

CITY COUNCIL AGENDA
15728 Main Street, Mill Creek, WA 98012
(425) 745-1891



- Brian Holtzclaw, Mayor • Stephanie Vignal, Mayor Pro Tem
• Mark Bond • Vince Cavaleri • John Steckler • Benjamin Briles • Adam Morgan

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. **Due to the COVID-19 pandemic City Council Meetings will be held virtually until further notice.**

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.

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 residency 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. 2020 - 870

Next Resolution No. 2020 - 599

January 5, 2021
City Council Meeting
6:00 PM

VIRTUAL MEETING INFO

A.

Join Zoom Meeting

<https://zoom.us/j/92965148832>

Meeting ID: 929 6514 8832

One tap mobile

[+12532158782](tel:+12532158782), [92965148832#](tel:+12532158782) US (Tacoma)

[+13462487799](tel:+13462487799), [92965148832#](tel:+13462487799) US (Houston)

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

AUDIENCE COMMUNICATION

- B. Public comment on items on or not on the agenda

PRESENTATIONS

- C. Office of the Washington State Auditor's Office Exit Conference
(Kirk Gadbois, Assistant Audit Manager)

NEW BUSINESS

- D. 2021 Council Liaison Positions
- E. Addendum No. 1 to On Call Engineering Services Agreement 2020-1583 with Gray and Osborne
(Mike Todd, Public Works and Development Services Director)
- F. Adoption of the Work Plan for Updating the City Governance Manual
(Michael Ciaravino, City Manager and Grant Degginger, City Attorney)

CONSENT AGENDA

- G. City Council Meeting Minutes of November 24, 2020, December 1, 2020 & December 8, 2020.
- H. Emergency Proclamation Extension

REPORTS

- I. Mayor/Council
- J. City Manager
 - Planning Schedule/Training Schedule
 - Equipment needs for City Council
 - Voucher - electronic signature - finance update
- K. Staff
 - Audit Committee Schedule
 - Arts & Beautification Board Minutes
 - Park Board Minutes

AUDIENCE COMMUNICATION

- L. Public comment on items on or not on the agenda

RECESS TO EXECUTIVE SESSION

(Confidential Session of the Council)

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

ADJOURNMENT



Agenda Item # _____

Meeting Date: **January 5, 2021**

CITY COUNCIL AGENDA SUMMARY

City of Mill Creek, Washington

AGENDA ITEM: 2021 COUNCIL LIAISON POSITIONS

PROPOSED MOTION:

Motion to appoint Councilmembers to selected liaison roles.

KEY FACTS AND INFORMATION SUMMARY:

Pursuant to the City of Mill Creek's Governance Manual, the City Council is to select individual council liaison roles to regional bodies, and community organizations, based upon the desire, qualifications, and skills of interested Councilmembers. It is the duty of staff and Council who represent the City to advocate positions that are consistent with City policies, projects, and plans. (See section 1.3.5, 1.3.6 and 1.3.7 of the City of Mill Creek Manual of City Governance).

It is customary for the Council to renew and/or revise liaison appointments at the beginning of a calendar year.

CITY MANAGER RECOMMENDATION:

N/A

ATTACHMENTS:

- Council Liaison Positions

Respectfully Submitted:

A handwritten signature in blue ink, appearing to read "Michael Ciaravino", is written over a horizontal line.

Michael Ciaravino
City Manager

2021 Mill Creek Boards - For Reference Only

Board/ Commission/ Committee	Meeting Date/Time & # Meetings Annually	2021 Proposed Staff Representatives	2020 Council Representative	2021 Proposed Council Representatives	2021 Proposed Council Representatives Alternates
Art/ Beautification Advisory Board	2 nd Weds at 4:00 p.m. <i>(12 mtgs)</i>	Kristen Rasmussen	John Steckler	John Steckler	Vince Cavaleri
Park and Recreation Board	1 st Weds at 5:00 p.m. <i>(12 mtgs)</i>	Kristen Rasmussen	Vince Cavaleri	Vince Cavaleri	Stephanie Vignal
LEOFF 1 Board	<i>2nd Tuesday of March, July, and November at 4:30 p.m.</i>	Naomi Fay	Mike Todd Mark Bond	Mark Bond John Steckler	
Mill Creek Sub Area Study	<i>TBD</i>	Tom Rogers	Mike Todd Brian Holtzclaw Stephanie Vignal	Benjamin Briles Brian Holtzclaw Stephanie Vignal	
Planning Commission	<i>3rd Thursday of each month at 7p.m.</i>	Tom Rogers			
Design Review Board	<i>3rd Thursday of each month at 5:15 p.m.</i>	Sherrie Ringstad			
Civil Service Commission	2 nd Wednesday of each month at 3:00 p.m.	Chief Young			
Youth Advisory Board		Kristen Rasmussen			

Council Liaison - Appointments

Board/ Commission/ Committee	Meeting Date/Time & # Meetings Annually	2021 Proposed Staff Representatives	2020 Council Representative	2021 Proposed Council Representatives	2021 Proposed Council Representatives Alternates
Alliance for Housing Affordability (AHA)	Monthly; then Quarterly	Tom Rogers	Brian Holtzclaw	Stephanie Vignal	
WRIA 8 Forum	<i>2021: 1/5, 02/02,03/02,04/06, 05/04, 07/06, 08/03,09/07, 10/05,11/02,12/07 @ 10:00 am</i>	Mike Todd		John Steckler	
Snohomish County Tomorrow (SCT) Steering Committee	4 th Weds/6:00 p.m. <i>(12 mtgs)</i>	ICC – Mike Todd PAC – Tom Rogers	Brian Holtzclaw	Brian Holtzclaw	Stephanie Vignal
Joint Fire Board		Michael Ciaravino	Vince Cavaleri Mark Bond Pam Pruitt	Vince Cavaleri Mark Bond	
Snohomish Health Board <i>(1 rep for Bothell, Brier & Mill Creek, rotation by ILA)</i>	2 nd Tues/3:00-5:00 p.m. <i>(12 mtgs)</i>		City of Brier	City of Mill Creek	
Mill Creek Chamber of Commerce	3 rd Tues/12 noon <i>(12 mtgs)</i>	City Manager	Stephanie Vignal	City Council will rotate	

Board/ Commission/ Committee	Meeting Date/Time & # Meetings Annually	2021 Proposed Staff Representatives	2020 Council Representatives	2021 Proposed Council Representatives	2021 Proposed Council Representatives Alternates
Mayors Lunch Meetings	1 st Weds/12 noon (12 mtgs)		Pam Pruitt Brian Holtzclaw	Brian Holtzclaw	Stephanie Vignal
Snohomish County Cities (SCC)	Third Thursday, 5:30- 8:00 pm, every other Month		Mike Todd	Brian Holtzclaw	All councilmembers and senior staff are invited.
Snohomish County 911	3 rd Thurs/8:30 a.m. (12 mgs)	Chief Jeffrey Young	Pam Pruitt Vince Cavaleri Mark Bond	Vince Cavaleri Mark Bond	



Agenda Item # _____

Meeting Date: January 5, 2021

CITY COUNCIL AGENDA SUMMARY

City of Mill Creek, Washington

AGENDA ITEM: ADDENDUM NO. 1 TO ON CALL ENGINEERING SERVICES AGREEMENT 2020-1583 WITH GRAY AND OSBORNE

PROPOSED MOTION:

Adopt a resolution authorizing the City Manager to execute Addendum No. 1 to Professional Services Contract 2020-1583 for On-Call Engineering Services with Gray and Osborn to increase the maximum amount of the contract to not exceed \$150,000.00, and amend certain provisions relating to tracking amounts expended under the Agreement, and provisions relating to the issuance of task orders.

