Regular meetings of the Mill Creek City Council shall be held on the first, second and fourth Tuesdays of each month commencing at 6:00 p.m. in the Mill Creek Council Chambers located at 15728 Main Street, Mill Creek, Washington. Your participation and interest in these meetings are encouraged and very much appreciated. We are trying to make our public meetings accessible to all members of the public. If you require special accommodations, please call the office of the City Clerk at (425) 921-5747 three days prior to the meeting.

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

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

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

Next Ordinance No. 2018-826
Next Resolution No. 2018-571

January 23, 2018
City Council Meeting
6:00 PM

CALL TO ORDER
PLEDGE OF ALLEGIANCE
ROLL CALL
AUDIENCE COMMUNICATION

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

STUDY SESSION

B. Resolution: Snohomish County Emergency Radio System (SERS) System-Wide Upgrade
   (Rebecca C. Polizzotto, City Manager)

CONSENT AGENDA

C. Payroll and Benefit ACH Payments in the Amount of $209,502.32
   (Audit Committee: Councilmember Bond and Councilmember Cavaleri)

D. City Council Meeting Minutes of January 2, 2018
REPORTS

E. Mayor/Council

F. City Manager
   • Senior Center
   • Neighborhood Focus Group
   • Legislative Summary
   • Labor Management Minutes
   • Council Planning Schedule

RECESS TO EXECUTIVE SESSION
(Confidential Session of the Council)

G. Review negotiations on the performance of a publicly bid contract per RCW 42.30.110 (1)(d)

   No action anticipated.

AUDIENCE COMMUNICATION

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

ADJOURNMENT
AGENDA ITEM: RESOLUTION: SNOHOMISH COUNTY EMERGENCY RADIO SYSTEM (SERS) SYSTEM-WIDE UPGRADE

PROPOSED MOTION: Motion to adopt Resolution 2018-______ supporting county wide funding of a new emergency radio system.

KEY FACTS AND INFORMATION SUMMARY:
On December 12, 2017, SERS personnel made a presentation to the City Council explaining the origin and history of SERS, the current state of the public safety radio system, and the impending need to replace the entire system. SERS operates 22 towers and microwave transmission sites that require sophisticated electronic switching, consoles and computer technology for multiple radio channels that comprise its trunked, simulcast dedicated public safety network. The current system provides:

- 5,000 portable and/or mobile radios transmitting via (PTT) pushbutton transceivers.
- Select multiple licensed “channels” for use by dedicated public safety talk groups.
- System assigned free channels, so all users can roam and participate in simulcast talk groups.
- Secure roaming by all users anywhere in Snohomish County with good voice quality.

SERS equipment now processes 7,000,000 transmissions annually, and on average, 19,000 daily transmissions with 95 percent coverage in the County’s 940 square mile service area. The SERS existing 800 MHz analogue radio system is now outdated and increasingly difficult to maintain and will reach its end-of-life in 2020.

As SERS examines its options for replacing the aging system, they have determined that the new system will implement technology that will be “P-25 compliant”. P-25 sets standards for radio equipment in order to meet a set of minimum requirements to fit the needs of public safety. The P25 standard was created by, and is intended for, public safety professionals. P-25 radio system reliability will improve wireless emergency communications in Snohomish County by substantially lowering risk of failure. Improved inter-agency communications will be possible in the event of a regional disaster because the same P-25 standards for interoperable equipment are employed by several regional partners.

Decisions must soon be made to replace SERS’ outdated analog radio system with a new, digital P-25-compliant radio system. Securing funding for engineering, design review, equipment acquisition and installation must be accomplished before the current analog system encounters widespread and frequent failures. Without decisive action, communication failures are increasingly likely in the foreseeable future. These failures could disrupt delivery of vital emergency police and fire services.
SERS has engaged in a Request for Proposal (RFP) process and there are currently national vendors preparing bids for a system-wide, P-25 compliant, replacement. It is estimated, based on a two year evaluation of the system that costs for this replacement are in the $75 million dollar range, although this represents only an estimate. What is known however is that the cost for this project must be borne county-wide. SERS does not have taxing authority, so they will be requesting Snohomish County to cover the cost of system replacement. A number of taxing options exist for Snohomish County to provide this funding. Those options include but are not limited to:

- Excess Levy Capital
- 0.1% Sales Tax for emergency communication systems and facilities
- “Original Flavor” Levy Lid Lift
- “Multi-Year” Levy Lid Lift

Each of these options require a ballot initiative and have varied rules associated with them. There are pros and cons to each option and finance and administrative personnel at Snohomish County will evaluate the options and provide a report to the County Council.

A fifth option also exists that would entail each SERS member entity contributing to the project. With perhaps as many as 50 entities, including the county, cities and fire districts, as member agencies, this is not a preferred funding option.

Attachment “A” provides additional information on each of these options.

Once the competitive bidding process is complete, SERS will be seeking funding from Snohomish County. The Snohomish County Council will then engage in a process to determine their best option for providing this funding.

**CITY MANAGER RECOMMENDATION:**
Replacement of the public safety radio system is imperative. Police, fire, EMS and all public safety providers rely on this system to deliver vital services to Mill Creek and communities throughout Snohomish County. Accordingly, the City Manager recommends that the City Council adopt a resolution supporting SERS efforts to seek county-wide funding and urge the Snohomish County Council to provide this funding.

**ATTACHMENTS:**
- Proposed Resolution in support of SERS county-wide funding
- Description of possible funding options
- Resolutions of support from other Snohomish County agencies

Respectfully Submitted:

Rebecca C. Polizzotto
City Manager
RESOLUTION NO. 2018-____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILL CREEK
WASHINGTON SUPPORTING COUNTY-WIDE FUNDING OF A NEW
EMERGENCY RADIO SYSTEM

WHEREAS, the City of Mill Creek serves a population of nearly 20,000
residents providing public safety services to our community; and

WHEREAS, the safety of citizens living and working in our community depends
on continuing to have reliable and effective emergency communications between police
and fire agency first responders; and

WHEREAS, SERS, the Snohomish County Emergency Radio System, has since
1999 provided a dependable and reliable 911 emergency radio service for our city’s
police enabling them to effectively respond to emergency 911 calls for service; and

WHEREAS, SERS has two decades of technical expertise in developing,
acquiring, installing, operating, maintaining, and managing the countywide emergency
radio system; and

WHEREAS, the SERS’ existing analogue 800 MHz radio system is now
outdated and about to reach its end-of-life in 2020; and

WHEREAS, independent expert analysis has determined that a new replacement
P25-compliant radio system using modern digital technology will substantially reduce
risk of future failure, provide better audio voice quality for simulcast, two-way,
interoperable emergency communications; and

WHEREAS, other counties in our region have already taken action to fund and
replace their radio systems; and

WHEREAS, a county competitive bidding procurement process has begun to
select a qualified vendor to provide a new, countywide P25 radio system; and

WHEREAS, preliminary cost estimates for a new radio system exceed the
existing revenue and budget resources of most all local governments and agencies within
Snohomish County.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF
THE CITY OF MILL CREEK WASHINGTON THAT:

The City of Mill Creek supports Snohomish County government taking necessary action
in 2018 to replace the outdated SERS emergency radio system. We respectfully urge
Snohomish County elected officials to authorize sufficient funding resources for the
purchase, design and installation of the much needed, new, digital, countywide, P25, 911
emergency radio system. As elected officials of the City of Mill Creek, we support
County-wide efforts in 2018 to provide a dedicated, equitable funding source for the new, countywide emergency 911 radio system.

Adopted this 23rd day of January, 2018, by a vote of ___ for, ___ against and ___ abstaining.

APPROVED:

__________________________________
PAM PRUITT, MAYOR

ATTEST/AUTHENTICATED:

__________________________________
CITY CLERK

APPROVED AS TO FORM:

