,100.00 | 25,200.00 | 46,274.00 | 18,639.47 | |
| 001 000 035 559 60 11 00 | OVERTIME | .00 | .00 | .00 | .00 | |
| | TOTAL SALARIES & WAGES | 26,100.00 | 25,200.00 | 46,274.00 | 18,639.47 | |
| 001 000 035 559 60 20 00 | SOCIAL SECURITY | 1,977.00 | 1,927.80 | 3,340.00 | 1,423.93 | |
| 001 000 035 559 60 21 00 | RETIREMENT | 1,201.00 | 1,098.72 | 2,161.00 | 1,490.86 | |
| 001 000 035 559 60 22 00 | MEDICAL BENEFITS | 2,382.00 | 2,374.89 | 4,013.00 | 1,998.47 | |
| 001 000 035 559 60 23 00 | L & L | 423.00 | 77.72 | 499.00 | 51.02 | |
| 001 000 035 559 60 24 00 | UNEMPLOYMENT INSURANCE | 209.00 | 30.40 | 93.00 | 37.23 | |
| | TOTAL PERSONNEL BENEFITS | 6,212.00 | 5,529.53 | 10,306.00 | 5,003.53 | |
| 001 000 035 559 60 31 00 | SUPPLIES | 800.00 | 1,418.30 | 1,200.00 | 650.14 | |
| 001 000 035 559 60 32 00 | FUEL | 200.00 | 209.36 | 200.00 | 50.82 | |
| 001 000 035 559 60 33 00 | SMALL EQUIPMENT | 950.00 | 237.97 | 300.00 | .00 | |
| | TOTAL SUPPLIES | 1,950.00 | 1,865.63 | 1,700.00 | 700.96 | |
| 001 000 035 559 60 41 00 | BUILDING INSPECTION | 3,000.00 | 4,439.00 | 5,000.00 | 4,680.50 | |
| 001 000 035 559 60 41 01 | PLAN CHECK FEES | 28,000.00 | 31,225.50 | 35,000.00 | 19,180.50 | |
| 001 000 035 559 60 41 03 | LAUNDRY SERVICE | .00 | 213.31 | 300.00 | 198.89 | |
| 001 000 035 559 60 42 00 | COMMUNICATIONS | .00 | 359.17 | 1,700.00 | 994.13 | |
| 001 000 035 559 60 43 00 | TRAVEL | 300.00 | 12.00 | 100.00 | .00 | |
| 001 000 035 559 60 44 00 | ADVERTISING | .00 | .00 | .00 | .00 | |
| 001 000 035 559 60 48 00 | REPAIRS/MAINTENANCE | 300.00 | 334.81 | 600.00 | 83.16 | |
| 001 000 035 559 60 49 00 | MISCELLANEOUS | 300.00 | 300.13 | 300.00 | 139.86 | |
| 001 000 035 559 60 49 01 | EDUCATION & TRAINING | 3,000.00 | 326.63 | 300.00 | 79.00 | |
| 001 000 035 559 60 49 02 | DUES | 300.00 | 80.00 | 100.00 | 105.00 | |
| | TOTAL CHARGES FOR SERVICES | 47,800.00 | 37,312.35 | 43,600.00 | 23,463.04 | |
| 001 000 035 559 60 64 00 | EQUIPMENT | .00 | .00 | .00 | .00 | |
| | TOTAL CAPITAL OUTLAYS | .00 | .00 | .00 | .00 | |
| | TOTAL BUILDING INSPECTION | 81,862.00 | 69,907.84 | 101,880.00 | 49,807.00 | |

Steph
 1 11 1 11 1 11 1 11

2002 Budget - Bldg Dept / CODE.
ENF

New 4x4 SUV - Code Enf / Bldg Dept
25,000 +

Training Fund

3000.00 - Cover the Following

Transportation

lodging

Meals

Registration Fees

Supplies

500.00

Subscription Fees

↑ Periodicals Bldg Dept

Building

Mechanical

Plumbing

↓ "

Code ENF.

400.00

Veh Fuel, MAINT, LIC, INS.

2500.00

the duties of his office. (Ord. 1017, 1997; Ord. 814 § 6, 1991; Ord. 729 § 1, 1987; Ord. 681 § 6, 1986; Ord. 647 § 6, 1984; Ord. 626 § 6, 1984; Ord. 614 § 6, 1983; Ord. 515 § 7, 1978; Ord. 388 § 2, 1973).

2.08.260 Council member – Compensation – Reimbursement.

(1) Regular Meetings. The compensation of each council member shall be \$75.00 for each regular meeting of the council, not to exceed two meetings in any one month.

(2) Other Meetings. For attending any special meeting; a regularly called committee meeting; and for attendance at any Association of Washington Cities, Puget Sound Governmental Conference, or other official meetings authorized by the mayor or a majority of the council, they shall receive the sum of \$30.00, except when the meeting is consecutive with a meeting for which other payment is authorized.

(3) Payroll Procedure.

(a) The city clerk-treasurer shall include payment on the next payroll for attendance at regular and special meetings of the council where roll is taken and minutes are recorded.

(b) A council member may submit a payroll voucher, listing the date, place and purpose of other meetings. The voucher is subject to the audit and approval of the city council before payment may be made.

(4) Expenses. Each member of the city council shall be reimbursed for actual expenses incurred in the discharge of his official duties upon presentation of a claim therefor, after allowance and approval by motion of the city council.

(5) The effective date of the ordinance codified in this section shall be January 1, 2000. (Ord. 1079, 1999; Ord. 945 § 1, 1995; Ord. 815 § 1, 1991; Ord. 729 § 2, 1987; Ord. 650 § 1, 1985; Ord. 403 § 1, 1973; Ord. 388 § 3, 1973).

2.08.350 Reimbursement of expenses.

(1) Reimbursements Allowed. Meals occurring when the officer, agent or employee is on city business, or while in his official capacity as officer, agent, or employee attending a meeting of an organization or group of which the city is a member, or the officer,

agent, or employee is a member; lodging while on city business, away from the city overnight; automobile mileage at 90 percent of the standard mileage rate as set forth in the most current issue of IRS Publication 17, while on city business; parking tolls, public transportation, and registration/material fees. Agents may include persons requested by the city to act on the city's behalf or perform a service for the city.

(2) Reimbursement Not Allowed. Alcoholic beverages, traffic and parking tickets, and expenses for persons not officers, employees, or agents of the city shall not be reimbursed. Reimbursement for expenses shall not be allowed except as provided in subsection (1) of this section.

(3) City Credit Cards. City credit cards may in no case be used to provide gas, supplies or other expenses of personal vehicles in lieu of the automobile mileage rate.

(4) Reimbursement Procedure. All claims for expenses by the mayor, council members, or officers, agents, or employees of the city shall be submitted and approved for payment by the city council, as follows:

(a) Vouchers – General. All claims for reimbursement shall be submitted on a voucher provided by the city and shall be subject to audit and approval by the appropriate department head and council.

(b) The voucher must state the date the expense was incurred, the purpose of the expense, the destination, the mileage for travel mileage claimed, the name of the business, organization, office visited or meeting attended.

(5) Expenses Charged to City. The following expenses may be charged directly to the city or prepaid when authorized:

(a) Hotel, motel room charges, not to include parking, valet services, meals or other charges.

(b) Registration and other fees for meetings, conferences, conventions, etc. which may include meals, materials or other charges.

(6) Receipts Required. Receipts are required for all reimbursement claims except for the following:

(a) Tolls, parking, and other charges where receipts are not normally available.

CITY OF STANWOOD
1998 BUDGET SUMMARY

Expenditures:

- Contractual increases for wages are 3.7% for police, 3% for public works, 4% for administrative employees and 3% for exempt.
- Retirement, L & I and unemployment rates are expected to decline slightly. Medical costs will rise about 3%.
- School Resource Officer added funded for 1998 in part by COPS grant.
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- Assistant Planner to permanent full time position with benefits.
- \$25,000 for hardware, software and wiring for networking City Hall and Police Station.
- Amounts adequate to pay 1997 & 1998 costs for jail, prosecuting attorney and public defense pending contract settlement.
- Replacing police chief vehicle.
- Adding night duty officer position in fire department.
- Establish reserve for recreation center.
- Setup and fund equipment replacement reserves for both general government and utilities.

- RCW 10.97.100 authorizes police departments to collect reasonable fees for the dissemination of criminal history record information to agencies and persons other than other criminal justice agencies.
- RCW 3.62.060 and RCW 3.62.065 authorize municipal courts, and municipal departments of district courts, to charge specific fees for various services, including duplication of part or all of the electronic tape or tapes of a court proceeding.

Question: How should the city handle a request for a duplicate copy of a tape recording of a council meeting or a public hearing?

Answer: Because there is a possibility that the original tape will be mishandled or lost, the clerk should not provide the original of the tape to the requestor and allow that individual to make a copy. The city should make the duplicate tape, or contract with a reputable company to make a duplicate, and charge the requestor the actual cost of duplication.

Prompt Responses Required—RCW 42.17.320

Within five business days of receiving a request for a public record, a city must respond by either:

- Providing for inspection and/or copying of the record;
- Acknowledging receipt of the request and providing a reasonable estimate of the time necessary to respond; or
- Denying the request. If a request is denied, a written statement must accompany the denial setting out the specific reasons therefor.



Note that although responses must be made within five days, another statute requires cities "provide for the fullest assistance to inquirers and the most timely possible action on requests for information."⁸⁹

Failure to provide a written response within the five day period can result in a civil award of statutory penalties.⁹⁰

Additional Time for Response—RCW 42.17.320

Additional time to respond to a request may be based upon the need to:

⁸⁹RCW 42.17.290, emphasis added.

⁹⁰See RCW 42.17.340(4) and *DOE I v. Washington State Patrol*, 80 Wn. App. 296 (1996).

f. Public Safety

Councilmember Baker provided an ambulance report and announced that the next committee meeting is scheduled for 6/10/04.

Fire Chief Kevin Taylor reported on budget issues, the Captain assessment center, labor negotiations, the grant for Fire Department bicycles.

City Attorney Grant Weed reported on a recent State Supreme Court decision that declares the criminal offense of 3rd degree driving with license suspended as unconstitutional.

8. **Adjourn to Executive Session**

Mayor Kuhnly adjourned the meeting at to executive session at 7:31 p.m. to discuss potential litigation.

9. **Reconvene and Adjourn**

The meeting reconvened at 8:06 p.m.

Motion by Councilmember Klasse, second by Councilmember Baker to authorize the Mayor to sign a release and settlement agreement as discussed in executive session. Motion carried unanimously.

Motion by Councilmember Klasse, second by Councilmember Chappel to authorize the Mayor to enter into an emergency Public Works contract to repair the sewer trunkline on 271st Street NW. Motion carried unanimously.

City Attorney Grant Weed stated that his office would prepare the formal resolution for the emergency Public Works contract and bring it forward at the next regular meeting.

There being no further business before the Council, Mayor Kuhnly declared the meeting adjourned at 8:09 p.m.

CITY OF STANWOOD


H.W. Kuhnly, Mayor


Lynda L. Jeffries, City Clerk

AFFIDAVIT OF SERVICE

STATE OF WASHINGTON)
) ss: AFFIDAVIT OF SERVICE
County of Snohomish)

ERIC R ABRAHAMSON being first duly sworn, upon oath deposes and says:

That at all times hereinafter mentioned, s/he was and now is a resident of the State of Washington, over the age of eighteen years, not a party to or interested in the foregoing matter, and competent to be a witness therein; that on the 27th day of

September, 2007, s/he did duly serve the attached COMPLAINT FOR INJUNCTIVE RELIEF AND DAMAGES upon CITY OF STANWOOD by delivering to and leaving with said CITY /at his/her home or office Receptionist in Stanwood, said Snohomish County, the original or a true and correct copy thereof.