KEY FACTS AND INFORMATION SUMMARY:

Background:

- On July 28, 2020, an On-Call Engineering Services contract with Gray and Osborne was approved by Council in the amount of \$75,000. The contract was to provide additional contract management support and professional engineering services upon the departure of the Director of Public Works and Development Services. See attachment #1, Agenda Summary from the July 28, 2020, Council Meeting (*note that the agenda summary was erroneously dated July 28, 2019*), and attachment #2, Contract 2020-1583.
- Gray and Osborne was utilized via various task orders to first increase support for City staff during the Seattle Hill (SHR) Repaving project, then took on construction management duties for the Heron Park Upgrade, the 2020 Pavement Marking Program, and assumed full construction management of SHR repaving and subsequent change orders for ADA design issues as staff departed.
- Gray and Osborne was also called in to develop the Stormwater Management Plan, and to perform an outstanding Bridge Load analysis required by WSDOT for the 2019 35th Avenue Bridge Project.
- Those task orders, while not all completely exhausted, now total the contract limit of \$75,000 approved by Council. It is anticipated that up to an additional \$25,000 may be required to finish out the SHR Repaving project. It is further anticipated that Gray and Osborne will be needed for other On Call assignments throughout 2021, particularly until engineering staff is hired, and to help scope 2021 CIP projects. It is prudent to plan for up to \$50,000 for that work.

Proposal:

The existing Agreement (2020-1583) runs through December 31, 2021. Staff is requesting that the contract be amended to increase the maximum amount to \$150,000 (existing \$75,000, plus \$25,000 for SHR paving project completion, plus \$50,000 for upcoming

City Council Agenda Summary

Page 2

miscellaneous work). Additionally, the amendment will add a provision that Gray and Osborne will track and report total contract expenditures on each invoice and correct other nomenclature issues. An amendment encompassing those changes is attached (Attachment #3).

Summary of changes in the proposed Amendment:

- Change maximum contact amount from \$75,000 to \$150,000. Clarify that the amount is the total for the life of the contract, not per year.

“5.1 Consultant shall be paid on the basis of time actually expended and out-of-pocket expenses in accordance with the work hours and rate(s) specified in the Compensation Schedule, attached as **Exhibit C** and incorporated by this reference. The hourly rates may be adjusted not more than once per calendar year by a reasonable amount, but the increase must be approved in advance by the City and may not exceed five percent. The new rates shall be summarized in a revised **Exhibit C** that indicates the date at which the new rates go into effect. In no event shall total compensation paid to Consultant for the Work Orders issued ~~during any calendar year~~ under this Agreement exceed ~~Seventy-Five~~ **One-Hundred-Fifty-Thousand-Dollars and Zero-Cents** (\$150,000.00) without written authorization by the City.”

- Add provision for total contract spending to be included on every invoice

“5.2 Consultant shall invoice the City on a monthly basis for services rendered under this Agreement. Each invoice shall state the cumulative total charges billed under the Agreement. Upon acceptance by the City of the invoiced work, which acceptance shall not be unreasonably withheld, Consultant shall be compensated in accordance with the City’s usual procedures.”

- Correct references to “work orders” throughout to be “task orders” consistent with the processes and forms in place.

CITY MANAGER RECOMMENDATION:

Adopt a resolution authorizing the City Manager to execute Addendum No. 1 to Professional Services Contract 2020-1583 for On-Call Engineering Services with Gray and Osborn to increase the maximum amount of the contract to not exceed \$150,000.00, and amend certain provisions relating to tracking amounts expended under the Agreement, and provisions relating to the issuance of task orders.

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ATTACHMENTS:

- Attachment 1 – Agenda Summary from July 28, 2020 Council Meeting
- Attachment 2 – Contract 2020-1583, On-Call Engineering Services with Gray and Osborne
- Attachment 3 - Addendum No. 1 to Contract 2020-1583 for On-Call Engineering services with Gray and Osborne, including revised Exhibit B, Task Order Form
- Attachment 4 – Resolution adopting Amendment No. 1

Respectfully Submitted:



Michael Ciaravino
City Manager



Agenda Item # _____
Meeting Date: July 28, 2019

CITY COUNCIL AGENDA SUMMARY

City of Mill Creek, Washington

AGENDA ITEM: ON-CALL ENGINEERING SERVICES CONTRACT

PROPOSED MOTION:

Authorize the City Manager to execute a contract for professional services for on-call engineering services with Gray and Osborne, Inc. in an amount not to exceed \$75,000.00.

KEY FACTS AND INFORMATION SUMMARY:

In order to provide timely and efficient design and construction of City projects and complete private development review, City staff needs to be periodically augmented.

Gray and Osborne will provide the City with on-call engineering services as directed by the City Engineer. All major work items shall be done on a Work Order basis. Gray and Osborne shall submit a scope of work and cost estimate for each Work Order for approval by the City prior to beginning work.

The on-call engineering services may include, but is not limited to:

- Engineering review of work prepared by other consultants for capital projects
- Engineering review of private land development project submittals
- Construction administration and/or management support for capital projects
- Field inspection of development and/or capital project construction
- Traffic engineering
- Road design and transportation planning
- Pavement Management
- Drainage and stormwater /LID engineering
- Building facility equipment (HVAC, lighting, security systems, etc.)
- improvements
- Surveying work
- Environmental / SEPA / NEPA permitting and/or review
- Grant applications

CITY MANAGER RECOMMENDATION:

Authorize the City Manager to execute a contract for professional services for on-call engineering services with Gray and Osborne, Inc. in an amount not to exceed \$75,000.00.

ATTACHMENTS:

- Attachment A: Contract 2020-___ On-Call Consultant Services – Gray and Osborn, Inc.

Respectfully Submitted:

AGENDA ITEM #C.

Michael G. Ciaravino

Michael G. Ciaravino
City Manager

**CITY OF MILL CREEK
CONTRACT FOR ON-CALL CONSULTANT SERVICES
CONTRACT NUMBER 2020-XX 1583
ON-CALL ENGINEERING SERVICES**

1. Parties

1.1 THIS AGREEMENT entered into this 31 day of August, 2020, is between the City of Mill Creek, a Washington municipal corporation, with an address of 15728 Main Street, Mill Creek, Washington, 98012, ("City"), and Gray & Osborne, Inc, a Washington corporation, with an address of 1130 Rainier Avenue S., Suite 300, Seattle, Washington, 98144, ("Consultant").

2. Recitals

2.1 The City desires to contract with Consultant for the performance of certain engineering services on an on-call basis and Consultant is agreeable to performing such services for the City in accordance with the terms and conditions set forth below.

IN CONSIDERATION of the mutual benefits of such performance and in consideration of the terms and conditions specified below, the parties agree as follows:

3. Scope of Services

3.1 Consultant shall furnish labor, materials, and supplies necessary to perform the Scope of Services attached as **Exhibit A**, which is incorporated by this reference, on an on-call basis when ordered by the City as described in this Agreement. All services shall be conducted in a professional manner and to professional standards and shall meet the approval of the City Manager and/or City Council, as appropriate.

3.2 The City will order Consultant's services under this Agreement for each individual project by issuing an order for work ("Work Order") to the Consultant, in substantially the same form attached as Exhibit B. The Work Orders will supply the specific terms and conditions applicable to the individual projects, and, in combination with this Agreement, will comprise the entire agreement for each project.

3.3 The City shall review performance, reports or other submittals as identified in **Exhibit A** for each project, and may require such modifications as it deems appropriate to bring the services into compliance with this Agreement.

4. Term

4.1 The initial term of this Agreement shall run through December 31, 2021 unless earlier terminated as set forth below. This contract may be extended in accordance with the provisions of this agreement for up to two (2) additional one-year extensions.

4.2 Notwithstanding the anticipated duration of this Agreement, there is no guarantee that any amount of services will be assigned to Consultant except as stated in an executed Work Order.