__________________________________
SCOTT MISSALL, CITY ATTORNEY

FILED WITH THE CITY CLERK: ___________
PASSED BY THE CITY COUNCIL: ___________
RESOLUTION NO.: 2018-_____
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<th>Option</th>
<th>Type of Funding</th>
<th>Code Authorization</th>
<th>Debt Issuer</th>
<th>How Long</th>
<th>Ballot Timing</th>
<th>Pros</th>
<th>Cons</th>
<th>Other Comments</th>
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<td>Excess Levy for Capital</td>
<td>RCW 84.52.056</td>
<td>County</td>
<td>9 yrs</td>
<td>primary, general or special</td>
<td>dedicated funding stream to extinguish debt; entities are not required to find new funding; alleviates issues of Option 5; does not effect County's bonded capacity</td>
<td>must pass with 60% and have at least 40% turnout of the voters that voted in the preceding general election</td>
<td>may not be used to replace equipment issue</td>
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<td>2</td>
<td>0.1% Sales Use Tax for E-911</td>
<td>RCW 82.14.420</td>
<td>County</td>
<td>permanent</td>
<td>primary, general or special</td>
<td>dedicated funding stream; entities are not required to find new funding; alleviates issues of Option 5; funding source for both future systems and may reduce operating assessment</td>
<td>requires simple majority approval of the voters</td>
<td>may be used on financing, design, acquisition, construction, equipping, operating, maintaining, remodeling, repairing, re-equipping, and improvement of emergency communication systems and facilities</td>
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<tr>
<td>3</td>
<td>&quot;Original Flavor&quot; Levy Lid Lift</td>
<td>RCW 84.55.050(1)</td>
<td>County</td>
<td>9 yrs</td>
<td>primary, general or special</td>
<td>dedicated funding stream to extinguish debt; entities are not required to find new funding; alleviates issues of Option 5</td>
<td>requires simple majority approval of the voters</td>
<td>use should be specified on the ballot; does grow at 1% statutory plus new construction</td>
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<td>&quot;Multi-year&quot; Levy Lid Lift</td>
<td>RCW 84.55.050(2)</td>
<td>County</td>
<td>9 yrs</td>
<td>primary or general only</td>
<td>dedicated funding stream to extinguish debt; entities are not required to find new funding; alleviates issues of Option 5; may be increased above the 1% for 6 yrs provided it is specified on the ballot using any increment</td>
<td>requires simple majority approval of the voters</td>
<td>use should be specified on the ballot; does grow at 1% statutory plus new construction</td>
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<tr>
<td>5</td>
<td>Assessment that allocates the total cost and each entity becomes responsible for their own funding strategy</td>
<td>All Entities</td>
<td>10-15 yrs</td>
<td>n/a</td>
<td>equally shares all costs</td>
<td>does not take into consideration the financial condition of all participants now and in the future, so financially stressed entities may not be able to commit; could get messy in implementation</td>
<td>What happens if some entities choose not to participate? Do they develop a contract outside of the process? What happens to entities that ultimately cannot pay their share?</td>
<td></td>
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BOARD RESOLUTION SUPPORTING FUNDING of
A NEW COUNTYWIDE 911 EMERGENCY RADIO SYSTEM

WHEREAS, South Snohomish County Fire & Rescue (SSCF&R) is a Regional Fire Authority dedicated to protecting
life, property and the environment for the nearly 250,000 residents of southwest Snohomish County. We provide fire
suppression and EMS emergency services from 14 stations to people living and working in unincorporated Snohomish
County and in our partner cities of Brier, Edmonds, Lynnwood and Mountlake Terrace; and

WHEREAS, public safety depends on having reliable and effective emergency 911 radio communications; and

WHEREAS, SERS, the Snohomish County Emergency Radio System, since 1999 has provided a dependable
countywide emergency radio service that enables our 275 firefighters and paramedics to effectively respond to 911
emergency calls in our southwest County Regional Fire Authority service area; and

WHEREAS, SERS has two decades of technical expertise in developing, acquiring, installing, operating, maintaining,
and managing the countywide emergency radio system; and

WHEREAS, the SERS existing analogue, 800 MHz radio system is now outdated and about to reach its end-of-life.
When that happens in 2020 and the existing system can no longer be sustained, it will become increasingly difficult and
eventually impossible to maintain reliable radio communications between 911 dispatchers and our first responders; and

WHEREAS, independent expert analysis by a national consultant has determined that a new replacement P-25 radio
system using modern digital technology will substantially reduce risk of future radio system failure and provide better
audio voice quality for simulcast, two-way, interoperable emergency communications; and

WHEREAS, other counties of similar size in our region have already taken action to fund and replace their outdated 800
MHz radio system with a new P-25 digital radio system; and

WHEREAS, SERS is engaged with Snohomish County in a competitive bidding procurement process to select a qualified
vendor to provide new countywide 911 radio system equipment and services; and

WHEREAS, equitable countywide funding for a new radio system must be authorized and secured to finance a new radio
system that has a potential cost preliminarily estimated at $60 to $75 million.

NOW THEREFORE, BE IT RESOLVED that we, the Board of Commissioners of South Snohomish County Fire &
Rescue support taking necessary actions to replace the outdated SERS emergency radio system as soon as possible. We
urge that Snohomish County elected officials approve the resources necessary to purchase, design and install the much
needed, new, digital, countywide, P25, 911 emergency radio system. SSCF&R supports County government taking
requisite actions necessary to authorize a dedicated, countywide, equitable funding source for the new emergency 911 radio
system.

AGENDA ITEM #B.

[Signatures]

APPROVED

NOVEMBER 21, 2017
CITY OF MARYSVILLE  
Marysville, Washington  

RESOLUTION NO. 2430  

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARYSVILLE, 
WASHINGTON, SUPPORTING FUNDING OF A NEW COUNTYWIDE 911 
EMERGENCY RADIO SYSTEM.  

WHEREAS, public safety depends on having reliable and effective emergency 911 radio 
communications; and  

WHEREAS, the Snohomish County Emergency Radio System (SERS), has provided a 
dependable countywide emergency radio service since 1999 that enables our first responders to 
effectively respond to 911 emergency calls in our area; and  

WHEREAS, SERS has two decades of technical expertise in developing, acquiring, 
installing, operating, maintaining, and managing the countywide emergency radio system; and  

WHEREAS, the SERS existing analog, 800 MHz radio system is now outdated and about 
to reach its end-of-life. When that happens in 2020 and the existing system can no longer be 
sustained, it will become increasingly difficult and eventually impossible to maintain reliable 
radio communications between 911 dispatchers and our first responders; and  

WHEREAS, independent expert analysis by a national consultant has determined that a 
new replacement P-25 radio system using modern digital technology will substantially reduce 
risk of future radio system failure and provide better audio voice quality for simulcast, two-way, 
interoperable emergency communications; and  

WHEREAS, other counties of similar size in our state have already taken action to fund 
and replace their outdated 800 MHz radio system with a new P-25 digital radio system; and  

WHEREAS, SERS in engaged with Snohomish County in a competitive bidding 
procurement process to select a qualified vendor to provide new countywide 911 radio system 
equipment and services; and  

WHEREAS, equitable countywide funding for a new radio system must be authorized 
and secured to finance a new radio system that has a potential cost preliminary estimated at $60 
to $75 million.  

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY 
OF MARYSVILLE that we, the City of Marysville, support taking necessary actions as soon as 
possible to replace the outdated SERS emergency radio system. We respectfully urge that 
Snohomish County elected officials approve the resources necessary to purchase, design, and 
install a new, digital, countywide, P25 911 emergency radio system. The City of Marysville
supports the County taking actions necessary to authorize a dedicated countywide equitable funding source for the new emergency 911 radio system.

ADOPTED by the City Council at an open public meeting this 11th day of December, 2017.

CITY OF MARYSVILLE

By ____________________________

JON NEHRING, MAYOR

Attest:

By ____________________________

APRIL O'BRIEN, DEPUTY CITY CLERK

Tina Brock

Approved as to form:

By ____________________________

JON WALKER, CITY ATTORNEY
WHEREAS, the City of Lynnwood is member of the Snohomish County Emergency Radio System (SERS), which provides emergency radio communications throughout Snohomish County; and

WHEREAS, SERS, since its formation in 1999, has reliably and cooperatively provided emergency radio communications service to 50 police, fire, and dispatch agencies within Snohomish County; and

WHEREAS, SERS’ 22 radio towers and microwave transmitters successfully process more than seven million transmissions annually, averaging 19,000 radio transmissions each day throughout a 940-square-mile service area, and thereby support critical public safety operations for more than 800,000 persons; and

WHEREAS, SERS has two decades of experience and expertise in managing emergency radio communications on behalf of all local agencies responsible for public safety; and

WHEREAS, SERS’ current analogue, 800 MHz radio system will reach its functional end-of-life in 2020, and it is paramount that a replacement emergency radio communication system be designed and acquired by that time; and

WHEREAS, an independent expert has determined that a new, replacement P-25 radio system using modern digital technology will substantially lower the risks of system failure, provide enhanced audio voice quality simulcast, two-way communications between first responders and 9-1-1 dispatchers; and

WHEREAS, through a competitive bid procurement process, SERS is currently working to confirm the vendor, budget, and schedule for deployment of a P-25 emergency radio communications system; and
WHEREAS, countywide funding for the replacement of the emergency radio communication system must be identified and implemented in time to ensure that critical public safety services are in no way diminished or jeopardized; and;

WHEREAS, the Lynnwood City Council finds that the provisions of this resolution are in the interest of the public’s health, safety, and welfare, now therefore:

THE CITY COUNCIL OF THE CITY OF LYNNWOOD DOES RESOLVE AS FOLLOWS:

Section 1. The Lynnwood City Council proclaims its support for procurement and deployment of a modern emergency radio communication system to replace SERS’ existing 800 MHz analogue system.

Section 2. The Lynnwood City Council encourages each of the agencies served by SERS, and the general public, to support the proposed replacement of the SERS radio system with a new, P-25 system.

Section 3. The Lynnwood City Council recognizes that necessary funds for the replacement radio system must be identified and authorized during 2018 to ensure the system replacement is achieved prior to the existing 800 MHz system’s end-of-life.