Time: 12:45 PM

Place: STANWOOD CITY HALL

Eric R Abrahamson

SUBSCRIBED AND SWORN to before me this 27 day of September, 2007

Susan Wiley-Poe
RECEIVED
CITY OF STANWOOD

Notary Public
State of Washington
SUSAN G WILEY-POE
My Appointment Expires May 23, 2011

a. Mayor

Mayor Kuhnly reported that the City has agreed to keep Church Creek Park open during winter daylight hours, provided no vandalism occurs.

b. City Administrator / Public Works

City Administrator Beckman announced that city employee Kevin Hushagen has received his Wastewater Treatment Group 3 certificate and urged Council and staff to congratulate him for achieving this difficult certification. Administrator Beckman also provided updates on several road construction projects.

c. Community Development

Director Hansen distributed copies of the updated Comprehensive Plan documents and building and land use permitting logs. Director Hansen also reported on the 2005 Community Enhancement Awards which will be presented by the Mayor at the 11/8/05 Chamber meeting.

d. Building

Councilmember Powell reported that the committee is scheduled to meet on Monday, 11/7/05 at 5:15 p.m.

e. Parks

Councilmember White requested a status report on the horseshoe pits at Heritage Park. Mr. Beckman reported that the project would begin in the near future.

f. Finance

Director Brown requested a committee meeting prior to the next City Council meeting.

g. Personnel / Clerk

Councilmember Baker requested information on elected officials training for 2006.

h. Public Safety

Councilmember Baker provided an ambulance report and reported that the committee met to discuss vehicle replacement issues.

INCENTIVE PAY ASSUMPTIONS:

For 1997 Budget

09-Oct-96

A. Public Works Certificate Pay: \$10/certificate

| Employee | Monthly Premium | Certificates | Annual Premium |
|---------------------------------|----------------------------------|---|--------------------|
| L. Adams <i>OK</i> | \$30 | Water Distribution Specialist 1 Sign & Marking Specialist | \$360 |
| J. Fure <i>OK</i> | \$30 | Water Distribution Manager <i>Flagging Card</i> Work Zone Safety Specialist Flagging & Traffic Control Sign & Marking Specialist | \$360 |
| K. Hushagen | \$70 <i>+ 10</i> <u>80</u> | Wastewater Treatment Plant Operator Sign & Marking Specialist II Sign & Marking Specialist I Water Distribution Specialist I <i>+2</i> Flagging & Traffic Control Water Distribution Manager I Water Distribution Manager II | \$840 <i>+2</i> |
| R. Richards <i>Pesticide</i> | \$40 <i>10</i> <u>\$50</u> | Water Distribution Specialist 1 Work Zone Safety Specialist Sign & Marking Specialist Flagging & Traffic Control | \$480 |
| T. Heaphy <i>OK</i> | \$20 | Water Distribution Specialist 1 Flagging & Traffic Control | \$240 |
| R. Sundberg <i>OK</i> | \$10 | Water Distribution Specialist 1 | \$120 |

*per John
11/21/97*

B. Longevity Pay Public Works:

| Tenure | Premium Paid |
|--|-------------------------------|
| 6-8 years (7th & 8th) | \$60 per month |
| 8-10 years | \$120 per month |
| 10-12 years | \$180 per month |
| 12-14 years | \$240 per month |
| 15-20 years | \$300 per month |
| Over 20 years <i>30 - 25</i> <i>WCC 25</i> | \$350 per month <i>375</i> |

C. Longevity Pay Administrative Employees:

| Tenure | Premium Paid |
|-------------|-----------------|
| 6-8 years | \$60 per month |
| 8-10 years | \$120 per month |
| 10-12 years | \$180 per month |
| 12-15 years | \$240 per month |
| 15+ years | \$300 per month |

17th Annual Washington Water/Wastewater Operations Workshop
 March 21, 22, 23, 1995
 Vancouver, Washington

Water CEUs Awarded 1.6
 Total CEUs Awarded 1.6

Name: Richard Randy J
last first M.I.
 Home Address: 2312 Sunday Lk rd
 City: Stamwood State: WA Zip: 98292

Are you certified in Washington's Water Works Certification program? Check if yes.
 Note: Sessions marked (*) are not relevant to water works professional growth.

PLEASE SEE REVERSE SIDE FOR CEU VALIDATION INSTRUCTIONS.

| | | | | |
|-----------------|--------------------------|--------------------------------|----------------|-----------|
| Early Bird — .1 | Water Certification — .2 | Wastewater Certification — .2* | Liability — .2 | Tour — .1 |
| WOW | | | Wetro | |
| Evening — .2 | Water Regulations — .1 | Wastewater Regulations — .1* | Sued — .1 | |
| | Wetro | | | |

SERIES A — WATER DISTRIBUTION & TREATMENT

| Session | CEUs | Validation |
|---------|------|------------|
| A-1 | .2 | Wetro |
| A-2 | .1 | Wetro |
| A-3 | .2 | Wetro |
| A-4 | .1 | Wetro |
| A-5 | .2 | Wetro |
| A-6 | .1 | Wetro |
| A-7 | .2 | Wetro |
| A-8 | .1 | Wetro |

SERIES B — WASTEWATER TREATMENT

| Session | CEUs | Validation |
|---------|------|------------|
| B-1 | .2* | |
| B-2 | .1* | |
| B-3 | .2 | |
| B-4 | .1 | |
| B-5 | .2* | |
| B-6 | .1* | |
| B-7 | .2* | |
| B-8 | .1* | |

WW115/950226T

What Are Public Records?

A "public record" is defined to include,

... any writing containing information relating to the conduct of government or the performance of any governmental or proprietary function prepared, owned, used, or retained by any state or local agency regardless of physical form or characteristics.¹⁷

"Writing" is also defined in the disclosure statutes:

"Writing" means handwriting, typewriting, printing, photostating, photographing, and every other means of recording any form of communication or representation, including, but not limited to, letters, words, pictures, sounds, or symbols, or combination thereof, and all papers, maps, magnetic or paper tapes, photographic films and prints, motion picture, film and video recordings, magnetic or punched cards, discs, drums, diskettes, sound recordings, and other documents including existing data compilations from which information may be obtained or translated.¹⁸

Whether private business records can relate to "conduct of government" has not been addressed by Washington courts.¹⁹ However, the Washington Supreme Court has held that where "records relate to the conduct of ... [a public agency] ... and to its governmental function. ... [T]he records are 'public records' within the scope of the public records act."²⁰

Local governments are not required to *create* documents in order to comply with a request for specific information.²¹ Rather, they must produce existing records for review and copying. Also, local governments are not obligated to compile information from various records so that information is in a form that is more useful to the requestor. For example, if someone wants records concerning the time it took the city fire department to respond to residential fires occurring between midnight and 6:00 a.m. over a two year period, the city only needs to provide copies of existing records.²² City employees are not required to do research for private individuals.²³

¹⁷RCW 42.17.020(36).

¹⁸RCW 42.17.020(42).

¹⁹See Kenyon, *supra* note 4 (discussing private records that may become subject to the PDA though its use by a public agency).

²⁰Confederated Tribes of Chehalis Reservation v. Johnson, 135 Wn.2d 734, 748 (1998) (holding that records showing amount of community contributions paid by tribes under the terms of a tribal-state gaming compacts are within the scope of the PDA).

²¹Citizens for Fair Share, 117 Wn. App. at 435 (citing *Smith v. Okanogan County*, 100 Wn. App. 7, 13-44 (2000)).

²²*Smith*, 100 Wn. App. at 18.

²³*Bonamy v. City of Seattle*, 92 Wn. App. 403, 409 (1993).



City of Stanwood

10220 270th Street NW
Stanwood, Washington 98292
(360) 629-2181
FAX (360) 629-3009

September 11, 2003

Gary Schmitt
Business Representative
PO Box 764
Mt. Vernon, WA 98273-0764

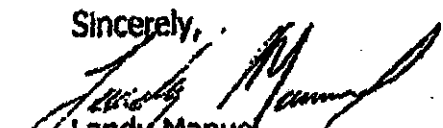
Dear Mr. Schmitt:

The City is in receipt of your letter concerning the Street/Parks Lead Position. Unfortunately due to financial constraints and other priorities of the City, as permitted under the Management Rights section of the collective bargaining agreement, we have decided to not fill the Maintenance Lead position. Therefore no vacancy notice will be posted.

With regards to your request for additional compensation for Mr. Adams and Mr. Richard, there has been no essential change in their job duties or workload to warrant additional compensation. The supervisory and budgetary duties of the lead position have been performed by the Public Works Supervisor since the creation of the supervisor position several years ago. The remaining job duties are the same as those already performed by Mr. Adams and Mr. Richard. Any effect that the elimination of the lead position has on the remaining positions is at most minimal. If you have information that would show otherwise, please let me know.

Despite budget constraints, the City would be more than willing to meet with you to discuss any further concerns or issues relating to this job elimination.

Sincerely,


Landy Manuel
Director of Finance

RECEIVED

SEP 16 2003

General Teamsters' Local Union, 231

General Teamsters, Warehouse Employees, Law Enforcement and Public Employees, Food Processing and Cannery Workers, Whatcom, San Juan, Skagit and Island Counties, Washington, including Food Processing, Cannery Workers and Warehousemen in the Cities of Stanwood, Arlington, Snohomish and Monroe in Snohomish County, Washington

Affiliated with the International Brotherhood of Teamsters

MICHAEL COLLINS, *Secretary-Treasurer*
CHUCK EGGERT, *Business Representative*
STEVEN THORP, *Business Representative*
1700 N. State Street, PO Box "H"
Bellingham, WA 98227-0298
(360) 734-7780 • Fax (360) 734-7783



BRANCH OFFICE:
STEVEN CHANDLER, *Business Representative*
420 Gales Street
PO Box 764
Mt. Vernon, WA 98273-0764
(360) 336-3129 • Fax (360) 336-3120

August 25, 2003

Landy Manul
Finance/Personnel Director
10220 270th NW
Stanwood, WA 98292

Reference: Street/Park Maintenance Lead Position

Dear Mr. Manul,

The recent retirement of the Street/Parks Maintenance Lead has created an opening that requires posting pursuant to our collective bargaining agreement.

The Union has determined the essential duties and responsibilities of the Lead position are being performed on a daily basis by Teamster bargaining unit members Randy Richard and Leon Adams.

We request Mr. Richard and Mr. Adams be compensated for all hours performing Lead duties since the vacancy. In addition, we request this vacancy be posted pursuant to Article VI.

VI PROBATION PERIOD, LAYOFF, RECALL AND JOB VACANCIES,
specifically Article 6.9 Job Vacancies and 6.5.1.

Please call me at 360-336-3929 to discuss this matter further. *should be 6.5 for 8-28-03*

Respectfully,

A handwritten signature in cursive script that reads "Gary Schmitt".

Gary Schmitt, Business Representative

CC: Jerry Cronin – Steward
Russ Reid – Counsel



City of Stanwood

10220 270th Street NW
Stanwood, Washington 98292
(360) 629-2181
FAX (360) 629-3009

May 11, 2005

Erik Abrahamson
27119 102nd Drive NW
Stanwood, WA 98292

Re: Public Disclosure Request dated March 29, 2005 titled "...details of the settlement payoff after termination (of Gary Armstrong) September or October 1998."

Dear Mr. Abrahamson:

As you know, the City is required to make "public records available for inspection and copying," and the City must "upon request for identifiable public records, make them promptly available to any person." RCW 42.17.270. "Public records" are defined in RCW 42.17.020(36), and relate to "any writing containing information relating to the conduct of government or the performance of any governmental or proprietary function, prepared, owned, used or retained by any state or local agency, regardless of physical form or characteristics." Therefore, the City is not required to create records in order to respond to citizen requests.

The City is allowed to charge a fee for the copying of public records, which is calculated in the manner set forth in RCW 42.17.300. The City is required to establish procedures to provide for full public access to public records, but also "to protect public records from damage or disorganization, and to prevent excessive interference with other essential functions" of the City. RCW 42.17.290.