5. Compensation

5.1 Consultant shall be paid on the basis of time actually expended and out-of-pocket expenses in accordance with the work hours and rate(s) specified in the Compensation Schedule, attached as **Exhibit C** and incorporated by this reference. The hourly rates may be adjusted not more than once per calendar year by a reasonable amount, but the increase must be approved in advance by the City and may not exceed five percent. The new rates shall be summarized in a revised **Exhibit C** that indicates the date at which the new rates go into effect. In no event shall total compensation paid to Consultant for the Work Orders issued during any calendar year under this Agreement exceed Seventy-Five-Thousand-Dollars and Zero-Cents (\$75,000.00) without written authorization by the City.

5.2 Consultant shall invoice the City on a monthly basis for services rendered under this Agreement. Upon acceptance by the City of the invoiced work, which acceptance shall not be unreasonably withheld, Consultant shall be compensated in accordance with the City's usual procedures.

6. Independent Contractor

6.1 Consultant is an independent contractor with respect to the services provided under this Agreement. Nothing in this Agreement shall create the relationship of employer and employee between the parties. Neither Consultant nor any employee of Consultant shall be entitled to any benefits accorded City employees by virtue of the services provided under this Agreement. The City shall not for any reason be responsible for withholding or otherwise deducting federal income tax or social security or contributing to the state industrial insurance program, or otherwise assuming the duties of an employer with respect to Consultant, or any employee of Consultant.

7. Ownership

7.1 All reports, plans, specifications, data, maps and documents produced by the Consultant to the City in the performance of this Agreement, whether in draft or final form and whether written, computer or other form, (collectively, "Work Product") shall be the property of the City, and the City shall be deemed the "author" of all Work Product and all

be the property of the City, and the City shall be deemed the "author" of all Work Product and all such Work Product will constitute "works made for hire" under applicable copyright law. To the extent that any such Work Product does not qualify as a work made for hire under applicable law, and to the extent that such materials include or constitute trade secret, copyrightable or other protectable intellectual property, Consultant hereby assigns all right, title and interest of Consultant in such materials (including all related intellectual property rights) to the City.

To the extent it is determined any records held by the Consultant relating to the Services are subject to the Washington Public Records Act (RCW 42.56). The Consultant shall promptly deliver such records to the City for purposed of responding to a public records request. The City will reimburse the consultant for the reasonable costs of responding to such public records requests. This section shall survive termination of this agreement.

8. Insurance

Consultant shall provide written verification of coverage as outlined below prior to commencing Services and shall be attached to this agreement as **Exhibit D**.

8.1 The Consultant shall procure and maintain for the duration of the Agreement, or in connection with the performance of the work hereunder by the Consultant, its agents, insurance against claims for injuries to persons or damage to property which may arise from representatives, or employees.

8.2 Consultant's maintenance of insurance as required by the agreement shall not be construed to limit the liability of the Consultant to the coverage provided by such insurance, or otherwise limit the City's recourse to any remedy available at law or in equity.

8.3 Minimum Scope of Insurance - Consultant shall obtain insurance of the types described below:

8.3.1 Automobile Liability insurance covering all owned non-owned, hired and leased vehicles. Coverage shall be written on Insurance Services Office (ISO) form CA 00 01 or a substitute form providing equivalent liability coverage. If necessary, the policy shall be endorsed to provide contractual liability coverage. The City shall be named as an insured under the Consultant's Automobile Liability insurance policy with respect to the work performed for the City.

8.3.2 Commercial General Liability insurance shall be written on ISO occurrence form CG 00 01 and shall cover liability arising from premises, operations, independent contractors and personal injury and advertising injury. The City shall be named as an insured under the Consultant's Commercial

General Liability insurance policy with respect to the work performed for the City.

8.3.3 Workers' Compensation coverage as required by the Industrial Insurance laws of the State of Washington.

8.3.4 Professional Liability insurance appropriate to the Consultant's profession.

8.4 Minimum Amounts of Insurance - Consultant shall maintain the following insurance limits:

8.4.1 Automobile Liability insurance with a minimum combined single limit for bodily injury and property damage of \$1,000,000 per accident.

8.4.2 Commercial General Liability insurance shall be written with limits no less than \$1,000,000 each occurrence, \$2,000,000 general aggregate.

8.4.3 Professional Liability insurance shall be written with limits no less than \$1,000,000 per claim and \$1,000,000 policy aggregate limit.

8.5 Other Insurance Provision - The Consultant's Automobile Liability and Commercial General Liability insurance policies are to contain, or be endorsed to contain that they shall be primary insurance as respect the City. Any Insurance, self-insurance, or insurance pool coverage maintained by the City shall be excess of the Contractor's insurance and shall not contribute with it.

8.6 Acceptability of Insurers - Insurance is to be placed with insurers with a current A.M. Best rating of not less than A:VII.

8.7 Verification of Coverage - Consultant shall furnish the City with original certificates and a copy of the amendatory endorsements, including but not necessarily limited to the additional insured endorsement, evidencing the insurance requirements of the Consultant before commencement of the work.

8.8 Notice of Cancellation - The Consultant shall provide the City with written notice of any policy cancellation, within two business days of their receipt of such notice.

8.9 Failure to Maintain Insurance - Failure on the part of the Consultant to maintain the insurance as required shall constitute a material breach of contract, upon which the City may, after giving five business days' notice to the Consultant to correct the breach, immediately terminate the contract or, at its discretion, procure or renew such insurance and pay any and all premiums in connection therewith, with any sums so expended to be repaid to the City on demand, or at the sole discretion of the City, offset against funds due the Consultant from the City.

9. Indemnification

9.1 Consultant shall defend, indemnify and hold the City, its officers, officials, employees and volunteers harmless from any and all claims, injuries, damages, losses or suits including attorney fees, arising out of or resulting from the negligent or wrongful acts, errors or omissions of the Consultant in performance of this Agreement, except for injuries and damages caused by the sole negligence of the City.

9.2 Should a court of competent jurisdiction determine that this Agreement is subject to RCW 4.24.115, then, in the event of liability for damages arising out of bodily injury to persons or damages to property caused by or resulting from the concurrent negligence of the Consultant and the City, its officers, officials, employees, and volunteers, the Consultant's liability, including the duty and cost to defend, hereunder shall be only to the extent of the Consultant's negligence. It is further specifically and expressly understood that the indemnification provided herein constitutes the Consultant's waiver of immunity under Industrial Insurance, Title 51 RCW, solely for the purposes of this indemnification. THIS WAIVER HAS BEEN MUTUALLY NEGOTIATED BY THE PARTIES. The provisions of this section shall survive the expiration or termination of this Agreement.

10. Termination

10.1 The City may terminate this Agreement, with or without cause, upon five (5) days written notice to the Consultant at the address given above. The City shall pay Consultant only for the work completed by Consultant and accepted by the City in accordance with this Agreement.

11. General Provisions

11.1 Integrated Agreement. This negotiated Agreement and its exhibits are an integrated agreement and represent the entire agreement between the parties. This Agreement supersedes all prior negotiations, representations, and agreements whether written or oral, and may be amended only by written agreement of the parties.

11.2 Assignment. Consultant shall not assign all or any portion of its duties or obligations under this Agreement without the City's prior written consent.

11.3 Waiver. A waiver of any breach by either party shall not constitute a waiver of any subsequent breach.

11.4 Choice of Law. All questions concerning the validity, interpretation, performance and enforcement of this Agreement shall be governed by the laws of the state of Washington, and venue shall lie in Snohomish County, Washington.

11.5 Compliance with Laws. Consultant shall comply with all applicable federal, state, and local laws and regulations, and City ordinance in performing this Agreement.

11.6 Attorney's Fees. In any action arising out of or relating to this Agreement, the prevailing party shall be awarded its reasonable costs, including attorney fees.

11.7 Authorized Signatures. By their signatures below, each party represents that they are fully authorized to sign for and on behalf of the named principal above.

11.8 Survival. Sections 3, 5, 7, 9, and 11 shall survive termination of this Agreement.

WHEREFORE, the parties agree to be bound by the terms and conditions set forth above.

DATED this 31 day of August, 2020.