This resolution was adopted by the City Council at its meeting held December 11, 2017 at the City of Lynnwood Council Chambers.

RESOLVED this 11th day of December 2017.

Nicola Smith, Mayor

ATTEST/AUTHENTICATED:

Sonja Springer, Finance Director
December 20, 2017

Snohomish County Council
Robert J. Drewel Building
Eighth Floor
300 Rockefeller Ave., M/S 609
Everett, WA 98201

Honorable Members of Snohomish County Council:

As Fire Chiefs we lead 28 fire protection agencies in Snohomish County and direct the efforts of dedicated firefighters and paramedics to deliver vital fire suppression and EMS services to our local communities.

Our agencies’ first responders face situations daily where their safety and the public’s safety depend on reliable and effective emergency communications. Consistent service with two-way push talk radios, which enable communication with incident command, with additional responders from neighboring fire and police agencies, as well as 911 dispatchers are essential daily functions.

For two decades SERS has provided reliable countywide emergency radio service that our firefighters use when responding to 911 call emergencies. That radio service is now in future jeopardy.

The existing SERS analog 800 MHz radio system will reach its end-of-life in 2020. When that happens, it will be increasingly difficult to maintain reliable radio service between 911 dispatchers and our first responders, which is a fact that we need to address as public safety leaders in Snohomish County.

An independent national consultant has confirmed that a new replacement P25 digital radio system is needed as soon as possible in order to reduce the growing risk of emergency communication transmission failures. Our county must provide better two-way, interoperable emergency radio communications to keep up with expected growth.

Counties of similar size in our region have already acted to replace their outdated 800 MHz radio system with a new P25 digital radio system. Some are three years ahead of Snohomish County in addressing this obvious, emergent need.

Snohomish County’s Purchasing Division has authorized a competitive bid procurement process to select a qualified vendor in the next few months and it is time to fund that pending contract award for a new countywide emergency 911 radio system.

The members of the Snohomish County Fire Chiefs Association met on December 4, 2017 and we unanimously decided to respectfully request that our elected Snohomish County leaders take necessary actions as soon as possible to replace our county’s outdated emergency radio system.

Accordingly, we respectfully urge that you approve the necessary financial resources to fund a new P25 emergency radio system. Our preferable funding source for a new emergency radio
system would be a proposed, voter-approved, countywide sales tax increase of one-tenth of one percent (as specifically authorized for this sole purpose by RCW 82.14.420). We support this small and dedicated county sales tax increase that would specifically fund local emergency communication equipment and infrastructure and would not negatively impact future property tax revenue that supports junior taxing district operations.

As Fire Chiefs we will support the County taking necessary actions to authorize a dedicated, countywide, equitable funding source for Snohomish County's emergency radio system.

Sincerely,

Travis Hots, President
Snohomish County Fire Chiefs' Association
SNOHOMISH COUNTY SHERIFF AND POLICE CHIEFS ASSOCIATION

Representing Law Enforcement in Snohomish County

December 8, 2017

Honorable Members of the Snohomish County Council
Robert J. Drewel Building
3000 Rockefeller Ave., M/S 609
Everett, WA 98201

Dear Snohomish County Council Members:

On December 6th, 2017 members of the Snohomish County Sheriff and Police Chiefs Association (SCSPCA) received a briefing from Ralph Krusey, Chief Administrator of the Snohomish County Emergency Radio System (SERS). We understand you have also had this briefing. After this presentation, Sheriff Trenary and all other chiefs present voted unanimously to send this letter of support to you.

As you are aware, there is a pending threat to our ability to provide critical public safety services in communities throughout Snohomish County. Because the current SERS emergency radio system is approaching its 20th year and its useful end of life, there is an urgent need to replace it as soon as possible due to its advanced age and the pending loss of manufacturer support in 2020.

The radio system has reached full capacity and it cannot support further growth in use. The system is already experiencing technical malfunctions that greatly jeopardize our agencies’ capability to provide timely and effective service to the public.

As chief executives of law enforcement agencies representing each and every jurisdiction within Snohomish County, we appreciate the mission-critical need for effective communications as our police officers work daily to meet overall public safety needs. In their role on the frontline of protecting our communities, we must provide them with safe working conditions. To operate safely, law enforcement officers must have access to viable and reliable two-way emergency communications.

Resolutions adopted by elected officials from various local jurisdictions (South Snohomish County Fire and Rescue, Sno-Isle Fire Commissioners Association, City of Marysville, City of Lynnwood thus far) throughout the county are expressing overwhelming local support for funding and procuring a new countywide radio system. The Snohomish County Sheriff and Police Chiefs Association urges Snohomish County government to take necessary action in 2018 to replace the outdated emergency radio system. We understand the Snohomish County Fire Chiefs have made this request of you as well.

We respectfully ask you to authorize sufficient and dedicated Countywide funding resources to purchase, design and provide for installation this much needed, digital, countywide 911 emergency radio system. As public safety
SNOHOMISH COUNTY SHERIFF AND POLICE CHIEFS
ASSOCIATION

Representing Law Enforcement in Snohomish County

officials we are committed to support County passage in 2018 of a measure that provides for equitable and sufficient funding for a new, countywide emergency 911 radio system.

Thank you for consideration of this request from the leaders of local law enforcement from throughout Snohomish County. We sincerely look forward to continuing to collaborate together on this important issue.

Sincerely and respectfully,

Chief Greg Elwin
Mill Creek Police Department
President, Snohomish County Sheriff and Police Chiefs Association

Resolution: Snohomish County Emergency Radio System (SERS) System-Wide U...
Date: January 23, 2018

Payroll Check Batches

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<th>Check Numbers</th>
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<td>01/10/2017</td>
<td>ACH Wire- MCPD Guild Dues</td>
<td>$2,140.00</td>
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Total $209,502.32

VOIDED CHECKS

| Numbers | Explanation |

CLAIMS APPROVAL

We, the undersigned Finance/Audit Committee of the City of Mill Creek, recommend approval of the ACH Automatic Deposit checks and ACH Wire Transfers in the amount of $209,502.32.

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

Councilmember

Finance Director

Councilmember

City Manager
### Statistical Summary

**Company:** AOW - City Of Mill Creek Service Center; 0076 Pacific North West  
**Week:** #2  
**Pay Date:** 01/10/2016  
**Qtr/Year:** 1/2016  
**Run Time/Date:** 01/08/2016  

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<td>Earned Income Credit Advances</td>
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<td><strong>Total Taxes Debited</strong></td>
<td>31,613.67</td>
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**Other Transfers**  
- Full Service Direct Deposit Acct. No. 0000080104700Tran/ABA125000024  
  **Total Amount Debited From Your Account:** 150,218.91

**Total Liability**  
181,732.48

**Bank Debits & Other Liability**  
- Checks: 0.00  
- Adjustments/Prepay/Voids: 0.00

**Taxes- Your Responsibility**  
- None this pay period
### Payment Details Report

**Company:** City of Mill Creek  
**Requester:** Kottke, Sandy  
**Run Date:** 01/10/2018 4:36:35 PM CST

### Domestic High Value (Wire)
**Payment Category:** Urgent/Wire  
**Status:** Processing by Bank  
**Transaction Number:** 181AG33453470A69  
**Template Name:** WILTRUST  
**Template Code:** WILTRUST

#### Debit Account Information
- **Debit Bank:**  
- **Debit Account:**  
- **Debit Account Name:** Treas Checking  
- **Debit Currency:** USD

#### Beneficiary Details
- **Beneficiary Name:** MATRIX TRUST COMPANY  
- **Beneficiary Address:** NA  
- **Beneficiary City:** NA  
- **Beneficiary Postal Code:** NA  
- **Beneficiary Country:** US - United States of America  
- **Beneficiary Account:**  
- **Beneficiary Bank:** MANUFACTURERS AND TRADERS TR C  
- **Beneficiary Bank IT:** ONE M AND T PLAZA, 15TH FL  
- **Beneficiary City:** BUFFALO  
- **Beneficiary Country:** United States of America  
- **Beneficiary Email:**  
- **Beneficiary Mobile Number:**

#### Payment Details
- **Credit Currency:** USD  
- **Credit Amount:** 23,496.28  
- **Value Date:** 01/11/2018

#### Optional Information
- **Sender's Reference Number:** CITY MILL CREEK  
- **Beneficiary Information:** City of Mill Creek n3177e

#### Additional Routing
- **Intermediary Bank ID:**

#### Control Information
- **Input:** sankottke  
- **Approved:** sankottke  
- **Input Time:** 01/10/2018 4:34:00 PM CST  
- **Time:** 01/10/2018 4:36:24 PM CST

---

**AGENDA ITEM #C.**

Payroll and Benefit ACH Payments in the Amount of $209,502.32 (Audit Com...
## Payment Details Report

**Company:** City of Mill Creek  
**Requester:** Kottke, Sandy  
**Run Date:** 01/10/2018 3:42:24 PM CST

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

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Batch Summary Report by ID Number