With the above in mind, the following are the City's responses to your requests (as identified above):

1. "All details relating to the reasons for Gary Armstrong's termination – how much time remained on his contract and the monetary settlement amount to settle the contract dispute." The city has located a file generated by former City Attorney Tom Coughlin entitled "Gary Armstrong, Admin/Public Works Director" which includes information concerning termination issues. The information contained in this file may be subject to attorney/client privilege and therefore not subject to disclosure. We have asked our current city attorneys to conduct a review of this file in order to determine which records, if any, are disclosable and they have informed us that

5/11/05
FOIA Response

their office will need until Friday, May 20, 2005 to complete it
City Clerk Lynda Jeffries will contact you by Friday, May 20,
to your request.

Very truly yours,



Lynda L. Jeffries, CMC
City Clerk

FILE COPY

10220 270TH Street NW
Stanwood, WA 98292
(360) 629-2181

RECEIVED
MAR 29 2005
CITY OF STANWOOD

REQUEST FOR DISCLOSURE OF PUBLIC RECORDS

Date March 29 2005

Requestor's Name ERIK ABRAHAMSON

Address 27119 102nd Dr NW

City STANWOOD State WA Zip 98292 Phone 360 629 3905

If emergency request, indicate date desired: THURSDAY MARCH 31
FRIDAY APRIL 1
Please call 4254183774 when ready to be picked up CITY MANAGER

RECORDS REQUESTED:
Title of Record EMPLOYMENT CONTRACT BETWEEN GARY ARMSTRONG AND THE CITY OF STANWOOD AND DETAILS OF THE SETTLEMENT PAYOFF AFTER TERMINATION
Date of Record SEPT. OR OCTOBER ± 1998

Please describe the records you are requesting and any additional information that will help us located them for you as quickly as possible.

ALL DETAILS RELATING TO THE REASONS FOR GARY ARMSTRONG'S TERMINATION - HOW MUCH TIME REMAINED ON HIS CONTRACT AND THE MONETARY SETTLEMENT AMOUNT TO SETTLE THE CONTRACT DISPUTE.

I certify that the lists of individuals obtained through this request for public records will not be used for commercial purposes.

Requestor's Signature Erik Abrahamson

Number of copies 1

Number of pages ALL PAGES RELATED TO THE ABOVE

Per page charge \$.15

TOTAL CHARGE \$.15

Person Receiving Request / Department JO

*Instructions for City Employee receiving request: have requestor complete form, then date stamp and forward to the Clerk Treasurer Department. All requests for disclosure of public records must be reviewed by the City Clerk Treasurer prior to being filled.

What Are Public Records?

A "public record" is defined to include,

... any writing containing information relating to the conduct of government or the performance of any governmental or proprietary function prepared, owned, used, or retained by any state or local agency regardless of physical form or characteristics.¹⁷

"Writing" is also defined in the disclosure statutes:

"Writing" means handwriting, typewriting, printing, photostating, photographing, and every other means of recording any form of communication or representation, including, but not limited to, letters, words, pictures, sounds, or symbols, or combination thereof, and all papers, maps, magnetic or paper tapes, photographic films and prints, motion picture, film and video recordings, magnetic or punched cards, discs, drums, diskettes, sound recordings, and other documents including existing data compilations from which information may be obtained or translated.¹⁸

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²²*Smith*, 100 Wn. App. at 18.

²³*Bonamy v. City of Seattle*, 92 Wn. App. 403, 409 (1993).

5/11/2005

COS response to Erik A. Request 5/5/05 re hiring



City of Stanwood

10220 270th Street NW
Stanwood, Washington 98292
(360) 629-2181
FAX (360) 629-3009

May 11, 2005

Erik Abrahamson
27119 102nd Drive NW
Stanwood, WA 98292

Re: Public Disclosure Request dated May 5, 2005 titled "Applications for employment of all candidates to be interviewed on the second attempt to fill the position prior to employment of Leslie Anderson."

Dear Mr. Abrahamson:

As you know, the City is required to make "public records available for inspection and copying," and the City must "upon request for identifiable public records, make them promptly available to any person." RCW 42.17.270. "Public records" are defined in RCW 42.17.020(36), and relate to "any writing containing information relating to the conduct of government or the performance of any governmental or proprietary function, prepared, owned, used or retained by any state or local agency, regardless of physical form or characteristics." Therefore, the City is not required to create records in order to respond to citizen requests.

The City is allowed to charge a fee for the copying of public records, which is calculated in the manner set forth in RCW 42.17.300. The City is required to establish procedures to provide for full public access to public records, but also "to protect public records from damage or disorganization, and to prevent excessive interference with other essential functions" of the City. RCW 42.17.290.

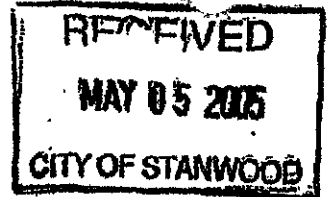
With the above in mind, the following are the City's responses to your requests (as identified above):

1. "There were at least three applicants who applied for the position of public works supervisor. Please forward copies of those applications of individuals who were interviewed." Records responding to this request are exempt from disclosure under RCW 42.17.310(1)(t) which states that "all applications for public employment, including names of applicants, resumes, and other related materials submitted with respect to an applicant" are exempt from public inspection or copying.

Very truly yours,

Lynda L. Jeffries, CMC
City Clerk

CITY OF STANWOOD
10220 270TH Street NW
Stanwood, WA 98292
(360) 629-2181



REQUEST FOR DISCLOSURE OF PUBLIC RECORDS

Date MAY 5 2005

Requestor's Name Erik Abrahamson

Address 27119 102nd Dr NW

City Stanwood State WA Zip 98292 Phone 425 418 3774
360 629 3905

If emergency request, indicate date desired: AS SOON AS POSSIBLE, TKS

RECORDS REQUESTED:

Title of Record 1. ADVERTISEMENT & qualifications for public works supervisor
2. ADVERTISEMENT & qualifications for public works supervisor

Date of Record Previous To employment of Heidi Anderson

Please describe the records you are requesting and any additional information that will help us located them for you as quickly as possible.

there were two advertisements and sets of qualifications sought from applicants by the city. I wish for the exact text of both describing expected qualifications of the applicants and the two descriptions of the job to be filled

I certify that the lists of individuals obtained through this request for public records will not be used for commercial purposes.

Requestor's Signature Erik Abrahamson

Number of copies 1

Number of pages 6

Per page charge \$.15

TOTAL CHARGE \$.90

Person Receiving Request / Department LD

*Instructions for City Employee receiving request: have requestor complete form, then date stamp and forward to the Clerk Treasurer Department. All requests for disclosure of public records must be reviewed by the City Clerk Treasurer prior to being filled.



City of Stanwood

10220 - 270th Street NW
Stanwood, Washington 98292
(360) 629-2181 or (360) 629-4577
FAX (360) 629-3009

PUBLIC WORKS FOREMAN CITY OF STANWOOD

Min. 3 yrs exp in util or general maint & trades area
2-3 yrs superv exp., sewer/wtr cert. pref. \$3000-3750/mo
DOQ Open until filled. Apply to: City of Stanwood,
10220 270th ST NW 98292 360-629-2181

PUBLISH EVERETT HERALD FRIDAY, SATURDAY AND SUNDAY,
JANUARY 12, 13 & 14, 2001

FAX NO. 425-252-5613

Jaye George
360-629-2181



City of Stanwood

10220 - 270th Street NW
Stanwood, Washington 98292
(360) 629-2181 or (360) 629-4577
FAX (360) 629-3009

**PUBLIC WORKS SUPERVISOR
CITY OF STANWOOD**

MIN. 3 YRS EXP IN UTILITIES, STREETS & PARKS MAINT.
2-3 YRS SUPERV EXP., WTR CERT PREF. \$3200-3950/MO
DOQ; CLOSING DATE 3/30/01. APPLY TO: CITY OF
STANWOOD, 10220 270TH ST NW 98292 360-629-2181

PUBLISH SEATTLE TIMES SATURDAY, SUNDAY, MARCH 17 & 18
FAX NO. 206-464-2582

Jupe George
360-629-2181

SUPERVISOR

**PUBLIC WORKS FOREMAN
POSITION DESCRIPTION**

3200 - 3950

SALARY: ~~\$3,000~~ - \$3,750/Month

STATUS: Exempt

GENERAL PURPOSE

Supervises, plans, directs and organizes the operation/maintenance activities of the water, ~~sewer~~, street and parks functions within the Public Works Department.

SUPERVISION RECEIVED

Works under the immediate supervision of the Public Works Director.

SUPERVISION EXERCISED

Exercises close supervision over City maintenance workers and equipment operators. The number of workers supervised currently consists of nine full time employees and several seasonal employees. Primary emphasis is on the purposeful supervision of work teams engaged in various public works activities relating to water, ~~sewer~~, street and park maintenance. Incumbent will develop effective working relationships with program officials, as well as with City employees and the general public.

ESSENTIAL DUTIES AND RESPONSIBILITIES

Work is performed with considerable latitude for independent judgment and action. Assignments are received in the form of oral instructions, work orders, established maintenance and service schedules, blueprints, sketches and rough notes. Requires the application of sound judgment and the application of technical engineering, trades and craft techniques and practices in a wide variety of public works activities. Work is reviewed for supervisory effectiveness, quality and timeliness of completed projects and conformance with governing laws, ordinance and local policies and procedures.

Supervises public works crews in a wide variety of tasks, such as maintenance and repair of water mains, pumps, motors, main line valves, fire hydrants, meters and storage tanks, meter reading, operating and servicing heavy road and construction equipment and light motor vehicles, cleaning roadside ditches, culverts and catch basins, repairing streets, guardrails and sidewalks, installing and repairing street and traffic control signs, payment striping, brush cutting and

tree trimming, clearing snow, ice and slide debris from streets and walks, maintenance of buildings and grounds, upkeep of city parks ~~and maintenance and repair of sewer lines, pumps and related facilities.~~

Requisitions necessary supplies and services for operations in an efficient and effective manner; ensures compliance of with City purchasing policies and manages costs within allowable budgets.

Provides on-site direction and guidance to employees during assignments and inspects work in progress and upon completion, to insure compliance with work standards and local codes and proper safety techniques.

Analyses and troubleshoots problems such as street and sidewalk damage or obstructions, water and sewer main leaks and breaks, malfunctioning or inoperative water system pumps, motors, controls and water systems overload or misuse.

Plans/schedules daily work assignments and establishes work priorities. Periodically inspects tools and equipment to insure proper care and maintenance is being performed.

Prepares periodic work progress reports, maintains required records, logs, maps, blueprints and charts. Verifies employee time and attendance records.

DESIRED MINIMUM QUALIFICATIONS

Education and Experience:

- (a) Graduation from high school or GED equivalent, and
- (b) Minimum three years of progressively responsible work experience in the utilities or general maintenance and trades area, with 2-3 years supervisory experience. Any equivalent combination of education and experience.
- (c) Certifications in water ~~and/or wastewater~~ preferred.

Necessary Knowledge, Skills and Abilities:

- (a) Thorough knowledge of materials, methods and techniques commonly used in construction, maintenance and repair activities, as relates to assigned areas of specialization.
- (b) Thorough knowledge of the occupational hazards and safety standards and practices applicable to the work being supervised.

- (c) Good knowledge of Federal, State and local regulations and standards and of City and department policies and procedures.
- (d) Good knowledge of the properties, utilization and care of the materials, tools and equipment used by the employees supervised.
- (e) Ability to efficiently and effectively supervise and coordinate skilled, semi-skilled and unskilled employees performing a wide variety of maintenance, repair and service functions.
- (f) Ability to make sound and timely recommendations for project implementation, and/or modification based upon established department plans and results of personal observations and needs analysis.
- (g) Ability to read charts, diagrams and blueprints.
- (h) Ability to communicate orally and in writing and establish and maintain effective working relationships with management, employees and the general public.