CITY OF MILL CREEK

CONSULTANT

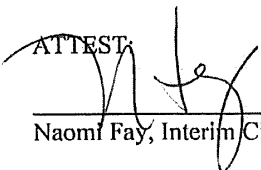


Michael Ciaravino, City Manager

Michael B. Johnson

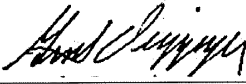
President

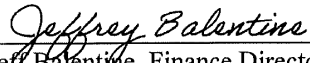
ATTEST:




Naomi Fay, Interim City Clerk

APPROVED AS TO FORM:

BY: 
Grant Degginger, Interim City Attorney


Jeff Balentine, Finance Director

APPROVED AS TO SUBSTANCE:

BY: 
Matthew Feeley,
Interim Public Works and Development Services Director

ATTACHMENTS:

- EXHIBIT A: Scope of Services
- EXHIBIT B: Task Order Form
- EXHIBIT C: Compensation Schedule
- EXHIBIT D: Insurance Verification

EXHIBIT A

SCOPE OF SERVICES

The Consultant shall provide the City with on-call engineering services as directed by the City Engineer. All major work items shall be done on a Work Order basis. The Consultant shall submit a scope of work and cost estimate for each Work Order for approval by the City prior to beginning work.

The on-call engineering services may include, but is not limited to:


- Engineering review of work prepared by other consultants for capital projects
- Engineering review of private land development project submittals
- Construction administration and/or management support for capital projects
- Field inspection of development and/or capital project construction
- Traffic engineering
- Road design and transportation planning
- Pavement Management
- Drainage and stormwater /LID engineering
- Building facility equipment (HVAC, lighting, security systems, etc.) improvements
- Surveying work
- Environmental / SEPA / NEPA permitting and/or review
- Grant applications

The generation of any electronic AutoCAD files shall be to current APWA Standards.

EXHIBIT B
TASK ORDER FORM

(SEE ATTACHED)

761225.2/014455.00065

TASK ORDER No. 1	City of Mill Creek 15728 Main Street Mill Creek, WA 98012 Ph. 425-745-1891	 Mill Creek WASHINGTON
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Task Order Title:

Project Location:

Description of Services:

Task Order Start Date		Task Order End Date	
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Task Order No. #1 Amount (not to exceed): \$

Current Contract Budget Total Amount (to date): \$

City of Mill Creek Professional Engineering Services Contract Budget:	\$75,000.00
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By signing below, the City of Mill Creek and the Consultant acknowledge that this Task Order is issued under the provisions of the Contract established in response to the request for **Contract Number 2020-____, 2020 Mill Creek On-Call Engineering Services** with the City of Mill Creek. The services authorized are within the scope of services set forth in the *Purpose* of this contract. All rights and obligations of the parties shall be subject to and governed by the terms and conditions, amendment(s) (if applicable), and the signed contract, including any subsequent modifications, are hereby incorporated by reference as if fully set forth herein.

\\mnc.net\user\$\RedirectedFolders\matthewf\Desktop\G&O On Call Contract\Exhibit B Task Order form.docx

Company: Gray & Osborne, Inc. Address: 1130 Rainer Avenue S., Suite 300 City, State: Seattle, WA 98109		City of Mill Creek 15728 Main Street Mill Creek, WA 98012	
Signature:		Signature:	
Print Name:	<i>Michael Johnson, PE</i>	Print Name:	<i>Matthew Feeley, PE</i>
Title:	<i>President</i>	Title:	<i>Interim Director of Public Works & Planning Services</i>
Date:		Date:	

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EXHIBIT C
COMPENSATION SCHEDULE

(SEE ATTACHED)

761225.2/014455.00065

EXHIBIT “C”

GRAY & OSBORNE, INC.

**PROFESSIONAL ENGINEERING SERVICES CONTRACT
FULLY BURDENED BILLING RATES*
THROUGH JUNE 15, 2021****

<u>Employee Classification</u>	<u>Fully Burdened Billing Rates</u>		
AutoCAD/GIS Technician/Engineering Intern	\$ 50.00	to	\$134.00
Electrical Engineer	\$120.00	to	\$190.00
Structural Engineer	\$110.00	to	\$167.00
Environmental Technician/Specialist	\$ 83.00	to	\$138.00
Engineer-In-Training	\$ 85.00	to	\$135.00
Civil Engineer	\$ 93.00	to	\$135.00
Project Engineer	\$119.00	to	\$148.00
Project Manager	\$125.00	to	\$205.00
Principal-in-Charge	\$138.00	to	\$205.00
Resident Engineer	\$122.00	to	\$167.00
Field Inspector	\$ 92.00	to	\$145.00
Field Survey (2 Person)***	\$171.00	to	\$230.00
Field Survey (3 Person)***	\$270.00	to	\$320.00
Professional Land Surveyor	\$118.00	to	\$155.00
Secretary/Word Processor***	N/A		

* Fully Burdened Billing Rates include overhead and profit.

** Updated annually, together with the overhead.

All actual out-of-pocket expenses incurred directly on the project are added to the billing. The billing is based on direct out-of-pocket expenses; meals, lodging, laboratory testing and transportation. The transportation rate is \$0.57 per mile or the current maximum IRS rate without receipt IRS Section 162(a).

*** Administration expenses include secretarial and clerical work; GIS, CADD, and computer equipment; owned survey equipment and tools (stakes, hubs, lath, etc. – Note: mileage billed separately at rate noted); miscellaneous administration tasks; facsimiles; telephone; postage; and printing costs, which are less than \$150.

EXHIBIT D
INSURANCE VERIFICATION
(SEE ATTACHED)

761225.2/014455.00065

Policy # 6808N74449A

COMMERCIAL GENERAL LIABILITY

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

**BLANKET ADDITIONAL INSURED
(ARCHITECTS, ENGINEERS AND SURVEYORS)**

This endorsement modifies insurance provided under the following:
COMMERCIAL GENERAL LIABILITY COVERAGE PART

1. The following is added to **SECTION II – WHO IS AN INSURED:**

Any person or organization that you agree in a "written contract requiring insurance" to include as an additional insured on this Coverage Part, but:

- a. Only with respect to liability for "bodily injury", "property damage" or "personal injury"; and
- b. If, and only to the extent that, the injury or damage is caused by acts or omissions of you or your subcontractor in the performance of "your work" to which the "written contract requiring insurance" applies, or in connection with premises owned by or rented to you.

The person or organization does not qualify as an additional insured:

- c. With respect to the independent acts or omissions of such person or organization; or
- d. For "bodily injury", "property damage" or "personal injury" for which such person or organization has assumed liability in a contract or agreement.

The insurance provided to such additional insured is limited as follows:

- e. This insurance does not apply on any basis to any person or organization for which coverage as an additional insured specifically is added by another endorsement to this Coverage Part.
- f. This insurance does not apply to the rendering of or failure to render any "professional services".
- g. In the event that the Limits of Insurance of the Coverage Part shown in the Declarations exceed the limits of liability required by the "written contract requiring insurance", the insurance provided to the additional insured shall be limited to the limits of liability required by that "written contract requiring insurance". This endorsement does not increase the limits of insurance described in Section III – Limits Of Insurance.

h. This insurance does not apply to "bodily injury" or "property damage" caused by "your work" and included in the "products-completed operations hazard" unless the "written contract requiring insurance" specifically requires you to provide such coverage for that additional insured, and then the insurance provided to the additional insured applies only to such "bodily injury" or "property damage" that occurs before the end of the period of time for which the "written contract requiring insurance" requires you to provide such coverage or the end of the policy period, whichever is earlier.