Company Name: City of Mill 01  
ACH ID: 2  
Application Name: CCD Payments and Collections  
Batch Status: Released  
Released By: SANKOTTKE  
Effective Date: 01/11/2018  
Batch Sequence: 1  
Database Name: BAC  
Created By: SANKOTTKE

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Total Amount in Batch

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<td>Credits</td>
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Grand Total Amount

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<th>Acct Type</th>
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<td>10000</td>
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<tr>
<td>Credits</td>
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<td>Prenotes</td>
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https://cpo-ach.bankofamerica.com/wcmpr/rptbatchsumviewform.jsp?source=BATCHSU...  1/10/2018
Payment Details Report

Company: City of Mill Creek
Requester: Kottke, Sandy
Run Date: 01/10/2018 3:48:47 PM CST

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

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<td>GUILD DUES</td>
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<tr>
<td>Template Code:</td>
<td>GUILD</td>
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Debit Account Information

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

Beneficiary Details

| Beneficiary Name: | Mill Creek Police Officer Guild |
| Beneficiary Address: | PO Box 13261 |
| Beneficiary City: | Mill Creek |
| Beneficiary Postal Code: | 98032 |
| Beneficiary Country: | US - United States of America |

| Beneficiary Account: |  |
| Beneficiary Bank ID: | BANK OF AMERICA, NA |
| Beneficiary Bank: | 1424 164TH ST SW |
| Beneficiary Location: | LYNNWOOD |
| Beneficiary Location Code: | US - United States of America |

Payment Details

| Credit Currency: | USD |
| Credit Amount: | 2,149.00 |
| Value Date: | 01/10/2018 |

Optional Information

| Sender's Reference Number: | Police Guild |
| Beneficiary Information: | Police Guild Dues Direct Deposit |

Additional Routing

| Intermediary Bank ID: |  |
| Receiver Information: |  |

Control Information

| Input: | sankottke |
| Approved: | sankottke |
| Initial Confirmation: | WTX:20180110000394932 |
| Confirmation #: | BOOK:20180110000394932 |

Input Time: 01/10/2018 3:46:26 PM CST
Time: 01/10/2018 3:48:33 PM CST
CALL TO ORDER
City Manager Rebecca Polizzotto called the meeting of the Mill Creek City Council to order at 6:00 p.m. and led the Pledge of Allegiance.

PLEDGE OF ALLEGIANCE

OATH OF OFFICE
A. Oath of Office for Newly Elected Councilmembers: Pam Pruitt, Brian Holtzclaw and Jared Mead

City Manager Rebecca Polizzotto administered the oath of office for newly elected Councilmembers; Pruitt, Holtzclaw and Mead.

ROLL CALL
Councilmembers Present:  
Pam Pruitt, Councilmember  
Brian Holtzclaw, Councilmember  
Mark Bond, Councilmember  
Mike Todd, Councilmember  
Vince Cavaleri, Councilmember  
Jared Mead, Councilmember  

Councilmembers Absent:

ELECTION OF MAYOR
B. Election and Oath of Office for Newly Elected Mayor

City Manager Rebecca Polizzotto opened the nominations for the position of Mayor.

Councilmember Cavaleri nominated Councilmember Pruitt for the position of Mayor. Councilmember Bond seconded the motion.

Councilmember Todd nominated Councilmember Holtzclaw for the position of Mayor.
The nomination failed for lack of a second.

Ballots were passed out, collected, and tabulated by City Manager Rebecca Polizzotto and Executive Assistant Gina Pfister. Councilmember Pruitt received 6 votes for the position of Mayor and was sworn in by City Manager Polizzotto.

**ELECTION OF MAYOR PRO TEM**

C. Election and Oath of Office for Newly Elected Mayor Pro Tem

Mayor Pruitt opened the nominations for the position of Mayor Pro Tem.

Councilmember Todd nominated Councilmember Holtzclaw for the position of Mayor Pro Tem. Councilmember Cavaleri seconded the motion. There were no further nominations.

Ballots were passed out, collected, and tabulated by City Manager Rebecca Polizzotto and Executive Assistant Gina Pfister. Councilmember Holtzclaw received 6 votes for the position of Mayor Pro Tem and was sworn in by Mayor Pruitt.

**AUDIENCE COMMUNICATION**

D. Carmen Fisher, a Mill Creek resident, and previous candidate for City Council, told Council that she will not move forward with a hearing to disqualify the votes of Sean Kelly. Ms. Fisher stated she is still interested in serving on the Council if they chose to appoint her.

**COUNCIL COMMITTEE ASSIGNMENTS**

E. 2018 Council Liaison Positions

City Manager Polizzotto reviewed the proposed 2018 Council liaison positions. Council engaged in discussion and agreed that in addition to the WRIA 8 position, Councilmember Mead will be the liaison to the Art & Beautification Board and Deputy Police Chief Scott Eastman will be a designated second alternate on the SERS Board.

Councilmember Todd made a motion to accept the City assignments list as modified during the meeting. Councilmember Bond seconded the motion. The motion passed unanimously.

**PRESENTATIONS**

F. Presentation: Council-Manager Relations

City Manager Rebecca Polizzotto led Council through a PowerPoint presentation reviewing the Council-Manager form of government and successful Council-Manager relations.

**CONSENT AGENDA**

G. City Council Meeting Minutes of November 28, 2017

H. City Council Meeting Minutes of December 5, 2017

January 2, 2018 REGULAR COUNCIL MEETING MINUTES
Councilmember Cavaleri made a motion to approve the consent agenda. Councilmember Todd seconded the motion. The motion passed unanimously.

REPORTS

I. Mayor/Council

Mayor Pruitt reported that she attended the first interim Board meeting for Snohomish County 911 on January 1.

Mayor Pruitt reported on possible upcoming SERS governance changes.

Councilmember Bond thanked City Manager Polizzotto for her presentation tonight and stated that he is excited to be a part of this team going into 2018 with the City Manager's leadership.

Mayor Pro Tem Holtzclaw thanked Associate Planner Sherrie Ringstad and the Planning staff for their responsiveness and professionalism during his recent tree permit process.

Councilmember Todd reported that there is an open position on the Planning Commission and that he would like the Council to review City rules and stipulations for Board and Commission applicants, giving preference to residents that have a vested interest in the City. Councilmember Bond stated that while informal preference has been given to residents in the past, he didn't want to miss out on a truly gifted candidate that may happen to live just outside the City.

Councilmember Todd reported that he will be attending the EASC legislative kick-off breakfast tomorrow.

Councilmember Todd reported that the first SCC meeting of the year will be held on January 18.

Councilmember Todd reported that he will be attending Everett's State of the City on January 24.

Councilmember Todd reported that he will be attending AWC City Action Days in Olympia January 24-25.

J. City Manager

City Manager Rebecca Polizzotto reviewed the Council Planning Schedule.

City Manager Rebecca Polizzotto introduced Deputy Chief of Police Scott Eastman who began working at the City today.

AUDIENCE COMMUNICATION

K. Barbara Heidel, a Mill Creek resident, stated that she appreciated the City Manager’s presentation tonight and appreciates the Council's acknowledgement of the public and the information she receives at Council meetings.
RECESS TO EXECUTIVE SESSION

(Confidential Session of the Council)

L. Discuss potential litigation pursuant to RCW 42.30.110 (1)(i)

The meeting recessed to executive session at 8:00 p.m. for up to 30 minutes.

RECONVENE TO REGULAR SESSION

M. The meeting reconvened to regular session at 8:29 p.m.

Mayor Pro Tem Holtzclaw made a motion directing the City Manager to prepare an expedited process under section 4.8 of the Governance Manual to fill vacant Council Position #1 and bring back to Council a proposal on January 9 for discussion and possible action. Councilmember Cavaleri seconded the motion. The motion passed unanimously.

ADJOURNMENT

With no objection, Mayor Pruitt adjourned the meeting at 8:30 p.m.

______________________________
Pam Pruitt, Mayor

______________________________
Peggy Lauerman, City Clerk
Senior Center Update

Background & Update
When Ryan Patterson, the developer of Vintage at Mill Creek, agreed to terms with the City in 2015, he agreed to provide a rent-free space for the Senior Center at 4111 133rd Place SE in Mill Creek. The Development Agreement signed with the City required Vintage at Mill Creek to provide walls, flooring, utility outlets, paint, door and trim for the space.

The Mill Creek Senior Center (also known as the Northshore Senior Center) currently utilizes space in City Hall North. The lease provides 2,362-square-feet of space on the building’s second floor for free, a value of $42,500 annually. In addition, the Senior Center is provided access to other facility space for programming needs, depending on availability based on City operational needs. The new Senior Center space at Vintage is a 2,800-square-foot modern and diverse space to accommodate the Senior Center’s activities.