SPECIAL REQUIREMENTS

Valid State Drivers License, or ability to obtain one.

TOOLS AND EQUIPMENT USED

Knowledge of operation and use of motorized vehicles and equipment, including dump truck, pickup truck, utility truck, tamper, plate compactor, saws, pumps, compressors, sander, generators, common hand and power tools, shovels, wrenches, detection devices, mobile radio, phone, ditch witch, etc. Skill in use of detection devices, mobile radio, phones, personal computer, including word processing and other software, copy and fax machine.

WORK ENVIRONMENT

Work is performed primarily outdoors involving moderate risks, discomfort, or unpleasantness such as high level noise, dust, grease or mud, moving vehicles or machines, cold and/or wet weather. Normal safety precautions are required and may wear some protective clothing and equipment, such as rain and snow gear, boots, goggles and gloves.

PHYSICAL DEMANDS

Work requires some physical exertion, such as long periods of standing, walking over rough, uneven surfaces and recurring bending, crouching, stooping and reaching and occasional lifting of moderately heavy items. Work requires average physical agility and dexterity.

SELECTIONS GUIDELINES

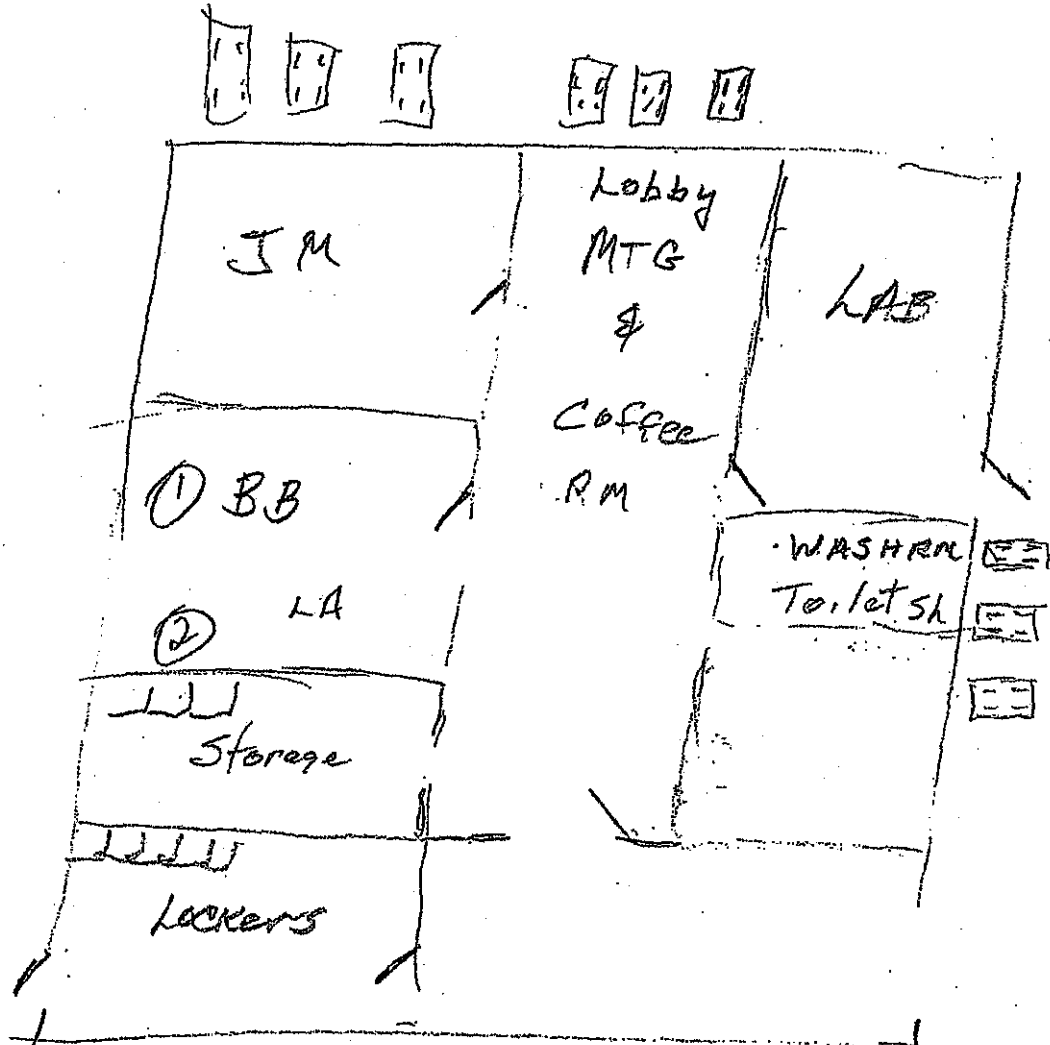
Formal application, rating of education and experience; oral interview and reference check; job related tests may be required.

The duties listed above are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related or logical assignment to the position.

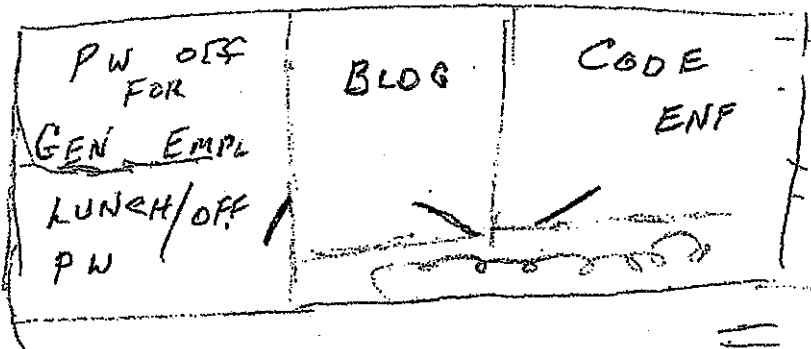
The job description does not constitute an employment agreement between the employer and employee and is subject to change by the employer as the needs of the employer and requirements of the job change.

PWK BLDG

Fl 1



Fl 2



SEWER TREATMENT PLANT

FILE COPY

10220 270TH Street NW
Stanwood, WA 98292
(360) 629-2181

RECEIVED
MAR 29 2005
CITY OF STANWOOD

REQUEST FOR DISCLOSURE OF PUBLIC RECORDS

Date March 29 2005

Requestor's Name ERIK ABRAHAMSON

Address 27119 102nd Dr NW

City STANWOOD State WA Zip 98292 Phone 360 629 3905

If emergency request, indicate date desired: THURSDAY MARCH 31
FRIEDAY APRIL 1
Please call 4254183774 when ready to be picked up CITY MANAGER

RECORDS REQUESTED:
EMPLOYMENT CONTRACT BETWEEN GARY ARMSTRONG

Title of Record AND THE CITY OF STANWOOD AND DETAILS OF THE SETTLEMENT PAYOFF AFTER TERMINATION

Date of Record SEPT. OR OCTOBER ± 1998

Please describe the records you are requesting and any additional information that will help us located them for you as quickly as possible.

ALL DETAILS RELATING TO THE REASONS FOR GARY ARMSTRONG'S TERMINATION - HOW MUCH TIME REMAINED ON HIS CONTRACT AND THE MONETARY SETTLEMENT AMOUNT TO SETTLE THE CONTRACT DISPUTE

I certify that the lists of individuals obtained through this request for public records will not be used for commercial purposes.

Requestor's Signature Erik Abrahamson

Number of copies 1

Number of pages ALL PAGES RELATED TO THE ABOVE

Per page charge \$.15

TOTAL CHARGE \$.15

Person Receiving Request / Department JO

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City of Stanwood

10220 270th Street NW
Stanwood, Washington 98292
(360) 629-2181
FAX (360) 629-3009

May 11, 2005

Erik Abrahamson
27119 102nd Drive NW
Stanwood, WA 98292

Re: **Public Disclosure Request dated March 29, 2005 titled "...details of the settlement payoff after termination (of Gary Armstrong) September or October 1998."**

Dear Mr. Abrahamson:

As you know, the City is required to make "public records available for inspection and copying," and the City must "upon request for identifiable public records, make them promptly available to any person." RCW 42.17.270. "Public records" are defined in RCW 42.17.020(36), and relate to "any writing containing information relating to the conduct of government or the performance of any governmental or proprietary function, prepared, owned, used or retained by any state or local agency, regardless of physical form or characteristics." Therefore, the City is not required to create records in order to respond to citizen requests.

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With the above in mind, the following are the City's responses to your requests (as identified above):

1. "All details relating to the reasons for Gary Armstrong's termination – how much time remained on his contract and the monetary settlement amount to settle the contract dispute." The city has located a file generated by former City Attorney Tom Coughlin entitled "Gary Armstrong, Admin/Public Works Director" which includes information concerning termination issues. The information contained in this file may be subject to attorney/client privilege and therefore not subject to disclosure. We have asked our current city attorneys to conduct a review of this file in order to determine which records, if any, are disclosable and they have informed us that

their office will need until Friday, May 20, 2005 to complete its review of this file.
City Clerk Lynda Jeffries will contact you by Friday, May 20, 2005 with a response
to your request.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Lynda L. Jeffries".

Lynda L. Jeffries, CMC
City Clerk

12/13/05

To: Stephanie Hansen Cleveland
AND
Incoming Mayor Ms Diane White

From: Warren Bohon

Subject: Reporting Improper Governmental Action

Date: 12/13/05

I am herein officially notifying you in writing that I am seeking protection against "RETALIATION FOR REPORTING IMPROPER GOVERNMENTAL ACTIONS"

I do it in this manner in another Good Faith effort to resolve this issue " IN-HOUSE" rather than escalating it to "OUTSIDE AGENCY'S "

My reading and understanding of the City of Stanwood's (COS) Personnel Manual that addresses the" Procedure For Seeking Relief Against Retaliation " affords me rights that cannot be superseded by either Mayor Kuhnly or Bill Beckman (BB). That section of the COS personnel manual addresses "an employees belief that an improper action has occurred".

It specifically provides him 125 days to have that belief evaluated and determined by an Administrative Law judge (ALJ), Not Mayor Kuhnly And Not Bill Beckman.

It is my understanding that the decision of an ALJ is then appeal'able to Superior Court, Court Of Appeals, State Supreme Court, and U.S. Supreme Court, Not Mayor Kuhnly and Not Bill Beckman.

The last two sentences of the COS Personnel Manual, Section 10, read as follows, -----
"Officers, Mangers, and Supervisor are responsible for ensuring the procedures are fully implemented within their areas of responsibility", and, "Violations of this policy and these procedures may result in appropriate disciplinary action, up to and including termination".

On December 8, 2005 Mayor Kuhnly had issued to me, via Bill Beckman and yourself a letter proving Mayor Kuhnly and Bill Beckman themselves had determined "my belief that COS actions constituted an illegal retaliatory action", (quotation marks are quoting my claim).

Undisputedly the underlying circumstances and occurrences will prove, by a Preponderance of Evidence that Mayor Kuhnly and Bill Beckman are Prejudicially Biased parties who if allowed to succeed in their efforts to terminate my employment will be found to be a violation of "The Appearance Of Fairness Doctrine", and / or " Due Process Of Law" to which I am entitled.

It is my belief and therefore my claim that Mayor Kuhnly's letter is a Pretextual Attempt to escape the liabilities that could be assessed against himself, Bill Beckman, and the COS if I prosecute this matter beyond "IN HOUSE" determination.

Stephanie, you are aware of my age. It is important that you, as an involved party, ensure that mayor Kuhnly and Bill Beckman are aware of it.

To terminate a person my age is the severest act an employer can do to an employee.

If the COS proceeds to terminate my employment I will be fully justified in seeking the severest of penalties be assessed against all relevant parties.

Termination of their employment and claim of personal liability will be pursued by me in addition to liability of " The City OF Stanwood".

Stephanie →

As I advised you over two weeks ago, I am today submitting a request for approval of vacation.

The stress and anxiety the Cities actions have caused me in threatening my livelihood, my safety and my future welfare, warrant approval of this request.