2. The following is added to Paragraph 4.a. of **SECTION IV – COMMERCIAL GENERAL LIABILITY CONDITIONS:**

The insurance provided to the additional insured is excess over any valid and collectible other insurance, whether primary, excess, contingent or on any other basis, that is available to the additional insured for a loss we cover. However, if you specifically agree in the "written contract requiring insurance" that this insurance provided to the additional insured under this Coverage Part must apply on a primary basis or a primary and non-contributory basis, this insurance is primary to other insurance available to the additional insured which covers that person or organizations as a named insured for such loss, and we will not share with the other insurance, provided that:

- (1) The "bodily injury" or "property damage" for which coverage is sought occurs; and
- (2) The "personal injury" for which coverage is sought arises out of an offense committed;

after you have signed that "written contract requiring insurance". But this insurance provided to the additional insured still is excess over valid and collectible other insurance, whether primary, excess, contingent or on any other basis, that is available to the additional insured when that person or organization is an additional insured under any other insurance.

COMMERCIAL GENERAL LIABILITY

3. The following is added to Paragraph 8., **Transfer Of Rights Of Recovery Against Others To Us**, of **SECTION IV – COMMERCIAL GENERAL LIABILITY CONDITIONS**:

We waive any right of recovery we may have against any person or organization because of payments we make for "bodily injury", "property damage" or "personal injury" arising out of "your work" performed by you, or on your behalf, done under a "written contract requiring insurance" with that person or organization. We waive this right only where you have agreed to do so as part of the "written contract requiring insurance" with such person or organization signed by you before, and in effect when, the "bodily injury" or "property damage" occurs, or the "personal injury" offense is committed.

4. The following definition is added to the **DEFINITIONS** Section:

"Written contract requiring insurance" means that part of any written contract under which you are required to include a person or organization as an additional insured on this Coverage Part, provided that the "bodily injury" and "property damage" occurs and the "personal injury" is caused by an offense committed:

- a. After you have signed that written contract;
- b. While that part of the written contract is in effect; and
- c. Before the end of the policy period.

CITY OF MILL CREEK
AMENDMENT NO. 1 TO CONTRACT 2020-1583
FOR ON-CALL ENGINEERING SERVICES

I. Parties

1.1 This Amendment No. 1 (hereinafter “Amendment”) to Contract No. 2020-1583 the “Agreement”) between the City of Mill Creek, a Washington municipal corporation, (hereinafter the “City”), and Gray & Osborne, Inc., a Washington corporation, (hereinafter “Consultant”) is entered into this ___ day of January 2021.

II. Recitals

2.1 On August 31, 2020, the Parties entered into the Agreement for on-call engineering services.

2.2 Section 5.1 of the Agreement limits the total compensation paid to Consultant to a maximum of \$75,000.

2.3 The City anticipates that its need for Consultant’s on-call services in 2021 will exceed the maximum amount currently authorized.

2.4 The Parties also wish to amend certain provisions relating to tracking amounts expended under the Agreement, and provisions relating to the issuance of task orders.

IN CONSIDERATION of the mutual benefits conferred by the Amendment, the Parties agree to the following modifications to the Agreement.

III. CONTRACT AMENDMENTS

3.1 Section 3.2 of the Agreement is amended to read as follows:

The City will order Consultant's services under this Agreement for each individual project by issuing a Task Order to the consultant in substantially the same form attached as Exhibit B. The Task Order will supply the specific terms and conditions applicable to the individual project, and, in combination with the Agreement will comprise the entire Agreement for each project.

3.2 The term "Work Order" in Section 4.2 is replaced by the term "Task Order".

3.3 Section 5.2 is amended to read as follows:

Consultant shall be paid on the basis of time actually expended and out-of-pocket expenses in accordance with the work hours and rate(s) specified in the Compensation Schedule, attached as **Exhibit C** and incorporated herein by this reference. The hourly rates may be adjusted not more than once per calendar year by a reasonable amount, but the increases must be approved in advance with the City and may not exceed five percent. The new rates shall be summarized in a revised **Exhibit C** that indicates the date at which the new rates go into effect. In no event shall total compensation paid to Consultant for the Task Orders exceed **One Hundred Fifty Thousand Dollars (\$150,000)**. Consultant shall be responsible for monitoring its billings and for advising the City if it anticipates that any authorized work is likely to exceed the maximum authorized contract sum.

3.4 Section 5.2 is amended to read as follows:

Consultant shall invoice the City on a monthly basis for services rendered under this Agreement. Each invoice shall state the cumulative total charges billed under the Agreement. Upon acceptance by the City of the invoiced work, which acceptance shall not be unreasonably withheld, Consultant shall be compensated in accordance with the City's usual practices.

3.5 The first Paragraph of Exhibit A is amended to read as follows:

The Consultant shall provide the City with on-call engineering services as directed by the City Director of Public Works and Development Services or Designee. All major work items shall be done on a Task Order basis. The Consultant shall submit a scope of work and cost estimate for each Task Order for approval by the City prior to beginning work.

3.6 Exhibit B, the Task Order Form is revised and the new form is attached hereto.

WHEREFORE, the Parties have agreed to and have executed this Amendment to the Contract as of the date first written above.

CITY OF MILL CREEK

GRAY& OSBORNE

Michael Ciaravino, City Manager

Title

ATTEST:


Naomi Fay, City Clerk

Mike Todd, Director of Public Works & Development Services

APPROVED AS TO FORM:

BY _____
Grant Degginger, City Attorney

EXHIBIT B (attached)

TASK ORDER No. ____	City of Mill Creek 15728 Main Street Mill Creek, WA 98012 Ph. 425-745-1891	
Task Order Title:		
Project Location:		
Description of Services:		
Task Order Start Date		Task Order End Date
Task Order No. ____ Amount (not to exceed): \$		
Current Contract Budget Total Amount (to date): \$		
City of Mill Creek Professional Engineering Services Contract Budget:		\$150,000.00
By signing below, the City of Mill Creek and the Consultant acknowledge that this Task Order is issued under the provisions of the Contract Number 2020-1583, On-Call Engineering Services with the City of Mill Creek. The services authorized are within the scope of services set forth in Section 3 of this contract. All rights and obligations of the parties shall be subject to and governed by the terms and conditions, amendment(s) (if applicable), and the signed contract, including any subsequent modifications, are hereby incorporated by reference as if fully set forth herein.		

Company: Gray & Osborne, Inc. Address: 1130 Rainer Avenue S., Suite 300 City, State: Seattle, WA 98109		City of Mill Creek 15728 Main Street Mill Creek, WA 98012	
Signature:		Signature:	
Print Name:	<i>Michael Johnson, PE</i>	Print Name:	<i>Mike Todd</i>
Title:	<i>President</i>	Title:	<i>Director of Public Works & Planning Services</i>
Date:		Date:	

RESOLUTION NO. 2021- 599

**A RESOLUTION AUTHORIZING AN AMENDMENT TO CONTRACT
NO. 2020-1583**

WHEREAS, on July 28, 2020, the Mill Creek City Council approved Contract No. 2020-1583, for on-call engineering services with Gray & Osborne, Inc.; and

WHEREAS, the City believes that it will need additional on-call engineering services requiring revision to the maximum contract sum as well as additional provisions for monitoring contract expenditures.

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

Section 1. The City Council authorizes the City Manager to execute Amendment No. 1 to Contract No. 2020-1583, a copy of which is attached.

Adopted this 5th day of January 2021, by a vote of ___ for, ___ against and ___ abstaining.

APPROVED:

BRIAN HOLTZCLAW, MAYOR

ATTEST/AUTHENTICATED:

NAOMI FAY, CITY CLERK

APPROVED AS TO FORM:

GRANT DEGGINGER, CITY ATTORNEY

132583.0004/8304107.1

FILED WITH THE CITY CLERK: _____

PASSED BY THE CITY COUNCIL: _____

RESOLUTION NO.: 2021-599 _____



Agenda Item # _____

Meeting Date: January 5, 2021

CITY COUNCIL AGENDA SUMMARY

City of Mill Creek, Washington

AGENDA ITEM: Adoption of the work plan for updating the City Governance Manual

PROPOSED MOTION:

Move to adopt the work plan for updating the City Governance Manual as proposed by staff.