The developer has gone well above and beyond the Development Agreement in providing service to the Senior Center. At his own cost, the developer provided a full kitchen, which includes an oven, sinks, dishwasher, microwave, pantry and bar counter. A dining space is adjacent to a large, versatile space that can be separated into two classrooms or opened up into a grand room for bigger events. The space also features a computer room, social worker’s office, manager's office, two bathrooms, welcoming reception area, and ample closet space.

The buildout has cost the developer upward of $200,000. Further, the market value of the ground-floor space, which otherwise would be used for retail space, has a value of more than $60,000 annually. The developer has voluntarily made the decision to invest in the community, and has noted that the Senior Center can remain in the space as long as they desire.

On November 13, Mill Creek Senior Center staff, board members, and members visited the new Senior Center space at Vintage. Following the hard-hat tour of the space, which was still under construction, Senior Center staff expressed disappointment in the amount of space and design elements provided to the Senior Center. They also shared concerns about limited access to some of the features at the property.

A Senior Center staff member addressed the City Council on November 14 in the public comment portion of the meeting. She noted the space was small, but they had been looking forward to using other amenity space at Vintage, including a gym, media room, community kitchen and other areas. She noted that those amenities had been moved upstairs and were no longer available to the Senior Center. As a result, the staff member noted, they would have to cancel several dozen classes that they have regularly offered to members. While some of those amenities had indeed moved as allowed by the Development Agreement, Senior Center users toured and still will be able to use other Vintage amenities, including the fitness center, a hair salon, and an outdoor patio/garden area. Further, the designated Senior Center space at Vintage is larger than the existing designated space in City Hall North.

Following the Senior Center’s feedback, the City met with the developer, Northshore Senior Center CEO Brooke Knight, and a Northshore Senior Center board member to understand concerns and build consensus among all parties. As part of that discussion and further
demonstrating its commitment to the Senior Center, the City relinquished 500 square feet of space that would have been a new Police precinct. The space will now serve as a bonus room for the Senior Center and includes an additional sink/counter area.

A grand opening event, also funded by Vintage, is scheduled for April 12 to show off the new space. The community is invited to tour the new Senior Center between 11 a.m. and 2 p.m. and learn more about its services. The developer is holding a charity event in conjunction with the grand opening to help the Senior Center raise funds for new furniture, equipment and supplies. As a non-profit service, the Senior Center largely has used second-hand furnishings. The developer provided the Senior Center with access to his designers so they can identify and purchase furnishings that complement the look and style of Vintage at Mill Creek. Ms. Knight estimated the furnishings will cost about $10,000, and the equipment and supplies for upgrading some computing and telephone equipment and other needs will be about $15,000.

The developer of Vintage at Mill Creek continues to demonstrate support for the Senior Center’s work and has come alongside its staff, board and members to create a beautiful and functional space to help the Senior Center continue providing great community services.

The City believes all parties are satisfied with the outcome of discussions in November. The Senior Center is slated to relocate to the new facility in April 2018.
City Responses to Neighborhood Focus Group Issues and Concerns

From the September 14, 2017, Meeting

The following issues and concerns were raised at the Sept. 14, 2017, Neighborhood Focus Group meeting. The City’s responses on these topics are noted.

Trees
Attendee brought up an issue regarding City-required trees in developments, which are raising the sidewalks and creating problems. Further, when an old tree is removed, they are required to replace them with three other trees.

Response:
Only if a tree is removed without a permit may the City assess a fine up to $1000 and require the planting of three replacement trees. However, this is not the case most of the time. [http://www.codepublishing.com/WA/MillCreek/#!/MillCreek15/MillCreek1510.html](http://www.codepublishing.com/WA/MillCreek/#!/MillCreek15/MillCreek1510.html)
It was noted that the specific Homeowners Association and/or the Mill Creek Community Association may have their own requirements, so residents are encouraged to check with all entities before removing or replacing trees.

Public Works is conducting concrete shaving as tree roots pop up the sidewalks. If the City didn’t require the trees, it wouldn’t have this perpetual issue.

Response:
Tree-lined streets are one of the hallmarks of Mill Creek; we pride ourselves on not being part of the concrete jungle. One of the City’s goals is to ensure the natural beauty is preserved. While such an approach means that the City will have maintenance tasks pertaining to sidewalks, the benefits of the aesthetic – including increased property values – outweigh the impacts. City staff is working with residents as trees are replaced to use alternative species that will minimize such impacts.

The resident did not want the HOA to pay for the removal of the trees; he wants the City to pay for it. Another attendee suggested “hounding” the City Council to fix the issue; he discussed his experience in removing trees to the tune of $30,000.

Response:
Generally speaking, property owners are responsible for maintaining the right of way on front of their property up to the curb [http://www.codepublishing.com/WA/MillCreek/#!/MillCreek17/MillCreek1724.html](http://www.codepublishing.com/WA/MillCreek/#!/MillCreek17/MillCreek1724.html).
The City cannot remove trees that are not on the public right of way. Doing so is considered a gift of public funds. Article 8, sections 5 and 7, of the Washington Constitution prohibits gifts of public funds. [http://leg.wa.gov/LawsAndAgencyRules/Documents/12-2010-WAStateConstitution.pdf#page=36](http://leg.wa.gov/LawsAndAgencyRules/Documents/12-2010-WAStateConstitution.pdf#page=36)

The purpose of these provisions is to prevent state funds from being used to benefit private interests where the public interest is not primarily served.

Another attendee mentioned that homeowners own the property to the curb, including the trees, and should be responsible for removing the trees in front of their own homes; it should not be an HOA responsibility.

Response:
Property owners are responsible for maintaining the right of way on front of their property up to the curb [http://www.codepublishing.com/WA/MillCreek/#!/MillCreek17/MillCreek1724.html](http://www.codepublishing.com/WA/MillCreek/#!/MillCreek17/MillCreek1724.html).

The specific Homeowners Association and/or the Mill Creek Community Association may have their own requirements or maintenance program, so residents are encouraged to obtain full information before removing trees.

Joni suggested attendees raising these important concerns to make them known, including through the use of the City's online citizen comment form.

Note:
This comment form is located at [http://www.cityofmillcreek.com/requesttracker](http://www.cityofmillcreek.com/requesttracker).

There was discussion about challenging tree requirements, including the types of trees required. The group noted that Sherrie Ringstad at the City has been a very helpful advocate regarding tree issues. She is working with HOAs to identify types of trees that can be planted that don’t have such a large root structure and will create fewer problems for residents.

Response:
The types of trees are not specified, with the exception of plats that have specified certain types of trees. However, substitution trees are indeed allowed by the City. Staff may also suggest other varieties that are more appropriate for the neighborhood.

The City has an approved street tree list [http://www.cityofmillcreek.com/approvedstreettrees](http://www.cityofmillcreek.com/approvedstreettrees) that was published in July 2013. The list notes expected height and spread of each tree.

Parking
Parking was another issue raised by the attendees. There was discussion about how townhouses are not required to have ample parking for the number of units. The change in requirements has transpired in the last five or so years and is creating issues for new developments. Attendees feel that the City is not requiring sufficient parking. They feel that it is getting worse.
Parking standards and requirements are noted in the Mill Creek Municipal Code: [http://www.codepublishing.com/WA/MillCreek/#!/MillCreek17/MillCreek1727.html](http://www.codepublishing.com/WA/MillCreek/#!/MillCreek17/MillCreek1727.html). This was affirmed by Ordinance 2009-702. The code stipulates the number of parking spaces per dwelling unit. The City’s requirements have not changed since 2009.

The City Manager has taken note of this concern and is currently considering incorporating a review of the ordinance as a part of the senior leadership team’s work plan in the new biennium. In the interim, she has directed staff to carefully review parking plans associated with new development applications.

**Pedestrians Crossing 132nd**

The attendees brought up the issue of a pedestrian being hit while crossing 132nd at a non-crosswalk on September 8. Comments included how people speed on this road, and people cross when it’s not safe. Attendees raised the question of putting up a “No Jaywalking” sign and suggested passing more stringent fines for jaywalking. They also suggested having a police officer babysit the corner and ticket people.

Response:

This is a multi-faceted issue.

Currently, due to the significant distance between marked crosswalks (6/10ths of a mile), the Police Department is unable to issue jaywalking citations for crossings made outside of these marked crosswalks. The City could pass an ordinance to prohibit crossing of 132nd Street SE. However, since 132nd Street SE is also State Route 96, the state has jurisdiction over signs on state routes. But the reality is that many people are crossing the road at non-crosswalk points; Police would only be able to catch and cite a small percentage of offenders. The real desire is for people to be able to cross safely. The City wants to discourage people from crossing the road unsafely by providing public education to help people make good choices. This is an ongoing effort through the City’s various communication tools.

Finally, since 132nd Street SE is a state route, the City of Mill Creek cannot simply build a raised pedestrian refuge island or develop new crosswalks. However, we have requested in writing on April 3, 2017, that WSDOT analyze speed, crash data and signage, and make improvements to help with public safety efforts. In response, WSDOT is making arrangements to install delineation markers and signing at the raised traffic island on 132nd Street adjacent to the Mill Pointe apartments. The devices will heighten drivers’ awareness of the raised island.