I am advised by Tim Nordvedt that he has arranged matters so that my being away from the job will not cause undue inconvenience to the City Of Stanwood.

For the City to disturb or relocate my office during the time I am away and / or to terminate my employment given the existing Circumstances will be further proof of illegal, pretextual acts, done in BAD FAITH.

This letter will be turned into the City well within 30 days of December 8, 2005 and prior to 1:30 pm December 13, 2005

City of Stanwood Memorandum

TO: Mayor Herb Kuhnly

FROM: Stephanie Hansen, Community Development Director *SH*

CC: Bill Beckman, City Administrator/Public Works Director
Lynda Jeffries, City Clerk/Human Resources Director

SUBJECT: Recommendation for Termination of Warren Bohon's Employment

DATE: December 20, 2005

Per Policy 9.3 of the City of Stanwood's Personnel Policy Manual, I am recommending the termination of Warren Bohon's employment with the City. Mr. Bohon currently holds the position of Building Inspector/Code Enforcement Officer.

Termination of Mr. Bohon's employment is recommended as the disciplinary action resulting from the following conduct as enumerated in the Personnel Policy Manual:

- 9.1.6 Loitering after completing day's work, which results in the disruption of the City's business or the work effort of other employees.
- 9.1.10 Making malicious, false, or derogatory statements that are intended or could reasonably be expected to damage the integrity or reputation of the City or our employees, on or off premises.
- 9.1.11 Insubordination, including a refusal or failure to perform assigned work.

Mr. Bohon has organized at least one off-hours meeting and engaged with Public Works employees and city council members in order to discredit and undermine the work efforts and reputations of Mr. Bill Beckman, City Administrator/Public Works Director, and Mr. Les Anderson, Public Works Supervisor. He has made several written and verbal unsubstantiated and/or false derogatory statements intending to damage the integrity of these two persons and to undermine their supervisory authority. Most recently he has refused to relocate his work space to City Hall per both my and the Mayor's direct orders.

I recommend termination of Mr. Bohon's employment, and a that you schedule a pre-termination hearing with yourself and Mr. Bohon at your earliest convenience, leaving enough notice to Mr. Bohon to prepare for the meeting. The purpose of that meeting would be to give Mr. Bohon the opportunity to provide you any other information he deems relevant before you make any final decision on my recommendation.

I am available for any questions you have regarding this memo.

Thank you.

City of Stanwood Memorandum

TO: Mayor Herb Kuhnly

FROM: Stephanie Hansen, Community Development Director *SH*

CC: Bill Beckman, City Administrator/Public Works Director
Lynda Jeffries, City Clerk/Human Resources Director

SUBJECT: Recommendation for Termination of Warren Bohon's Employment

DATE: December 20, 2005

Per Policy 9.3 of the City of Stanwood's Personnel Policy Manual, I am recommending the termination of Warren Bohon's employment with the City. Mr. Bohon currently holds the position of Building Inspector/Code Enforcement Officer.

Termination of Mr. Bohon's employment is recommended as the disciplinary action resulting from the following conduct as enumerated in the Personnel Policy Manual:

- 9.1.6 Loitering after completing day's work, which results in the disruption of the City's business or the work effort of other employees.
- 9.1.10 Making malicious, false, or derogatory statements that are intended or could reasonably be expected to damage the integrity or reputation of the City or our employees, on or off premises.
- 9.1.11 Insubordination, including a refusal or failure to perform assigned work.

Mr. Bohon has organized at least one off-hours meeting and engaged with Public Works employees and city council members in order to discredit and undermine the work efforts and reputations of Mr. Bill Beckman, City Administrator/Public Works Director, and Mr. Les Anderson, Public Works Supervisor. He has made several written and verbal unsubstantiated and/or false derogatory statements intending to damage the integrity of these two persons and to undermine their supervisory authority. Most recently he has refused to relocate his work space to City Hall per both my and the Mayor's direct orders.

I recommend termination of Mr. Bohon's employment, and a that you schedule a pre-termination hearing with yourself and Mr. Bohon at your earliest convenience, leaving enough notice to Mr. Bohon to prepare for the meeting. The purpose of that meeting would be to give Mr. Bohon the opportunity to provide you any other information he deems relevant before you make any final decision on my recommendation.

URGENT OVER *525* *191*

RCW 40.16.030 Offering false instrument for filing or record.

Bill Kaufman

Les Anderson

John Case

Walt McLean

Rod Simberg

Stephanie Hansen Cleveland

DW

W

J

"

GA

J.F.

HK

DW

MP

Every person who shall knowingly procure or offer any false or forged instrument to be filed, registered or recorded in any public office, which instrument, if genuine, might be filed, registered or recorded in such office under any law of this state or of the United States, shall be punished by imprisonment in a state correctional facility for no more than five years, or by a fine of not more than five thousand dollars, or both.

January 26, 2006

Mr. Warren Bohon
881 E. Port Susan Terrace
Camano Island, WA 98282

Re: Returning of City Property

Dear Mr. Bohon:

As you are aware, your employment with the City of Stanwood terminated on January 13, 2006. To date you have not returned any of the city property in your possession. Please return the following items by January 30, 2006:

1. Building keys
- ~~2. Car keys~~
3. City ID badge
4. Cell phone
5. Any other city property in your possession

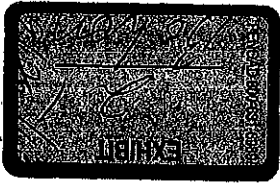
— City Gas Card

Sincerely,

Lynda L. Jeffries
City Clerk/HR Director

Mon or Tue





Our work at (P) Shop hanging up
 he has a chance to go thru it
 dic his stuff was taken out before
 Now he doesn't know where
 (Car Keys, One was in his office
 after terminated,

need benefits one paid for
 needs to know how long
 Benefits & Retirement booklet
 - Wants Snyder to give him

City by 2-17-06
 done by 2-15-06 - will call
 him at hospital daily. Should be
 home & active. He said he
 - offered someone to go to his
 - list give in his phone case
 other stuff

line, remove # he was for
 - list clear out PIN on his phone
 "get his stuff" "trash back-
 - Needs to meet w/ City staff to
 wrong. OT due
 - City owes him paycheck - will be

2-13-06
 William Collier
 10:25 am

| | |
|----------|--|
| PAGE NO. | |
|----------|--|

| | |
|----------|--|
| PAGE NO. | |
| DATE | |

Memorandum

TO: Mayor Matt McCune
FROM: Stephanie Cleveland, Community Development Director *SC*
SUBJECT: Building Inspector Salary Adjustment
DATE: December 13, 2000

Matt,

Here's the paper work for Warren's salary adjustment per the 2001 budget. Please sign at the flag and return to me or Joyce. The adjustment is for \$250 per month beginning on January 1, 2001.

Thanks!

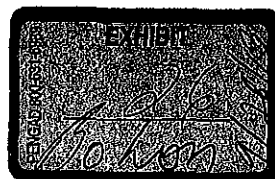
*Warren
FY1-*

12/14/00

Stephanie

as discussed in the past, and again yesterday, the adjustment shown here doesn't begin to correct the problem.

Warren Bohon



The Honorable Mayor H.W. Herb Kuhnly
City of Stanwood
6/25/04

We, the employees of the Stanwood Public Works Department, have three grievances with the City all having to do with the questionable behavior of Leslie Anderson, the City's Superintendent of Public Works. Not included in those grievances has been a deeply seated concern among employees from the start of Anderson's employment about the questionable practice in which Leslie Anderson was selected for the position under the authority of Mayor McCune.

1. A very serious issue is "favoritism" that Les Anderson has practiced toward one specific employee. Anderson has allowed that employee to break rules and engage in wrong behavior with impunity. The rule governing bereavement leave was compromised. The most serious offense was the employee intentionally did not record correctly water meters to favor himself when assigned to read water meters for the City. When caught by staff that employee was given no reprimand. The office employee who caught the deception was reprimanded and now fears for her personal reputation.
2. Les Anderson is a "bully" type leader, who attempts to manage employees through the practice of intimidation as opposed to applying simple firm, positive leadership skill.
3. As a group, the employees of the Public Works Department have witnessed Les Anderson often talk in a demeaning way about other employees and tax paying citizens in the community as well behind their backs. Les Anderson does not characterize the model expected of a "public servant" paid by the taxpayers to "serve" the community.
4. As a group, we know from experience that Leslie Anderson is not qualified to be the Superintendent of Public Works. He exhibits carelessness about knowing what has to be done and that what has to be done be done well.
5. Under his supervision, Leslie Anderson has created a hostile environment among employees due to several acts of poor performance in handling his duties and then placing the blame on employees caused by his own failures to perform or incompetence.
6. We have had numerous other issues directly pertaining to Leslie Anderson which continue to reflect on the bargaining unit's confidence in his abilities to remain as a supervisor.
7. A vote on the above issues resulted in an eight to one in favor of "no confidence" in Leslie Anderson remaining as Superintendent of Public Works for the City of Stanwood. The eight employees who so voted wish the "no confidence" results to be taken seriously by management by a serious investigation into Leslie Anderson's conduct which will likely lead to his replacement as Superintendent of Public Works. We as a bargaining unit are fully prepared to carry out the results of this vote to the highest level.

It should be pointed out that only in the last three years have we had such numerous issues and grievances in the Department of Public Works. Some of us have been with the City for quite a number of years and have a clear understanding of what a "public servant" is and how well the Department operates when managed competently. We strongly request that you review these matters and seriously consider terminating Leslie Anderson's employment as a public servant for the City of Stanwood.

Sincerely,

City of Stanwood
Public Works Department
Local 231



D00861

January 15, 2002

To: Stephanie Cleveland

From: Bill Beckman

Re: Office space at Public Works building

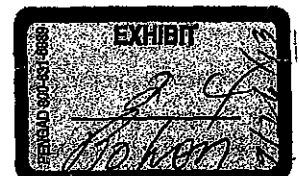
The need for additional space at the public works facility is becoming more and more of an issue. I need to move Jerry Cronin to that building immediately.

Currently Warren Bohan is occupying two separate office spaces. One of these spaces needs to be vacated to allow room for Jerry Cronin and his tools and equipment.

I would much prefer the other space also be vacated to allow for a needed locker room and changing area downstairs and move the water crew to the upstairs office, resulting in a much more efficient operation.

I am wondering if Warren could move to City Hall with Tim. It would seem like a very good arrangement since they work together anyway and both are currently part time positions. I realize this will mean the office at City Hall will have three people (engineer) working out of it, but again all are part time positions and they will occupy the office on different days.

Please give this matter your attention at your earliest convenience and get back to me. Thanks.



D00536

Date: November 10, 2001

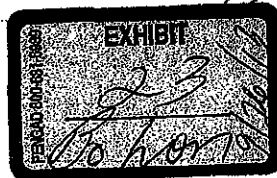
To: Stephanie Cleveland

From: Warren Bohon

I have many years of experience managing employees and consequently stay attuned to the latest research regarding management effectiveness.

The most recent and comprehensive management research proves that it is important to obtain input from all parties affected before making a final decision that will impact them.

That is why it is important that before any



D00539

Status change of my office area occurs I be given the opportunity to fully present relative information.

as you are aware participant schedule conflicts prevented this before I leave for vacation.

You assured me on Tuesday I would be allowed to do that on my return from vacation, before any further action is taken, so I leave relying on that assurance.

I appreciate your giving me that assurance and thank you for it.

Consequently I trust

you will not allow anyone to effect disruption of my office area in any manner while I am away. You have the right and the authority to do so, and it would be devastating to work I have in progress.

There is no justifiable urgency in this matter,
Thank you.

Respectfully,
Warren Bohon

cc personal file

WARREN BOHON
881 East Port Susan Terrace
Camano Island, WA 98292
206/387-0596 - 206/778-7985

Tues June 9th (B)
at 10:00 AM

April 9, 1992

Personnel Department
City of Stanwood
Stanwood, WA

Re: Assistant Codes Inspector position

Dear Sir:

My nature is to be an active worker and I find I am too young to enjoy retirement from a regular work schedule. I miss the working environment and the everyday awareness of advancements in construction-materials-technology, energy conservation, environmental matters and new zoning methodology.