KEY FACTS AND INFORMATION SUMMARY:

Council has given direction to update the City's Governance Manual. The current Governance Manual was adopted in 2011 pursuant to Resolution 2011-473.

At the December 8, 2020 meeting, Council directed staff to return with a proposed work plan for updating the Governance Manual. The current manual contains nine articles, each of which address multiple topics, as well as other resource material. Some of the topics overlap making it possible that the updated manual could consolidate topics and organize them differently.

In order to maximize Council participation in discussing the topics covered in the manual and thoughtfully addressing the numerous policy choices presented, staff proposes that work be presented in a series of four study sessions. Topics to be covered in each session are listed below:

Session 1—Council Values, Organization and Operations

This session will include a review of the material in Articles 1, 2, 4 and 5. Many of the principles listed in Article 1 are implemented in other Articles. This session will provide an opportunity to reaffirm or modify the principles and integrate them into the document. Other major topics to be reviewed include:

- The process for election of the mayor and mayor pro tem.
- Duties of the mayor and mayor pro tem.
- Filling council vacancies.
- The number of regular and special sessions each month.
- Attendance rules.
- Rules governing in-person, video, or telephonic attendance
- The current boards, commissions and citizen committees including the appointment and removal of members.

Session 2—Standards of Conduct and City Administration

City Council Agenda Summary
Page 2

This session will include a review of material in Articles 3 and 6. Major topics will include:

- The Public Records Act.
- The Open Public Meetings Act.
- Fiduciary Standards.
- Ethics.
- Rules governing Quasi-Judicial hearings including the Appearance of Fairness Doctrine and avoiding ex parte communications.
- The relationship between Council, the City Manager, staff, and the Public.
- Duties of the City Manager.
- Duties of the City Clerk.
- Duties of the City Attorney.
- Duties of other City Department head
- Standards for briefings and presentations for Council meetings.

Session 3—Rules Governing the Conduct of Council Meetings

This session will focus on materials in Article 8. Major topics will include:

- The role of mayor as chair.
- Parliamentary Procedure.
- Motions.
- Amendments.
- Recesses.
- Adjournment
- Reconsideration
- Rules for taking testimony at public hearings.
- Rules for taking public comment and council meetings.

Session 4—Review of draft Revision to the Manual based upon input received from Council.

Council has discussed selecting several members to work with staff in formulating options for revisions to current rules and procedures in advance of each study session. Staff welcomes the opportunity to work with Council on updating the Governance Manual.

City Council Agenda Summary
Page 2

ATTACHMENTS:

None

Respectfully Submitted:



Michael G. Ciaravino
City Manager



MINUTES
City Council Regular Meeting

6:00 PM - Tuesday, November 24, 2020
Virtual and Audio Meeting Format during COVID-19 Pandemic

Minutes are the official record of Mill Creek City Council meetings. Minutes summarize the council meeting and documents any actions taken by City Council.

A recording of this City Council meeting can be found [here](#):
The agenda packet for this City Council meeting can be found [here](#).

VIRTUAL MEETING INFO

- A.** Topic: City Council Regular Meeting
Time: Nov 24, 2020 06:00 PM Pacific Time (US and Canada)

Join Zoom Meeting
<https://zoom.us/j/99249782568>

Meeting ID: 992 4978 2568
One tap mobile
[+12532158782](tel:+12532158782).,99249782568# US (Tacoma)
[+13462487799](tel:+13462487799).,99249782568# US (Houston)

CALL TO ORDER

Mayor Holtzclaw called the meeting of the Mill Creek City Council to order at 6:00 p.m.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Councilmember Cavaleri.

ROLL CALL

Councilmembers Present:
Brian Holtzclaw, Mayor
Stephanie Vignal, Mayor Pro Tem
Vince Cavaleri, Councilmember
Mark Bond, Councilmember
John Steckler, Councilmember
Benjamin Briles, Councilmember
Adam Morgan, Councilmember

Councilmembers Absent:

AUDIENCE COMMUNICATION

- B.** There were no public comments on items on or not on the agenda from the public.

November 24, 2020 REGULAR COUNCIL MEETING MINUTES

PUBLIC HEARING

- C. Public Comments/Hearing on Proposed 2021 Property and EMS Tax Levies
(*Jeff Balentine, Finance Director*)

At approximately 6:03 Mayor Pro Tem Vignal made a motion to open the public hearing on the proposed 2021 Property Tax and EMS Levies. Councilmember Morgan seconded the motion. The motion passed unanimously.

Mayor Holtzclaw opened the public hearing. City Manager Michael Ciaravino made opening remarks and introduced Finance Director Jeff Balentine to present information on the 2021 property tax and EMS levies.

[Click here](#) for items discussed.

Council engaged in discussion and Q&A. Mayor Holtzclaw opened the public hearing for public comment.

There were no comments from the public.

Councilmember Steckler motioned to close the Public Hearing. Councilmember Morgan seconded the motion. The motion passed unanimously.

[11-24-20 Finance Agenda Summary](#)

[R1 Ordinance 2020 - 865 - Regular Property Tax Revenue Banked Levy for 2021](#)

[Resolution 2020 - 593 - Regular Property Tax Revenue Increase for 2021 JB](#)

[R1 Ordinance 2020-866- EMS Property Tax Revenue Banked Levy for 2021](#)

[Resolution 2020-594- EMS Property Tax Revenue Increase for 2021](#)

- D. Public Comments/Hearing on 2021 - 2026 Capital Improvement Plan (CIP)
(*Mike Todd, Public Works & Development Services Director & Jeff Balentine, Finance Director*)

Mayor Pro Tem Vignal motioned to open the Public Hearing on the 2021-2026 Capital Improvement Plan. Councilmember Cavaleri seconded the motion. The motion passed unanimously.

Mike Todd, Director of Public Works and Development Services presented information regarding the 2021- 2026 Capital Improvement Plan. [Click here](#) to view the presentation.

Council engaged in discussion and Q&A.

Mayor Holtzclaw opened the floor for public comment at 7:08 PM. There were no comments from the public.

Council continued discussion.

[Agenda Summary CIP Study Session Public Hearing 11.24.2020](#)

[Agenda Summary CIP Study Session 11.10.2020 version 2](#)

[Nov 24 2020 CIP PPT](#)

November 24, 2020 CITY COUNCIL REGULAR MEETING MINUTES

Councilmember Cavaleri motioned to close the Public Hearing on the 2021-2026 Capital Improvement Plan. Councilmember Briles seconded the motion. The motion passed unanimously. The Public Hearing was concluded at approximately 7:36 p.m.

Councilmember Cavaleri made a motion to adopt Ordinance No 2020- 865, AN ORDINANCE FIXING THE AMOUNT OF REGULAR PROPERTY TAXES TO BE LEVIED IN THE SUM OF \$6,533,567.04 AND LEVYING THE SAME UPON ALL TAXABLE PROPERTY, BOTH REAL AND PERSONAL, AND UTILITY SUBJECT TO TAXATION WITHIN THE CORPORATE LIMITS OF THE CITY OF MILL CREEK, WASHINGTON, FOR COLLECTION COMMENCING JANUARY 1, 2021. Councilmember Bond seconded the motion. The motion passed unanimously.

Councilmember Cavaleri made a motion to approve Resolution No. 2020-593, A RESOLUTION OF INTENT NOT TO AUTHORIZE AN INCREASE IN REGULAR PROPERTY TAX REVENUE FOR COLLECTION IN 2021 IN TERMS OF BOTH DOLLARS AND PERCENTAGE FOR THE GENERAL OPERATING LEVY IN 2021. Councilmember Briles seconded the motion. The motion passed unanimously.