Beyond this immediate action, WSDOT has begun the initial stages of traffic data collection and analyses for the 132nd Street segment between I-5 and Seattle Hill Road. This corridor view of 132nd Street will take into account current and future land use plans and characteristics of adjacent neighborhoods. The intent is to identify places where non-motorized trips are occurring and can be expected to occur. Data and information from these studies will be used to develop a list of recommended measures that address the needs of all users of the highway. City and county staff will be asked to review and comment on the analyses data and recommendations. They will assist the WSDOT in selecting those improvements that can be implemented immediately versus those that will require a longer period. Part of these discussions will include funding options to pay for the proposed improvements. The proposed improvements may include roadway re-
striping, crosswalk markings and associated signs, flashing signals, raised islands, curbs and sidewalks, along with other traffic calming and access management measures.

**Traffic on 164th**

Focus group participants also discussed how cars headed eastbound on 164th are blocking traffic as they turn into McDonalds to the north. They would like to see that specific turn eliminated, noting that the turns at the lights are sufficient.

Response:
This request is being evaluated by Mill Creek Police and the City Supervising Engineer. Making adjustments to the turn lane also impacts access to the local businesses. This may be considered as part of the Capital Improvement Plan.

Also, they want more enforcement regarding not blocking the intersection of 164th and Bothell Everett Hwy.

Response:
The Police Department will continue to focus on education and enforcement efforts in this intersection. Much like the other solutions to this intersection, enforcement is a challenge. There is little space to park a patrol car or police motorcycle, and the activity requires multiple officers: one to observe the violators and one to contact them. This is an action item for the City’s patrol division and Traffic Safety Unit.

They also suggest cycling the light to a three-cycle system, where pedestrians can cross any direction all at once. This approach follows other cities.

Response:
Due to the many variables at the intersection of a state highway and a transit route, as well as its proximity to other major traffic signals, a three-cycle system for the light is not possible. The current setup has been tweaked to provide the best possible outcomes. Further adjustments have a domino effect on all traffic north/south and east/west.

The intersection of SR527/164th Street SE currently operates over capacity during the peak drive times. This signal is working in coordination with The City of Mill Creek’s signals along 164th Street. According to WSDOT, the primary movements that must receive a majority of the green time are eastbound traffic on 164th and the northbound left turn on SR527. Furthermore, the eastbound and westbound movements have pedestrian movements that must be accounted for in green time. With all of these competing demands, and a relatively low cycle length, difficult choices must be made. WSDOT acknowledges that the southbound left turn gets little time – a maximum of 14 seconds during the day and 15 seconds during the afternoon peak. It is important to note that while the southbound left turn will not always clear its queue, it rarely spills back into the southbound thru-traffic movement. At this time no timing change can be made without seriously hindering the more critical movements.

**Roundabouts**

There was discussion of roundabouts in The Parks being dangerous, as drivers don’t complete a full circle and treating it as a normal intersection, including left turns. He suggested putting in a three-way intersection. Joni noted that this topic was raised at the last meeting and she followed up with the Police. The Police noted they hadn’t observed this in person, but that doesn’t mean it’s not happening. She suggested developing a neighborhood tip sheet on how to use
roundabouts. It was also suggested by another participant that the City paint directional arrows on the pavement to make it clear how traffic should flow.

Response:
The City will evaluate the need to implement a directional sign. Painting arrows on the street creates an additional ongoing maintenance task. This is more of a public education issue. The Police Department has not received reports of challenges, but will continue to observe this roundabout.

Public Safety
An attendee brought up a car idling in a parking lot with a drug user inside. The resident wanted to ask other presidents if they’ve seen similar issues. He wants more police presence on Trillium Blvd for speeding and drug use, especially as people seem to think it’s a safe place to use drugs and park unobserved by others.

Response:
Because Trillium is one of the most heavily traveled roadways in the City, the Mill Creek Police patrol Trillium every single day, with regular presence throughout the day. The Police report that they have not encountered occupied vehicles with people using drugs. They are requesting clarification of this issue, if possible, and specific reporting of issues in real-time. If residents observe a crime in progress (e.g., active drug usage) or they suspect criminal activity based on their observations, they should call 911 and make a report. If the activity is not presently occurring, they may contact the non-emergency number at 425-775-3000.

Administrative
Attendees want a copy of the meetings notes distributed to them. Joni noted she also would send notes from the previous meeting. It was requested that the notes also be sent to Council; Joni noted that the previous meeting minutes were shared with Council.

Response:
The notes for both meetings have been provided. The minutes also were shared with Council, and printed in full in the Mill Creek View.
Neighborhood Focus Group Agenda
January 16, 2018

Quarterly meeting of the Mill Creek Neighborhood Focus Group.

- Facilitated by Joni Kirk, City of Mill Creek Communications and Marketing Director
- Minutes recorded by Holly Harvey, City of Mill Creek Communications and Marketing Coordinator

I. Welcome and Reminder of Meeting Purpose

II. Introductions of Members

III. Introduce Gina Hortillosa, Director of Public Works and Development Services

IV. Upcoming City Projects or Programs
   - New websites
   - Farmers Market
   - 35th Avenue SE Reconstruction

V. City Responses to Issues Previously Raised

VI. Current Issues / Topics from Focus Group Members and Their Residents

VII. Spring Events
   - Teen Flashlight Egg Hunt, March 23 at 6 p.m.
   - Eggstravaganza, March 31 at 10:30 a.m.

VIII. Closing Thoughts
### Capital Budget

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<tr>
<th>Item #</th>
<th>Legislation Summary</th>
<th>Status</th>
<th>Analysis and Recommendation</th>
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<tbody>
<tr>
<td>1</td>
<td><strong>Capital Budget Update</strong></td>
<td></td>
<td><strong>State-shared revenue</strong>&lt;br&gt;The Governor’s supplemental request reduces the Municipal Criminal Justice Assistance Account by $1.2 million. It is important for cities to receive the entire appropriation of $38.1 million.</td>
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<td></td>
<td>The capital budget (expected be voted on in July) will likely include a loan list for the first time since 2011.</td>
<td></td>
<td><strong>Basic Law Enforcement Academy</strong>&lt;br&gt;The 2017-19 operating budget funded six additional Basic Law Enforcement Academy classes for each fiscal year. The Governor’s budget adds one class in FY 2019. AWC is asking for one additional class to meet the increased needs due to retirements and to ensure safe communities. These additional classes would require an appropriation of $748,000.</td>
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<td>The Governor’s operating budget proposal is being considered by the House Appropriations Committee on January 8 and by the Senate Ways and Means Committee on January 9.</td>
<td></td>
<td><strong>Mental health</strong>&lt;br&gt;Cities are seeking an additional $10 million in grant capacity to support vitally-needed resources in cities that are going above and beyond their responsibilities to help support individuals suffering from mental health issues, and who may be homeless.</td>
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| 2      | **HB1800 and SB6002** (General Government)  
• These bills could change whether city council elections take place citywide or are divided by voting district. | **HB1800** – Passed by executive action in the House Committee on State Government, Elections & Information Technology. Referred to Rules.  
**SB6002** - Placed on second reading by Rules Committee on 1/17. Held on second reading. | If a Washington voter presently believes that, as a member of a protected class, they do not have an equal opportunity to elect members of their choice, there exists a federal Voting Rights Act. The federal law broadly prohibits any voting procedure that impairs equal opportunity to elect candidates from minority groups. The Washington State version of the bill would implement a state Voting Rights Act, creating an opportunity to challenge specific local governments’ voting procedures in state court. |
| 3      | **HB1160** (Human Resources)  
• Requires public disclosure for personal information where the subject of the information consents to disclosure.  
• Exempts public employee and volunteer passport and visa numbers from public disclosure.  
• Exempts information regarding the ongoing investigations of employment-related discrimination from public disclosure until the agency provides notice of the outcome of the investigation.  
• Exempts trade secrets from public disclosure.  
• Allows attorney's fees to any defendant who successfully defends against an injunction of the public disclosure of financial, commercial, or proprietary records. | Executive session scheduled, but no action was taken in the House Committee on State Government, Elections & Information Technology on 1/12. | AWC supports this bill. |
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<td><strong>HB1298</strong> (Human Resources)</td>
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|   | - Prohibits an employer from seeking a job applicant’s criminal records until after the employer has determined that the applicant is otherwise qualified for the position;  
- Prohibits an employer from advertising job openings in a way that excludes people with criminal records from applying (such as stating “no felons”); and  
- Prohibits an employer from implementing a policy that would automatically or categorically exclude individuals with criminal records. |   |
|   |   |   |
|   |   |   |
|   | **HB2719** (Police) |   |
|   | - Changes the population requirement for cities from 20,000 to 30,000 for when they must establish a law enforcement officers’ and firefighters’ retirement system plan 1 disability board. |   |
|   |   |   |
|   | **SB5576** (Public Works & Dev. Services) |   |
|   | - Specifies that apprenticeship utilization requirements apply to each and every contractor and subcontractor on a public works project, and that labor hours are measured on a per-contractor basis.  
- It also stipulates that noncompliance with these requirements is one of the violations that count toward debarring a contractor from bidding on public works.  
- Requires the awarding agency, such as a city, to monitor compliance with apprenticeship utilization requirements. |   |

**HB1298** (Human Resources) - Executive action taken in the House Committee on Labor & Workplace Standards, but did not pass. Placed on second reading on 1/12.  
This would have a minor impact on city hiring processes. The bill also provides exemptions from the above requirements to employers for the following reasons: any employer hiring a person who will or may have unsupervised access to children or vulnerable persons; any employer who is expressly permitted or required under federal or state law to request an applicant’s criminal records; a general or limited authority law enforcement agency; and any employer seeking to hire a non-employee volunteer.