My circumstances, background and interests lend themselves well to meet the need expressed in your advertised job opportunity as an Assistant Codes Inspector and I am very interested in obtaining the required International Conference of Building Officials (ICBO) certification. I have the flexibility to work either part-time as presently advertised or full-time as need may later demand. I enjoy a long-standing marriage to the same person, qualify as a non-smoker, non-drinker, use no drugs, and have an excellent credit record and am bondable if necessary.

Because of no pressing demand at either location, my time is spent about 50% on Camano Island in a small fully equipped cabin and 50% in a full-size residence in Edmonds. I spend increasingly more time at the Camano Island location due to its ultimate establishment as a full-time residence. I could readily reside and work from there at any time hereafter.

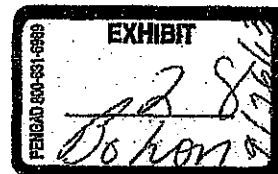
I enthusiastically look forward to your notification to appear for a personal interview. Thank you for your time in reviewing these application documents.

Respectfully yours,

Warren E. Bohon

Warren E. Bohon

Enclosure: Application for Employment
Employment Resume



APPLICATION FOR EMPLOYMENT

(PRE-EMPLOYMENT QUESTIONNAIRE) (AN EQUAL OPPORTUNITY EMPLOYER)

BOHON
WARREN
EDGAR

LAST
FIRST
MIDDLE

PERSONAL INFORMATION

DATE April 8, 1992

NAME BOHON WARREN EDGAR SOCIAL SECURITY NUMBER [REDACTED]

LAST FIRST MIDDLE

PRESENT ADDRESS 8425 198th Pl. S.W. Edmonds WA 98026

STREET CITY STATE

PERMANENT ADDRESS 881 E. Port Susan Terrace Camano Island WA 98292

STREET CITY STATE

PHONE NO. 778-7985 - 387-0596 ARE YOU 18 YEARS OR OLDER Yes No

SPECIAL QUESTIONS

DO NOT ANSWER ANY OF THE QUESTIONS IN THIS FRAMED AREA UNLESS THE EMPLOYER HAS CHECKED A BOX PRECEDING A QUESTION, THEREBY INDICATING THAT THE INFORMATION IS REQUIRED FOR A BONA FIDE OCCUPATIONAL QUALIFICATION, OR DICTATED BY NATIONAL SECURITY LAWS, OR IS NEEDED FOR OTHER LEGALLY PERMISSIBLE REASONS.

Height _____ feet _____ inches Citizen of U.S. ____ Yes ____ No

Weight _____ lbs. Date of Birth* _____

What Foreign Languages do you speak fluently? _____ Read _____ Write _____

*The Age Discrimination in Employment Act of 1967 prohibits discrimination on the basis of age with respect to individuals who are at least 40 but less than 70 years of age.

EMPLOYMENT DESIRED

POSITION Assistant Codes Inspector DATE YOU CAN START immediately SALARY DESIRED \$10/hour

ARE YOU EMPLOYED NOW? No IF SO MAY WE INQUIRE OF YOUR PRESENT EMPLOYER?

EVER APPLIED TO THIS COMPANY BEFORE? No WHERE? WHEN?

| EDUCATION | NAME AND LOCATION OF SCHOOL | *NO. OF YEARS ATTENDED | *DID YOU GRADUATE? | SUBJECTS STUDIED |
|----------------|---|------------------------|--------------------|--------------------------|
| GRAMMAR SCHOOL | Adams Elementary | 6 | Yes | Regular curriculum |
| | Seattle (Ballard) | | | |
| HIGH SCHOOL | Ballard High School | 3 | Yes | Wood Shop Pre-College |
| | Everett Community College | 2 | Yes | Math & Electronics |
| COLLEGE | Shoreline Community College | 2 | Yes | Bus., Real Estate |
| | TRADE BUSINESS OR CORRESPONDENCE SCHOOL | | | |

*The Age Discrimination in Employment Act of 1967 prohibits discrimination on the basis of age with respect to individuals who are at least 40 but less than 70 years of age.

GENERAL

SUBJECTS OF SPECIAL STUDY OR RESEARCH WORK Woodshop assistant in high school, worked summers during school as carpenter's assistant for Fentron Industrys, Inc.

U.S. MILITARY OR NAVAL SERVICE USMC RANK Corporal PRESENT MEMBERSHIP IN NATIONAL GUARD OR RESERVES No

FORMER EMPLOYERS (LIST BELOW LAST FOUR EMPLOYERS, STARTING WITH LAST ONE FIRST).

| DATE MONTH AND YEAR | NAME AND ADDRESS OF EMPLOYER | SALARY | POSITION | REASON FOR LEAVING |
|------------------------|------------------------------|--------|----------|--------------------|
| FROM TO | See attached resume | | | |
| FROM TO | | | | |
| FROM TO | | | | |
| FROM TO | | | | |
| FROM TO | | | | |

REFERENCES: GIVE THE NAMES OF THREE PERSONS NOT RELATED TO YOU, WHOM YOU HAVE KNOWN AT LEAST ONE YEAR.

| | NAME | ADDRESS | BUSINESS | YEARS ACQUAINTED |
|---|-----------------|--|---|---------------------|
| 1 | Ivar M. Johnson | 15220 117th Pl. N.E. Bothell, WA 98011 | Assistant VP & Mgr. (Ret.) Wash. Fed. Bldg. Office | 44 |
| 2 | Gerald E. Hall | 2107 142nd S.E. Mill Creek, WA 98012 | Buyer Boeing Airplane Co. | 44 |
| 3 | Cecil Leung | 3005 Rainier Ave. So. Seattle, WA 98144 | President IRCO Corp. | 19 |

PHYSICAL RECORD: *See attached

DO YOU HAVE ANY PHYSICAL LIMITATIONS THAT PRECLUDE YOU FROM PERFORMING ANY WORK FOR WHICH YOU ARE BEING CONSIDERED? Yes No

PLEASE DESCRIBE:

| IN CASE OF EMERGENCY NOTIFY | NAME | ADDRESS | PHONE NO. |
|--------------------------------|------------------|---|----------------------|
| | Drienna M. Bohon | 8425 198th Pl. SW, Edmonds, WA 98026 881 E. Port Susan Ter., Camano Island | 778-7985 387-0596 |

"I CERTIFY THAT THE FACTS CONTAINED IN THIS APPLICATION ARE TRUE AND COMPLETE TO THE BEST OF MY KNOWLEDGE AND UNDERSTAND THAT, IF EMPLOYED, FALSIFIED STATEMENTS ON THIS APPLICATION SHALL BE GROUNDS FOR DISMISSAL.

I AUTHORIZE INVESTIGATION OF ALL STATEMENTS CONTAINED HEREIN AND THE REFERENCES LISTED ABOVE TO GIVE YOU ANY AND ALL INFORMATION CONCERNING MY PREVIOUS EMPLOYMENT AND ANY PERTINENT INFORMATION THEY MAY HAVE, PERSONAL OR OTHERWISE, AND RELEASE ALL PARTIES FROM ALL LIABILITY FOR ANY DAMAGE THAT MAY RESULT FROM FURNISHING SAME TO YOU.

I UNDERSTAND AND AGREE THAT, IF HIRED, MY EMPLOYMENT IS FOR NO DEFINITE PERIOD AND MAY, REGARDLESS OF THE DATE OF PAYMENT OF MY WAGES AND SALARY, BE TERMINATED AT ANY TIME WITHOUT ANY PRIOR NOTICE."

DATE April 9, 1992 SIGNATURE *Warren E. Bohon*

DO NOT WRITE BELOW THIS LINE

INTERVIEWED BY _____ DATE _____

HIRED: Yes No POSITION _____ DEPT. _____

SALARY/WAGE _____ DATE REPORTING TO WORK _____

APPROVED: 1. _____ 2. _____ 3. _____
EMPLOYMENT MANAGER DEPT. HEAD GENERAL MANAGER

This form has been designed to strictly comply with State and Federal fair employment practice laws prohibiting employment discrimination. This Application for Employment Form is sold for general use throughout the United States. TOPS assumes no responsibility for the inclusion in said form of any questions which, when asked by the Employer of the Job Applicant, may violate State and/or Federal Law.

WARREN BOHON
881 East Port Susan Terrace
Camano Island, WA 98292
206/387-0596 - 206/778-7985

EMPLOYMENT RESUME

Remodel and rehabilitation of owned rental property. 1989 - Present

This has involved zoning code research, familiarity and compliance. It has also involved attendance at LID proposal hearings and adjacent or contiguous property owner involvement during the full course of LID improvements. Included also was familiarity with building and soil structure integrity, energy conservation, waste elimination, water supply and electrical utilities in relation to urban, suburban and waterfront properties.

ARCO. November 1964 - took retirement November 1989

My employment with ARCO was split 50% in product distribution throughout the state of Washington and 50% as a marketing representative in the northwest part of the state. My marketing responsibilities involved market research, site feasibility, zoning regulation and new and remodel constructions to meet the building and zoning codes of cities such as Seattle, Issaquah, North Bend, Renton, Woodinville and Alderwood Manor. I had responsibility for finding, purchasing, designing and construction of service stations and bulk plants and the overseeing of their operations once completed. This involved working with architects, design engineers, contractors, city building departments and inspectors in relation to zoning codes. I placed third on the west coast in obtaining new accounts and was regularly in the top third percentile in other business contests.

Melrose Auto Service. July 1957 - November 1964

I progressed to manager and left that job when the facilities were scheduled for removal to construct a multi-story office building. I worked there full-time six days per week and attended college evening classes in architectural drawing, surveying, electronics, land use and appraisal of real estate. I completed the Shoreline Community College real estate degree program and was on the Dean's honor list while employed full time.

Military.

While in the service I qualified as a member of the U.S.M.C. rifle team, participating in United States southwest regional matches. I also graduated from a 6-month amphibious vehicle maintenance school, and a 2-week atomic biological and chemical warfare school. I was a non-commissioned officer (NCO) crew chief on an amphibious vehicle. I received an honorable discharge with a good conduct medal and recommendation for re-enlistment.

References - Continued

James L. Rondeau 886 E. Port Susan Terrace, Camano Island 98292
Acquainted 19 years

Former Director of Labor and Industries for the State of Washington and
National Director of Personnel Planning for Scott Wetzel Services, Inc.,
a national organization providing support services to agents, brokers and corporate
risk managers (retired)

Presently Vice President of the International Boxing Federation

Steph



City of Stanwood

10220 270th Street NW
Stanwood, Washington 98292
(360) 629-2181
FAX (360) 629-3009

- Delivered 12-28-05 in A.M. (left it on Warren's porch).
- Address on letter is correct.
- Sandy received return rec'd this afternoon.
- Copied to Bill & Lynda.

December 27, 2005

Mr. Warren Bohon
881 E. Port Susan Terrace
Camano Island, WA 98282

😊

Re: Scheduling of Pre-Termination Hearing

Dear Warren:

Please be advised that I have reviewed Ms. Hansen's memo dated December 20, 2005 recommending the termination of your employment with the City of Stanwood. Termination was recommended as the disciplinary action resulting from the following conduct as enumerated in the Personnel Policy Manual:

- 9.1.6 Loitering after completing day's work, which results in the disruption of the City's business or the work effort of other employees.
- 9.1.10 Making malicious, false, or derogatory statements that are intended or could reasonably be expected to damage the integrity or reputation of the City or our employees, on or off premises.
- 9.1.11 Insubordination, including a refusal or failure to perform assigned work.

After reviewing the information, it appears there is sufficient cause to proceed with a pre-termination hearing. Your hearing is scheduled for January 9, 2006 at 3:30 p.m. at the Stanwood Fire Station (small conference room). Pursuant to section 9.3 of the Personnel Policy Manual, this is your opportunity to furnish additional facts before a termination decision is made. If you choose not to attend the pre-termination hearing, a decision will be made based upon the information we have. You may have one representative attend the hearing with you.