Councilmember Cavaleri made a motion to adopt Ordinance No. 2020- 866. AN ORDINANCE FIXING THE AMOUNT OF EMS PROPERTY TAXES TO BE LEVIED IN THE SUM OF \$6,533,567.04 AND LEVYING THE SAME UPON ALL TAXABLE PROPERTY, BOTH REAL AND PERSONAL, AND UTILITY SUBJECT TO TAXATION WITHIN THE CORPORATE LIMITS OF THE CITY OF MILL CREEK, WASHINGTON, FOR COLLECTION COMMENCING ON JANUARY 1, 2021.

Without objection, the motion was corrected and due to typo and announced to be: AN ORDINANCE FIXING THE AMOUNT OF EMS PROPERTY TAXES TO BE LEVIED IN THE SUM OF \$1,742,992.84 AND LEVYING THE SAME UPON ALL TAXABLE PROPERTY, BOTH REAL AND PERSONAL, AND UTILITY SUBJECT TO TAXATION WITHIN THE CORPORATE LIMITS OF THE CITY OF MILL CREEK, WASHINGTON, FOR COLLECTION COMMENCING ON JANUARY 1, 2021. Councilmember Morgan seconded the motion. The motion passed unanimously.

Councilmember Cavaleri made a motion to approve Resolution No. 2020-594. A RESOLUTION OF INTENT AUTHORIZING AN INCREASE IN EMS PROPERTY TAX REVENUE FOR COLLECTION IN 2021 IN TERMS OF BOTH DOLLARS AND PERCENTAGE FOR THE GENERAL OPERATING LEVY IN 2021. Mayor Pro Tem Vignal seconded the motion. The motion passed unanimously.

NEW BUSINESS

- E. Appointments to the Arts & Beautification Board
(*Councilmember Steckler and Councilmember Briles*)

Councilmember Steckler advised that the Arts and Beautification Board had four vacancies. He, Councilmember Briles and a member of the Arts and Beautification Committee hosted interviews for the positions earlier in the day. The proposed nominees were:

Jeanne Smart
Shoshauna Mohlman
Jamie Barrett
Ravi Urbrini

Councilmember Briles concurred with the proposed appointments to the Arts and Beautification Board.

Councilmember Steckler made a motion to appoint the four proposed applicants to the Arts and Beautification Board. Councilmember Cavaleri seconded the motion. The motion passed unanimously.

[2020 Agenda Summary-Final](#)
[A&B BoardApplications Redacted](#)

CONSENT AGENDA

- F. Approval of Checks #62657 through #62726 and ACH Wire Transfers in the Amount of \$569,242.80
(*Audit Committee: Mayor Pro Tem Vignal and Councilmember Briles*)
[Check Vouchers 62657 thru 62726](#)
- G. Payroll and Benefit ACH Payments in the Amount of \$242,779.51
(*Audit Committee: Mayor Pro Tem Vignal and Councilmember Briles*)
[ACH Wire Transfers 11.24.20](#)

Mayor Pro Tem Vignal made a motion to approve the consent agenda. Councilmember Briles seconded the motion. The motion passed unanimously.

REPORTS

- H. Mayor/Council
Mayor Holtzclaw reported that the November Snohomish County Tomorrow (SCT) meeting was cancelled and that he was happy to receive thank you notes from the Webelos Den from Pack 11.

Mayor Pro Tem Vignal thanked the volunteers, Barb Heidel for the display board, and staff for their hard work on the Veterans Day event and reported on her participation of a Q&A with a local Girl Scout troop to discuss aspects of local government. The event enabled middle school Girl Scouts to earn a government badge.

Councilmember Bond thanked staff for their hard work on the budget.

Councilmember Steckler also thanked staff on their efforts to put together the budget and thanked Finance Director Jeff Balentine for responding to his questions.

Councilmember Cavaleri reported that he appreciates staffs' work, availability, and responsiveness during the budget process and that he likes the CIP new phase process regarding City projects.

November 24, 2020 CITY COUNCIL REGULAR MEETING MINUTES

Councilmember Briles thanked staff for a clear and concise budget process and thanked all the volunteers on who participate on the City's boards, commissions, and community groups.

At 8:07 Councilmember Steckler moved to extend the meeting until 9:30 PM. Councilmember Morgan seconded the motion. The motion 6-0 with Mayor Pro Tem Vignal absent due to internet failure.

I. City Manager reported on the following:

- Introduction of New Police Chief
- Best practices regarding meeting minutes and referred to articles from MRSC "[Less is More: Action Minutes Serve the City Best](#)" by Ann G. Macfarlane and from Jurassic Parliament "[Minutes Record what is DONE, not what is SAID](#)".
- [Planning Schedule](#)

City Manager Michael Ciaravino introduced Jeffrey Young as the new Mill Creek Police Chief. City Manager Ciaravino gave a brief overview of the hiring process and the extensive background of incoming Chief Young. He announced that a press release would be forthcoming.

Incoming **Police Chief Young** expressed his honor and excitement about becoming Mill Creek's next police chief.

City Manager Ciaravino gave an overview of the protests held at the Central Market led by the 'Free Breathers' as an anti-mask and first amendment rights demonstration. Counter protesters also showed up and Manager Ciaravino gave credit to the Mill Creek Police Department for keeping things calm and deescalating the situation. The City Manager expressed his gratitude to Acting Police Chief Robert Phillips and his staff for their proactive community policing.

Acting Chief Phillips thanked the City Manager for his support and shared his gratitude for the excellent work by the Mill Creek Police Department.

Mayor Holtzclaw provided context around the protest activity and the actions that were taken to mitigate and deescalate the situation. He thanked the Mill Creek Police Department and City staff who were involved.

Mayor Pro Tem Vignal also thanked the Mill Creek Police Department in handling a tense situation with the potential to escalate while protecting first amendment rights.

City Manager Ciaravino referred to articles from MRSC for best practices regarding meeting minutes in response to Councilmember Steckler's request to table minutes at a prior council meeting regarding the degree of detail to be included. Manager Ciaravino encouraged Councilmembers to read the provided articles.

Mayor Holtzclaw suggested that Councilmembers look over materials again before making decision on approving minutes.

November 24, 2020 CITY COUNCIL REGULAR MEETING MINUTES

City Manager Michael Ciaravino briefed Members of Council on the upcoming items the Planning Schedule.

J. Staff

- [Finance Report](#), Jeff Balentine, Finance Director
- Snohomish County Committee for Improved Transportation (SCCIT) Update, Mike Todd, Public Works and Development Services Director

Public Works and Development Services Director Mike Todd reported on the Snohomish County Committee for Improved Transportation (SCCIT) meeting and said that items discussed included the 2021 regional priority projects and the upcoming legislative session.

AUDIENCE COMMUNICATION

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

Barb Heidel, a Mill Creek Resident, stated that she is looking forward to meeting the new Police Chief. Ms. Heidel also thanked staff and Jeff Balentine for their work on the 2021-2022 budget and wished everyone a Happy Thanksgiving.

RECESS TO EXECUTIVE SESSION

- L. Discussion of ongoing negotiation of collective bargaining agreement pursuant to RCW 42.30.140(4)**

Council recessed into executive session at 8:40 PM indicating that no action would be taken following the executive session.

At 8:50 PM the executive session was extended 5 minutes to 8:55 PM.

At 8:54 PM executive session was adjourned, and Council returned to the regular session.

ADJOURNMENT

With no objection, Mayor Holtzclaw adjourned the meeting at 8:55 PM.

Brian Holtzclaw, Mayor

Naomi Fay, City Clerk

November 24, 2020 CITY COUNCIL REGULAR MEETING MINUTES



MINUTES
City Council Regular Meeting

6:00 PM - Tuesday, December 1, 2020
Virtual and Audio Meeting Format during COVID-19 Pandemic

Minutes are the official record of Mill Creek City Council meetings. Minutes summarize the council meeting and documents any actions taken by City Council.

A recording of this City Council meeting can be found [here](#):
The agenda packet for this City Council meeting can be found [here](#).