**HB2719** (Police) - Scheduled for public hearing in the House Committee on Local Government on 1/23.  
This would delay the requirement for Mill Creek to establish such a board.

**SB5576** (Public Works & Dev. Services) - Passed by executive action in the Senate Committee on Labor & Commerce. Referred to Ways & Means on 1/17.  
Cities are concerned with the new requirements of apprenticeship utilization due to the fact there are times when there are not enough apprentices available. This new requirement could limit the contractors available for cities to use on a project. Cities are also concerned about the potential burden and liability associated with monitoring for compliance with these new requirements.
### BILLS RETAINED FROM THE 2017 SESSION

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| 7      | **HB1113** (Finance & Admin)  
- Gradually increases the amount of liquor profits distributed to cities and counties until reinstating the traditional percentage based sharing formula in state fiscal year 2025. | By resolution, reintroduced and retained in present status. | AWC notes the importance of these funds that help support key public safety services. This gradually increases the local government’s share of excess liquor revenues until the percentage-based method for distributions is restored. Under the proposal, cities and counties would receive $49.4 million annually plus $2.5 additional per year beginning in 2019 through 2024. In state fiscal year 2025, the bill would reinstate the traditional percentage based formula of 50/40/10. The proposal would require 60 percent of any liquor profits distributed to cities and counties in excess of $49.4 million to be used for public safety. |
| 8      | **HB1123 & SB5251** (Comms & Marketing)  
- Would create an industry-led Tourism Marketing Authority and provide performance-based industry funding mechanisms without additional taxes. | Because the tourism bill is considered “necessary to implement the budget”, it will remain alive until the state budget is passed. HB1123 was reintroduced and retained status in House Committee on Appropriations. SB 5251 Public hearing and executive action taken in the Senate Committee on Economic Development & International Trade on 1/18. | The bill takes 0.1 percent of general sales taxes collected on retail sales of lodging, restaurants and rental cars for its Statewide Tourism Marketing Account. Deposits will be limited to $5 million per biennium and are subject to private matching funds prior to expenditure. Cities support finding a dedicated source to promote tourism but AWC has concerns with the source of funding in this bill as currently written. The sales tax on rental cars is deposited into the multi-modal account, which funds a number of transportation related projects and programs that cities benefit from including grants for bicycle and |
<table>
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<tr>
<th></th>
<th>Description</th>
<th>Rules Committee</th>
<th>AWC's Position</th>
<th>Additional Information</th>
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<tbody>
<tr>
<td>9</td>
<td>HB1655 (Police)</td>
<td>Rules Committee relieved of further consideration. Placed on third reading on 1/11.</td>
<td>AWC opposes expansion of occupational disease due to the potential for increased costs and the lack of scientific evidence tying these diseases to the occupation. <strong>AWC would like to stop this bill.</strong></td>
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<td>10</td>
<td>HB1752 (Finance &amp; Admin)</td>
<td>Referred to Community Development, Housing &amp; Tribal Affairs on 1/8.</td>
<td>While cities are strong supporters of affordable housing, this proposal has met with significant concern and opposition from AWC over the years.</td>
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<td>11</td>
<td>HB1764 (Finance &amp; Admin)</td>
<td>Referred to Finance on 1/8.</td>
<td>This is priority legislation for AWC.</td>
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<tr>
<td>12</td>
<td>HB1797 (Finance &amp; Admin)</td>
<td>Placed on second reading by Rules Committee on 1/16.</td>
<td>AWC supports this.</td>
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<td>Page</td>
<td>Bill Number</td>
<td>Title</td>
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<td>13</td>
<td>HB2006</td>
<td>(Finance &amp; Admin)</td>
<td>Removes non-supplant language from city and county criminal justice account distributions and the mental health sales tax. Currently, every city receives a portion of more than $35M per biennium in criminal justice assistance.</td>
<td>Referred to Appropriations on 1/8.</td>
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<td>14</td>
<td>SB5033</td>
<td>(Public Works)</td>
<td>This bill focuses more resources on cities under 50,000 in population. Removes the requirement that the legislature approve the list of loans recommended by the Public Works board. Institutes an interagency LEAN process to recommend improvements to all state infrastructure funding programs. Includes a two-year extension of the tax revenue diversions that have been in place for several years.</td>
<td>By resolution, reintroduced and retained in present status.</td>
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<td>15</td>
<td>SB5445</td>
<td>(Community &amp; Econ Develop.)</td>
<td>Prohibits the use of eminent domain for economic development.</td>
<td>By resolution, reintroduced and retained in present status.</td>
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<td>16</td>
<td>SB5545</td>
<td>(Finance &amp; Admin)</td>
<td>Would amend the Open Public Meetings Act by removing the exemption provided for collective bargaining sessions related to contract negotiations with unions. Would add language requiring that contract negotiations be open to the public but does not require public comment. Would allow public employers to provide a video of the negotiations to the public within twenty-four hours instead of firsthand observation by the public.</td>
<td>By resolution, reintroduced and retained in present status.</td>
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<td><strong>SB5711 (Finance &amp; Admin)</strong></td>
<td><strong>SB5827 (Comms &amp; Marketing)</strong></td>
<td><strong>SB5896 (Finance &amp; Admin)</strong></td>
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<td>Pre-empts local government regulation of small cell 5G telecommunication facilities and exempts them from land use review.</td>
<td>Would <em>create a new</em> definition of tourist under the lodging tax statute, <em>which would have the effect of restricting</em> expenditures of lodging tax for tourism promotion, events, and tourism-related facilities. The definition of tourist would be limited to those who stay in overnight accommodations, have traveled more than 50 miles, or have traveled from a different state or country. Prohibits any lodging tax recipient who fails to submit the required report on tourist activities as ineligible to receive additional distributions until the report is submitted.</td>
<td>Would reduce state and local government liability in numerous ways. Caps non-economic damages at $1.5 million per claimant, change when interest starts to accrue, and cap attorney fees at 33 percent of an award.</td>
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<td>17</td>
<td>Referred to Energy, Environment &amp; Technology on 1/8.</td>
<td>By resolution, reintroduced and retained in present status.</td>
<td>By resolution, reintroduced and retained in present status.</td>
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<td>18</td>
<td></td>
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<td>Senate budget does include fiscal impacts that the bill would create, so the bill will most likely continue to be relevant.</td>
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<td>19</td>
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<td><strong>Sponsored by Sen. Hobbs.</strong> For cities, there are two areas of particular concern: language that would preempt city authority to manage Rights-of-Way and city-owned infrastructure, and authority over municipal utility pole attachment policies. AWC and cities are refining language that would require cities above 5,000 population to adopt a small cell facility ordinance establishing a process for deployment of this infrastructure. This would give each individual city more flexibility to adopt an ordinance that would fit their own needs. It seems clear that this new technology is going to be deployed in urban areas during the next several years; therefore, cities can begin planning now to be ready for it.</td>
<td><strong>AWC testified in opposition to this bill because it breaks the compromise reached on lodging tax authority in legislation passed several years ago, including greater authority for the lodging tax advisory committee, additional reporting processes, and limits on city legislative authority on using this local revenue tool. Sufficient processes are already in place to ensure that lodging taxes are used in the best ways to meet community needs. AWC wants to stop this bill.</strong></td>
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ATTENDANCE

AFSCME
Matt Miller
Kim Mason-Hatt
Chris Risen
Jodie Gunderson
Christi Armine

MANAGEMENT
Rebecca Polizzotto

OLD BUSINESS
None

NEW BUSINESS

1. The Union requested information as to whether there were going to be any staff reorganization efforts before the end of the year.
   a. The City Manager advised that no reorganization efforts were currently underway. However, the new Director of Public Works and Development Services just started work on November 1. After she has had an opportunity to review and evaluate the department, she may wish to address organizational issues based upon her review and evaluation.
   b. The City Manager also advised the Union that the Center for Public Safety Management was completing its evaluation of the police department, and its report may recommend organizational changes. The City Manager also advised that the City was currently recruiting for a Deputy Chief of Police.

2. The Union expressed the need for clarification about the Public Works Supervisor position’s responsibilities and duties.
   a. The Union and Management agreed to give the new Director of Public Works and Development Services time to evaluate staffing duties and organizational needs before engaging in further discussion on this topic. The parties agreed to revisit this matter at the January or February monthly labor management meeting.