Mayor-elect Dianne White has been asked to attend the pre-termination hearing. She will be taking the Oath of Office on January 5th, 2006 and will be briefed on this matter prior



to the hearing. Any final decision concerning your employment status will be made by Mayor-elect White.

Sincerely,



Mayor H. W. Kubny
City of Stanwood

C: Bill Beckman, City Administrator/Public Works Director
Stephanie Hansen, Community Development Director
Lynda Jeffries, City Clerk/Human Resources Director

HWK: lj


| SENDER: COMPLETE THIS SECTION | COMPLETE THIS SECTION ON DELIVERY |
|--|---|
| <ul style="list-style-type: none"> Use this form with the appropriate postage meter or postage stamp. Print your name and address on the reverse side. This form may return the card to you. Attach this card to the back of the mail piece, or on the mail if a post permit is used. | <p>A. Signature <i>W. Bohon</i></p> <p>B. Received by (Printed Name) <i>WARREN BOHON</i></p> |
| <p>1. Article Addressed to:</p> <p>Mr. Warren Bohon 881 E. Port Susan Terrace Camano Isl, WA 98282</p> | <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p> <p>A. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p> |
| <p>2. Article Number (Transfer from service label)</p> | |

PS Form 3811, February 2004

Domestic Return Receipt

10259-02-01-15

UNITED STATES POSTAL SERVICE



First-Class Mail
 Postage & Fees Paid
 USPS
 Permit No. G-10

• Sender: Please print your name, address, and ZIP+4 in this box •

City of Stanwood
 10220 270th St. N.W.
 Stanwood, WA 98292

Attention: Stephanie

Memorandum

TO: Warren Bohon, Building Inspector/Code Enforcement Officer

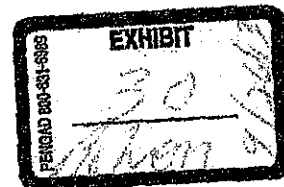
FROM: Stephanie Cleveland, Community Development Director *[Signature]*

SUBJECT: Personnel Issue

DATE: September 20, 2001

In response to your request of August 31, 2001, please find attached two memos. Both are addressed to the Mayor and Council regarding 2001 budget requests last year. The first draft of the memo, dated September 29, 2000, makes the case for a salary increase for your position for \$511 per month. The second memo, dated October 24, 2000, reflects the negotiated amount (\$250 per month). Unfortunately, the negotiations between the mayor and the department heads are not done in writing, but in meetings, so I cannot provide a written response from the Mayor as it does not exist. The second memo does, however, indicate that the second amount was due to budget cuts. If memory serves, over \$300,000 was cut from the proposed budget last year (all via verbal negotiations).

Thanks.



Memorandum

TO: Mayor Matt McCune

FROM: Stephanie Cleveland, Community Development Director *SC*

SUBJECT: Proposed 2001 Budget *draft*

DATE: September 29, 2000

I am pleased to present you and the City Council with the proposed budgets for the Community Development and the Building Departments.

Next year promises to keep our departments busy, even busier than this year, although this hardly seems possible. In the beginning of the year, we are anticipating the annexation of nearly 400 acres (Cedarhome and TBD/Gedstad annexations). These will result in an immediate increase in platting activities, with an increase in building permit activity to follow late in the year and on into 2002.

To add to our workload, several State mandates will require Staff time and/or consultant contracts. These projects include the following:

GMA Comprehensive Plan Update. The Growth Management Act requires that cities review and update their Comprehensive Plans every five years. By September 1, 2002, cities must "take steps" toward that review. Our approach is to divide up this significant work in the years 2001 and 2002. The year 2001 will begin with revising the City's land use inventory, mapping the inventory, conducting an updated land use capacity analysis, revising the Land Use Element, and also revising the Natural Features Element.

This will set the stage for continued work in 2002, including review and revision of all the other elements, environmental (SEPA) review, public review, agency review, and adoption.

Consultants will be required for work on the plan in both years. We have allocated \$25,000 for work on the plan in 2001.

ESA. The long-awaited impacts of ESA will finally begin to surface in 2001. While rules for outthroat trout are already in effect, those for Chinook salmon will go into effect on January 8, 2001. It will likely be necessary for the City to seek a "limit" from the National Marine Fisheries Service (NMFS) to continue both issuing permits for development and continuing road maintenance activities. How we go about this is still very much up in the air. There are three or four choices that I can discern at this time, and I will be convening a committee made of councilmembers, planning commissioners, staff, and citizens to help lead the City in the right direction.

Meanwhile, any chosen path will require that the City establish baseline conditions of its salmon resources and buffers and what is required to establish restoration goals. A large chunk of the proposed budget for professional services (\$30,000) will be directed toward this effort. This work will include hiring of a biologist to perform field assessments and compile a report that will serve as the scientific basis for future ESA-related regulations and decisions, as well as updates to the Comprehensive Plan's Natural Features Element and the Shoreline Master Program (see below).

Shoreline Master Program Update. Also by September 1, 2002, cities are required to update their Shoreline Master Program and submit it to the State for review. The first step to this review is to conduct a shoreline inventory/assessment. Staff sees quite a bit of overlap between this field work that needs to be done, and work that falls under the "ESA" and "Best Avail. Science" categories. Therefore we propose to combine the field work for the three items. See discussion under "ESA" above.

Best Available Science. GMA also requires that cities incorporate "best available science" into the process when adopting policies and regulations that affect natural systems, especially ESA-affected streams. The state has defined best available science to include several different methods—first among them is field inventory prepared by a qualified biologist. Therefore, the study work proposed under "ESA" above will also serve to help the City meet the criteria for incorporating best available science into both the Natural Features Element of the Comp Plan and future regulations.

Buildable Lands. City Staff will be working with Snohomish County collecting data, checking maps, verifying assumptions, etc.

Staffing

The proposed budget shows several adjustments to salaries, for an increase of \$14,991 over 2000 actual levels. Increases are proposed for the following employees as follows:

Planner: Due to lack of office space, no new permanent staff is proposed to handle the increase in work load. Instead, the planner position will be increased to .8 FTE on an as-needed basis. In addition, we propose to contract with a recently retired local planner to handle any overflow plans or current planning applications. The work related to the long-range State mandates listed above will be directed to consultants, where greater expertise can be obtained. Increasing the planner position to 4 days/week for 6 months results in an increase of \$3,792 for the year.

Building Inspector/Code Enforcement Officer: The City's Building Inspector has been working for the City for 8 years, earning \$2800/month split between the Community Development Department and the Building Department. His salary is at the low end of the stated range of salaries for Inspectors/Code Enforcement Officers in small cities. However, his salary is \$705 below the low end of the average *actual* salary for the cities. It is \$511 less than the average low end of *actual* salaries for five comparative cities (Arlington, Burlington, Duvall, Lake Stevens, and North Bend). Warren Bohon, the incumbent employee, is an excellent inspector with years of experience, but he lacks formal certification. A certified inspector with his experience should be paid at a mid-range or higher. Because of the lack of certification I propose a correction to bring his salary to the average low salary of the five cities, for a total increase of \$6,132 between the two departments for the year. In the event that Mr. Bohon gains the required certifications, an additional increase in his salary for 2002 may be proposed during the next budget cycle.

Permit Coordinator: The split between Building, Community Development, and Public Works is proposed for a change, as follows:

45% Building
40% CD

CITY OF STANWOOD
10220 270TH Street NW
Stanwood, WA 98292
(360) 629-2181

RECEIVED
MAR 29 2005
CITY OF STANWOOD

REQUEST FOR DISCLOSURE OF PUBLIC RECORDS

Date March 29 2005

Requestor's Name ERIK ABRAHAMSON

Address 27119 102nd Dr NW

City Stanwood State WA Zip 98292 Phone 425 481 3774 / 360 629 3905

If emergency request, indicate date desired: March 31 2005
Please telephone 425 481 3774 when materials are ready to be picked up.

RECORDS REQUESTED:
Title of Record COPY OF EMPLOYMENT CONTRACT BETWEEN BILL BECKMAN AND THE CITY OF STANWOOD

Date of Record NOVEMBER OR DECEMBER 1998 OR JAN 1999

Please describe the records you are requesting and any additional information that will help us located them for you as quickly as possible.

ALL DETAILS RELATED TO THE REASONS BILL BECKMAN WAS SELECTED TO REPLACE GARY ARMSTRONG'S DUTIES AS PUBLIC WORKS DIRECTOR PLUS ALL DETAILS RELATING TO THE SELECTION PROCESS TO BECOME CITY ADMINISTRATOR.

I certify that the lists of individuals obtained through this request for public records will not be used for commercial purposes.

Requestor's Signature Erik Abrahamson

Number of copies 1

Number of pages 3

Per page charge \$.15

TOTAL CHARGE \$.45

Person Receiving Request / Department [Signature]

*Instructions for City Employee receiving request: have requestor complete form, then date stamp and forward to the Clerk Treasurer Department. All requests for disclosure of public records must be reviewed by the City Clerk Treasurer prior to being filled.

7:00 AM
write
up
call?
minutes
to
be
removed
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ppt?
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other



City of Stanwood

10220 270th Street NW
Stanwood, Washington 98292
(360) 629-2181
FAX (360) 629-3009

April 18, 2005

Erik Abrahamson
27119 102nd Drive NW
Stanwood, WA 98292

Re: Public Disclosure Request dated March 29, 2005, titled "Copy of employment contract between Bill Beckman and the City of Stanwood"

Dear Mr. Abrahamson:

As you know, the City is required to make "public records available for inspection and copying," and the City must "upon request for identifiable public records, make them promptly available to any person." RCW 42.17.270. "Public records" are defined in RCW 42.17.020(36), and relate to "any writing containing information relating to the conduct of government or the performance of any governmental or proprietary function, prepared, owned, used or retained by any state or local agency, regardless of physical form or characteristics." Therefore, the City is not required to create records in order to respond to citizen requests.


The City is allowed to charge a fee for the copying of public records, which is calculated in the manner set forth in RCW 42.17.300. The City is required to establish procedures to provide for full public access to public records, but also "to protect public records from damage or disorganization, and to prevent excessive interference with other essential functions" of the City. RCW 42.17.290.

With the above in mind, the following are the City's responses to your requests (as identified above):

1. "Copy of employment contract between Bill Beckman and the City of Stanwood." **Enclosed is the employment contract between Bill Beckman and the City of Stanwood for the position of Public Works Director. For the position of City Administrator, the contract has yet to be finalized.**
2. "All details related to the reasons Bill Beckman was selected to replace Gary Armstrong's duties as Public Works Director." **There are no records in the city's files that respond to this request.**

3. "...plus all details relating to the selection process to become City Administrator."
There are no records in the city's files that respond to this request.

Very truly yours,



Lynda L. Jeffries, CMC
City Clerk

**AGREEMENT BETWEEN
Bill Beckman
and the
City of Stanwood**

This agreement between the City of Stanwood, hereinafter referred to as "City" and Bill Beckman, hereinafter referred to as "Department Head" shall be effective from January 1, 2004 through December 31, 2005.

1. **Purpose:** The purpose of this agreement is to establish compensation, and provide for benefits, holidays, vacation, sick leave, compensatory time, termination and retirement/separation.
2. **Compensation:** Department Head shall receive a monthly salary as follows:

For the period January 1, 2004 through December 31, 2004 a monthly salary of \$5,770. Salary for the period January 1, 2005 through December 31, 2005 shall be determined upon completion of a performance evaluation by the Mayor.

3. **Benefits:** City will pay, in addition to the compensation set forth in Paragraph 2 above, the following benefits:

The City will pay 100% of the premiums for the Department Head and eligible dependents for the following insurances offered by the City through its membership in the Association of Washington Cities.

Medical: Regence Blue Shield, Plan A, January 1, 2004 through March 31, 2004; Plan B, April 1, 2004 through December 31, 2005 or Group Health Cooperative of Puget Sound, Copay Plan 1, January 1, 2004 through March 31, 2004; Copay Plan 2, April 1, 2004 through December 31, 2005
Dental: Washington Dental Service, Plan A
Vision: Vision Service Plan, Full Family-No Deductible
Group Life: Standard Insurance, \$10,000 Basic Life Policy.
Long Term Disability: Standard Insurance, 60% Benefit after Ninety (90) Day elimination period

In addition to the above the City will pay the employer's portion of applicable payroll taxes and benefits for: social security, Medicare, retirement (PERS2), and L & I. The Department Head is also eligible to participate at his own costs via payroll deduction in the programs offered through the City for Standard Insurance Supplemental Life and the deferred compensation program offered through ICMA Retirement Corporation.

4. **Reimbursement for Expenses:** City will reimburse the Department Head for mileage, meals, lodging and educational expenses in connection with City business at the rates/amounts provided for in the Stanwood Personnel Policy Manual.
5. **Holidays:** Department Head shall be entitled to the holidays as set forth in the Stanwood Personnel Policy Manual.

6. **Vacation:** Vacation with full pay shall be accrued in equal monthly amounts according to the following schedule, placement on the schedule shall be based on an anniversary date of May 23, 1973:

| <u>Years of Service</u> | <u>Number of Days per Year</u> |
|-------------------------|--------------------------------|
| 1st through 5th year | 12 days (96 hours) |
| 6th through 10th year | 15 days (120 hours) |

After the tenth year one additional day (8 hours) per year shall be added to a maximum of 25 days (200 hours) per year. Vacation leave shall not be permitted to accrue in excess of 30 days (240 hours) plus the current calendar year accrual throughout the year, but in no event shall the total exceed 240 hours at December 31st of each year. Negative vacation balances will not be allowed.

7. **Sick Leave:** The Department Head shall earn non-occupational sick leave at the rate of eight hours per month. Sick leave shall not be accrued in excess of 90 days (720 hours) at any time throughout the year.
8. **Compensatory Time:** The Department Head shall be allowed to accrue compensatory time at an hour for hour rate up to a total of 90 hours per calendar year. All unused compensatory time in excess of 80 hours as of December 31st of each year shall be forfeited without pay. Compensatory time shall accrue for Council Meetings, Council Workshops, Commission or Agency meetings, emergency call-outs, and related City activities.
9. **Applicability of Personnel Policy Manual:** The Department Head shall serve at the pleasure of the Mayor. Those provisions of the City of Stanwood Personnel Policy Manual relating to discipline and termination procedures shall not apply to this agreement. In the event of any other conflict between the terms of the personnel policy manual and this agreement, the terms and conditions of this agreement shall apply.
10. **Termination:** If Department Head is terminated for cause prior to completion of this contract, the Department Head will receive,
- Severance pay in the amount of three months salary.
 - Balance of accrued vacation up to 240 hours at 100% of the hourly rate. The hourly rate shall be determined by dividing the current monthly salary by 173.3 hours.
 - Balance of compensatory time up to 80 hours at 100% of the hourly rate. The hourly rate shall be determined by dividing the current monthly salary by 173.3 hours.
11. **Retirement/Separation:** Upon retirement or separation under this contract the Department Head shall be compensated as follows:
- Balance of accrued vacation up to 240 hours at 100% of the hourly rate. The hourly rate shall be determined by dividing the current monthly salary by 173.3 hours.

The Washington Supreme Court has interpreted RCW 42.17.340(4) to require a monetary penalty whenever an agency erroneously denies access to a public record.¹² The court reasoned that its interpretation was consistent with the Act's strong policy favoring "strict enforcement" of the award provision to discourage improper denial of public records.¹³ Therefore, a prevailing party is "... entitled to an award not less than \$5 and not more than \$100 for each day ... [a] ... report has been withheld."¹⁴ More recently, the Washington Court of Appeals held explicitly "... that a penalty of *at least \$5 per day* is now mandatory where an agency erroneously withholds a public record ...," whether it acted in good faith will not absolve the agency from this minimum penalty.¹⁵

Legal advice should be sought in situations where statutory requirements seem unclear. Fortunately, court decisions and attorney general opinions are available for guidance in this complex field. The public records disclosure statutes, along with the Open Public Meetings Act,¹⁶ provide the foundation for open government. Such openness encourages public participation and awareness, and helps dispel fears that local government is not responsible or responsive to the people.

Question: Must the city disclose copies of the city's bank records?

Answer: Yes. The bank records concern public funds and should be disclosed upon request. There is one exception: if the city's bank accounts are kept in such a way that disclosure of a particular account record would reveal exempt tax information, then that data should not be disclosed. For instance, if a city has only two or three motels, disclosure of hotel/motel tax revenue could enable a person to estimate the income of a particular taxpayer.

RCW Ch 50
illegally withheld
discussable info
from PDA, re CA
B5, R5, 5C and make
of records to certain
during the time covered

¹²*Amren v. City of Kalama*, 131 Wn.2d 25, 37 (1997).

¹³*Id.*

¹⁴*Id.*

¹⁵*King County v. Sheehan*, 114 Wn. App. 325, 355 (2002); see also *Yousoufian v. Office of King County Executive*, 114 Wn. App. 836, 846-47 (2003) ("Once a violation of the PDA has been established, courts are required to award reasonable attorney fees and statutory penalties."); *Citizens For Fair Share v. State Dept. of Corrections*, 117 Wn. App. 411, 437 (2003).

¹⁶See Chapter 42.30 RCW.

- b) Balance of compensatory time up to 80 hours at 100% of the hourly rate. The hourly rate shall be determined by dividing the current monthly salary by 173.3 hours.
- c) One third (33%) of accrued sick leave at 100% of the hourly rate. The hourly rate shall be determined by dividing the current monthly salary by 173.3 hours.

12. **Duration:** This agreement shall be in full force and effect from January 1, 2004 through December 31, 2005.

13. **Jurisdiction/Venue/Applicable Law:** This contract shall be interpreted under the laws of the State of Washington. Venue of any action brought to enforce the terms of this contract shall be Snohomish County, Washington.

14. **Alternative Dispute Resolution:** Prior to commencement of any legal action to enforce the terms and conditions of this agreement, the parties agree to submit any dispute arising hereunder to the Dispute Resolution Center of Snohomish County. The parties shall each pay one-half of the cost of said mediation.

15. **Prevailing Attorney's Fees:** In any legal action brought to enforce the terms and conditions of this contract the prevailing party in any said legal action shall be entitled to reasonable attorney's fees and costs.

Executed this 30 day of January 2004.

City of Stanwood



H. W. Kuhnly, Mayor



Bill Beckman, PW Director

FILE COPY

CITY OF STANWOOD
10220 270TH Street NW
Stanwood, WA 98292
(360) 629-2181

RECEIVED
MAR 29 2005
CITY OF STANWOOD

REQUEST FOR DISCLOSURE OF PUBLIC RECORDS

Date March 29 2005

Requestor's Name ERIK ABRAHAMSON

Address 27119 102ND DR NW

City STANWOOD State WA Zip 98292 Phone 360 629 3905

If emergency request, indicate date desired: THURSDAY, MARCH 31
FRIDAY APRIL
Please call 425 418 3774 when ready to be picked up CITY MANAGER

RECORDS REQUESTED:
Title of Record EMPLOYMENT CONTRACT BETWEEN GARY ARMSTRONG AND THE CITY OF STANWOOD AND DETAILS OF THE SETTLEMENT PAYOFF AFTER TERMINATION
Date of Record SEPT. OR OCTOBER ± 1998

Please describe the records you are requesting and any additional information that will help us located them for you as quickly as possible.

ALL DETAILS RELATING TO THE REASONS FOR GARY ARMSTRONG'S TERMINATION - HOW MUCH TIME REMAINED ON HIS CONTRACT AND THE MONETARY SETTLEMENT AMOUNT TO SETTLE THE CONTRACT DISPUTE.

I certify that the lists of individuals obtained through this request for public records will not be used for commercial purposes.

Requestor's Signature Erik Abrahamson

Number of copies 1

Number of pages ALL PAGES RELATED TO THE ABOVE

Per page charge \$.15

TOTAL CHARGE \$.15

Person Receiving Request / Department JO

*Instructions for City Employee receiving request: have requestor complete form, then date stamp and forward to the Clerk Treasurer Department. All requests for disclosure of public records must be reviewed by the City Clerk Treasurer prior to being filled.



City of Stanwood

10220 270th Street NW
Stanwood, Washington 98292
(360) 629-2181
FAX (360) 629-3009

May 11, 2005

Erik Abrahamson
27119 102nd Drive NW
Stanwood, WA 98292

Re: Public Disclosure Request dated May 5, 2005 titled "Applications for employment of all candidates to be interviewed on the second attempt to fill the position prior to employment of Leslie Anderson."

Dear Mr. Abrahamson:

As you know, the City is required to make "public records available for inspection and copying," and the City must "upon request for identifiable public records, make them promptly available to any person." RCW 42.17.270. "Public records" are defined in RCW 42.17.020(36), and relate to "any writing containing information relating to the conduct of government or the performance of any governmental or proprietary function, prepared, owned, used or retained by any state or local agency, regardless of physical form or characteristics." Therefore, the City is not required to create records in order to respond to citizen requests.

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With the above in mind, the following are the City's responses to your requests (as identified above):

1. "There were at least three applicants who applied for the position of public works supervisor. Please forward copies of those applications of individuals who were interviewed." Records responding to this request are exempt from disclosure under RCW 42.17.310(1)(t) which states that "all applications for public employment, including names of applicants, resumes, and other related materials submitted with respect to an applicant" are exempt from public inspection or copying.

Very truly yours,

Lynda L. Jeffries, CMC
City Clerk

City of Stanwood Memorandum

TO: Mayor Herb Kuhnly

FROM: Stephanie Hansen, Community Development Director *SH*

CC: Bill Beckman, City Administrator/Public Works Director
Lynda Jeffries, City Clerk/Human Resources Director

SUBJECT: Recommendation for Termination of Warren Bohon's Employment

DATE: December 20, 2005

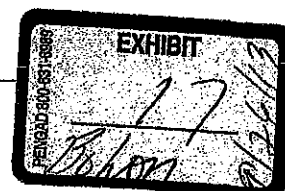
Per Policy 9.3 of the City of Stanwood's Personnel Policy Manual, I am recommending the termination of Warren Bohon's employment with the City. Mr. Bohon currently holds the position of Building Inspector/Code Enforcement Officer.

Termination of Mr. Bohon's employment is recommended as the disciplinary action resulting from the following conduct as enumerated in the Personnel Policy Manual:

- 9.1.6 Loitering after completing day's work, which results in the disruption of the City's business or the work effort of other employees.
- 9.1.10 Making malicious, false, or derogatory statements that are intended or could reasonably be expected to damage the integrity or reputation of the City or our employees, on or off premises.
- 9.1.11 Insubordination, including a refusal or failure to perform assigned work.

Mr. Bohon has organized at least one off-hours meeting and engaged with Public Works employees and city council members in order to discredit and undermine the work efforts and reputations of Mr. Bill Beckman, City Administrator/Public Works Director, and Mr. Les Anderson, Public Works Supervisor. He has made several written and verbal unsubstantiated and/or false derogatory statements intending to damage the integrity of these two persons and to undermine their supervisory authority. Most recently he has refused to relocate his work space to City Hall per both my and the Mayor's direct orders.

I recommend termination of Mr. Bohon's employment, and a that you schedule a pre-termination hearing with yourself and Mr. Bohon at your earliest convenience, leaving enough notice to Mr. Bohon to prepare for the meeting. The purpose of that meeting would be to give Mr. Bohon the opportunity to provide you any other information he deems relevant before you make any final decision on my recommendation.



I am available for any questions you have regarding this memo.

Thank you.