3. The Union expressed concern over the tone of recent communications between the HR Intern and members of the police department, particularly police officers. Because of those issues, the Union also expressed concern about placement of the intern in a permanent Human Resources position at the City. The City Manager agreed to speak with the intern and the affected employees and investigate the matter further.
4. The Union asked if Management could ensure that formal notifications were provided to the Union whenever AFSCME represented job openings were posted. The City Manager agreed to speak with Betsie regarding this practice.

5. The City Manager asked the Union how they would like to conduct monthly labor management meetings. After discussion, the parties agreed:
   a. The City Manager would attend to represent management. No directors would attend.
   b. The AFSCME Executive Board would attend.
   c. A note taker would attend to take minutes. Draft minutes would be distributed to Union and Management for mutual review and approval. When approved, the minutes would be posted on the labor-management website. The parties agreed to have Betsie Devenny take minutes.
   d. The parties agreed that either party could ask for "an off the record" discussion. If both parties agreed, the note taker would be excused, and the "off the record discussion" would proceed, would be confidential and not reflected in the minutes.
   e. The parties agreed to a standing monthly meeting immediately following the All Employee meeting each month.

6. The City Manager suggested that a meeting with the Leadership Team be held to review the provisions of the newly negotiated AFSCME contract. The City Manager invited AFSCME to be part of that meeting. The parties agreed that Matt Miller, Kim Mason-Hatt and Chris Risen would attend the meeting with the Leadership Team to review and discuss the new contract.

7. The City Manager asked the Union for clarification regarding the Class Action Grievance filed by the Union regarding the allegation that the "City of Mill Creek violated Article 19 Section 2 of the collective bargaining agreement by creating a new position (customer service representative) without notification or following the mutually agreed upon language." The City Manager expressed that to her knowledge all actions taken relative to the recent hiring of customer service representatives were compliant with the terms of the contract. Mr. Miller agreed to review the grievance and provide additional information at a later date. The Union stated that the grievance was important to help develop the structure and process of communication between labor and management.

8. The City Manager updated the Union on the HR Director's absence and asked for patience during her absence.

9. The parties agreed this meeting was mutually beneficial and agreed to continue the meetings on a monthly basis.
ADJOURNMENT
The meeting adjourned at 10:15 a.m.

Kim Mason-Hatt, President AFSCME

Rebecca Polizzotto, City Manager
NEW BUSINESS

1. The City Manager asked for clarification regarding the Union’s concern about personnel policies.

   a. The Union expressed a desire to discuss how policies are going to be implemented and communicated. The City Manager responded that at this time, there is no set framework on how policy information would be disseminated; however, she was open to suggestions from the union. After discussion the parties agreed that multiple forms of communication regarding policy implementation is desirable. The parties discussed using ADP to have employees acknowledge new policies; putting the policies in the Monday Minute; having Directors communicate the information to staff, sending courtesy copies to the union leadership when such copies were disseminated to Council. Both parties agreed it was important to have employees acknowledge receipt of policies.

   b. The City Manager offered to attend union membership meetings to discuss and provide background information about new policies. New policies will also be made available on the City website. The City Manager explained that from her perspective, policies are important as a means of providing structure and consistency of operations.

   c. One of the City Manager’s goals in 2018 is to develop an Employee Handbook. The union agreed this would be of benefit to the employees.

2. The Union asked about the Center for Public Safety Management evaluation.

   a. The Union noted that one member of the uniformed department is an AFSCME member. There was a recommendation from CPSM that the Police Support Officer not conduct transports, as she is doing them alone and unarmed, and that she may be mistakenly identified as a police officer based on her current uniform.
This represents a safety and liability issue for the City. These items will be addressed as part of any changes made based on the CPSM recommendations. However, no immediate changes are planned. Management needs time to review together the LEMAP and CPSM reports and develop a work plan for implementation of the report recommendations. As this work develops, the City Manager will update the union.

3. The City Manager gave an update on Human Resources. Laura Orlando is back at work at 20 hours per week. This was actually the amount of time she was originally hired to work. Her focus will be on policy related matters. When Laura started, she had an HR assistant who was never replaced. The City has decided that staff is needed to supplement the work of Human Resources/Labor Relations. Accordingly, a new position has been developed: Human Resources/Labor Relations Specialist. The City Manager distributed a copy of the job description for this new position. This would be a confidential, non-represented position. The union reviewed the job description and concurred with the confidential status of the position. The posting would be internal first, and then posted externally. The union suggested that the posting be external and internal. Subsequent to the meeting, the City Manager confered with the Human Resources Director who had no objection to posting the job announcement internally and externally.

4. The union asked if the City had any contact with Summit Law regarding the new mandate for sick time for casual/hourly employees. The union’s recommendation is to not make any changes to the contract, to wait and see how it shakes out before doing any bargaining. The City Manager concurred.

5. The union raised question regarding internship duties. The current Rec Intern posting appears to be bargaining work, but intern work should be instructional or special projects in nature. The union requested that the job description be reviewed and maybe restructured.

   a. The City Manager explained her philosophy regarding interns – the ability to encourage people to pursue careers in public service. It is not her intent to replace open positions with interns. She will talk with leadership regarding the content of intern job description postings. The City Manager agreed to review and revise as necessary the recreation intern posting.

   b. The union asked if there is a management structure and/or work plan for the internship program. The City Manager replied that Human Resources is working to develop a written plan governing interns.

6. The parties agreed the monthly labor/management meeting is mutually beneficial, especially in its “in person” format. The City Manager thanked Kim Mason-Hatt for stepping up for the last two Council Meetings when the Executive Assistant was out sick.
ADJOURNMENT
The meeting adjourned at 10:10 a.m.

Kim Mason-Hatt, President AFSCME

Rebecca Polizzotto, City Manager
## Tentative Council Meeting Agendas

Subject to change without notice

Last updated: January 11, 2018

### January 23, 2018

(Agenda Summary due January 9)

- Work Session
  - Fire Contract
  - SERS Resolution of Support
- Reports
  - Senior Center
  - Neighborhood Focus Group Agenda & Responses to previous meeting
  - Legislative Tracker
  - Labor/Management Minutes

### February 6, 2018

(Agenda Summary due January 23)

- Council Interviews

### February 13, 2018

(Agenda Summary due January 30)

- Red Cross Presentation – Dan Limberg
- WRIA 8 ILA
- Presentation: Long Term Planning
- Work Session – Audit Recommendations
  - Cash Receipting Procedures
  - Business Expense Policy
- Update: 35th Avenue Project
  - Construction Mgmt Contract
  - Cost Estimates
  - Schedule
- Reports:
  - Labor/Management Minutes
  - 2018 Community Events Calendar
  - Budget Calendar

### February 27, 2018

(Agenda Summary due February 13)

- AWC Scholarship Nominee Selection
- Work Session: Long Term Planning
  - Fiscal Responsibility
  - Community Preservation
  - Civic Pride
- Work Session: Public Records Act Policy
- Update: Exploration Park Project
  - Construction Mgmt Contract
  - Cost Estimates
  - Schedule
- Reports
  - Quarterly Financial Report
  - Website Implementation Update

### March 6, 2018

(Agenda Summary due February 20)

- Work Session: Long Term Planning
  - Customer Service
  - Recreational Opportunities
  - Public Safety
- Work Session:
  o CIP Financial Policies
- Work Session:
  o EGUV Development Agreement

March 13, 2018
(Agenda Summary due February 27)
- Work Session: Long Term Planning
  o Economic Prosperity
  o Leadership
  o Long Term Planning
- Reports:
  o Labor/Management Minutes

March 27, 2018
(Agenda Summary due March 13)
- Work Session:
  o Code Revision - Repeal of Board of Appeals/Adjustment
  o Administrative approval of long plats
  o Budget: Financial Policies

April 10, 2018
(Agenda Summary due March 27)
- 35th Construction Project
  o Bid Award
  o Communications Plan
- Reports
  o Labor Management Minutes

April 24, 2018
(Agenda Summary due April 10)
- Exploration Park
  o Bid Award
  o Communications Plan
- Reports
  o Quarterly Financial Report

May 1, 2018
(Agenda Summary due April 17)
- Sports Tourism Feasibility Study Presentation

**Work in Progress - Upcoming Agenda Items**
- Guild Contract
- Personnel Policies and Procedures
- Public Works Shop Design
Possible Work Session Topics for Discussion

- Parking Codes
- Business signs
- MCCA storm water discussions
- Sports Fields
- Repair Issues
- Utility Project Management
- Review of Criminal Justice Costs/Alternatives
- Status update on County’s SHR project
- 128th St as an ST3 Station
- Issues re: no parking on sidewalks
- Development Projects in Progress
- Hotel/Motel Theater Tax
- Resort Fees
- Partnerships with Everett School District
- Development code change to allow redevelopment along Mill Creek Blvd/North Creek
- Council Chambers Configuration