VIRTUAL MEETING INFORMATION

- A.** Topic: City Council Regular Meeting
Time: Dec 1, 2020 06:00 PM Pacific Time (US and Canada)

Join Zoom Meeting
<https://zoom.us/j/94439708004>

Meeting ID: 944 3970 8004
One tap mobile
[+12532158782,,94439708004#](tel:+12532158782,,94439708004#) US (Tacoma)
[+13462487799,,94439708004#](tel:+13462487799,,94439708004#) US (Houston)

CALL TO ORDER

Mayor Holtzclaw called the meeting of the Mill Creek City Council to order at 6:00 p.m.

PLEDGE OF ALLEGIANCE

Mayor Pro Tem Vignal led the Pledge of Allegiance

ROLL CALL

Councilmembers Present:
Brian Holtzclaw, Mayor
Stephanie Vignal, Mayor Pro Tem
Vince Cavaleri, Councilmember
Mark Bond, Councilmember
John Steckler, Councilmember
Benjamin Briles, Councilmember
Adam Morgan, Councilmember

Councilmembers Absent:

December 1, 2020 REGULAR COUNCIL MEETING MINUTES

AUDIENCE COMMUNICATION

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

Will Nelson, a Mill Creek resident, spoke about the City of Mill Creek's spending authority.

PUBLIC HEARING

C. Public Hearing 2021 - 2026 Capital Improvement Plan
(Mike Todd, Public Works & Development Services Director and Michael Ciaravino, City Manager)

At 6:10 PM Councilmember Cavaleri made a motion to open the public hearing. Mayor Pro Tem Vignal seconded the motion. The motion passed unanimously.

Director of Public Works and Development Services Mike Todd briefed Council on the 6-year capital improvement plan (CIP) for the years 2021-2026 in accordance with the city's biennial budget process, comprehensive plan, and growth management act.

At 6:13 PM Mayor Holtzclaw opened the hearing for public comment. There were no comments from the audience.

At approximately 6:14 PM Councilmember Cavaleri made a motion to close the public hearing. Councilmember Briles seconded the motion. The motion passed unanimously.

Councilmember Cavaleri made a motion to adopt Ordinance No. 2020-867, an Ordinance of the City of Mill Creek, Washington, adopting a revised and updated 6-year capital improvement plan for years 2021-2026 in accordance with the City's biennial budget process, comprehensive plan, and growth management act. Mayor Pro Tem Vignal seconded the motion. The motion passed unanimously.

[Agenda Summary CIP Approval 12.1.2020](#)

[Ordinance for CIP 2021-2026](#)

[Exhibit A - CIP master list - funded 11.30.2020](#)

[Exhibit B CIP project sheets - funded 11.24.2020](#)

D. Public Hearing 2021-2022 Biennial Budget
(Jeff Balentine, Finance Director and Michael Ciaravino, City Manager)

At 6:17 PM Councilmember Cavaleri made a motion to open the public hearing on the proposed 2021-2022 biennial budget. Mayor Pro Tem Vignal seconded the motion. The motion passed unanimously.

City Manager Michael Ciaravino introduced Finance Director Jeff Balentine who gave a brief presentation recounting the budget process for the 2021-2022 biennial budget.

At 6:23 PM the floor was opened to the public for comment on the proposed budget.

There were no public comments from the audience wishing to address Council during the public hearing portion of the meeting on the biennial budget.

At 6:24 PM Councilmember Cavaleri made a motion to close the public hearing on the biennial budget. Mayor Pro Tem Vignal seconded the motion. The motion passed unanimously.

Councilmember Cavaleri made a motion to adopt Ordinance No. 2020 - 868, an Ordinance of the City of Mill Creek, Washington, adopting budgeted revenues and expenditures for the fiscal biennium commencing January 1, 2021. Mayor Pro Tem Vignal seconded the motion.

Council engaged in discussion on the following subjects:

- Legal fees
- HR Staff
- Salaries

The motion passed 6-0-1 with Councilmember Steckler abstaining based on requiring additional information.

[R1 12-1-20 Finance Agenda Summary](#)

[Attachment A Ordinance No. 2020-868 2021 - 2022 Biennial Budget \(002\)](#)

[Attachment B Preliminary 2021-2022 Budget Book](#)

[Attachment C Appendix A - Preliminary 2021-2022 Budget Book](#)

CONSENT AGENDA

- E. Meeting Minutes for the following:
[November 3, 2020 City Council Regular Meeting](#)
[November 10, 2020 City Council Regular Meeting](#)
[November 12, 2020 City Council Special Meeting](#)

Councilmember Briles made a motion to approve the consent agenda. Mayor Pro Tem Vignal seconded the motion. The motion passed unanimously.

REPORTS

- F. Mayor/Council

Mayor Holtzclaw reported that the Snohomish County Tomorrow (SCT) meeting was rescheduled to December 2nd.

Mayor Holtzclaw read a note from the Boy Scouts thanking the Mayor for taking the time to meet and speak with his troop.

December 1, 2020 CITY COUNCIL REGULAR MEETING MINUTES

Mayor Pro Tem Vignal reported:

- That Snohomish County has additional CARES Act funds to disburse and thanked County Councilmember Jared Mead for his efforts in supporting the small businesses of Mill Creek.
- Clarified that the Mill Creek Subarea meeting has been moved from 12/2/20 to the following week
- A swing is down at Highlands Park and she will follow up with Public Works

Councilmember Cavaleri reported that small businesses owners and staff, such as Farmhouse Coffee, are grateful for the CARES Act funding.

Councilmember Briles reported that CARES Act funds provided support to the Kiwanis Club's efforts to provide a popular virtual meet and greet with Santa.

G. City Manager

- [Planning Schedule](#)

City Manager Michael Ciaravino reported:

- On the upcoming Planning Schedule
- That the Washington State Auditor's Office will conduct its Entrance Conference at the next City Council Meeting
- On an update of the Governance Manual.
- The City has made a final selection for its next Finance Director

H. Staff

- Report, etc.

Finance Director Jeff Balentine reported that the deadline for grant applications for the additional funding of CARES Act money is December 16, 2020.

Public Works and Development Services Director Mike Todd provided Council with an update on the Seattle Hill Road project which is expected to be completed by Mid-February.

Acting Police Chief Robert Phillips provided an update on the recent police chase through Mill Creek which resulted in an arrest.

AUDIENCE COMMUNICATION

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

Ed McNichol, a Mill Creek resident, commented on the following:

- A need for a correction on the City of Mill Creek website regarding the length of City Council meetings
- His appreciation for the small business CARES Act grant funding
- Council interactions with the media

Wil Nelson, a Mill Creek Resident, commented that he is supportive and agrees with the City Manager in hiring an HR consultant rather than a full-time employee (FTE).

December 1, 2020 CITY COUNCIL REGULAR MEETING MINUTES

ADJOURNMENT

With no objection, Mayor Holtzclaw adjourned the meeting at 7:32 PM

Brian Holtzclaw, Mayor

Naomi Fay, City Clerk

December 1, 2020 CITY COUNCIL REGULAR MEETING MINUTES



MINUTES
City Council Regular Meeting

6:00 PM - Tuesday, December 8, 2020
Virtual and Audio Meeting Format during COVID-19 Pandemic

Minutes are the official record of Mill Creek City Council meetings. Minutes summarize the council meeting and documents any actions taken by City Council.

A recording of this City Council meeting can be found [here](#):
The agenda packet for this City Council meeting can be found [here](#).

VIRTUAL MEETING INFORMATION

- A.** Join Zoom Meeting
<https://zoom.us/j/92268188516>
- Meeting ID: 922 6818 8516
One tap mobile
[+12532158782,,92268188516#](https://zoom.us/j/92268188516)US (Tacoma)
[+13462487799,,92268188516#](https://zoom.us/j/92268188516) US (Houston)

CALL TO ORDER

Mayor Holtzclaw called the meeting to order at 6:00 PM

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by City Manager Michael Ciaravino

ROLL CALL

Councilmembers Present:
Brian Holtzclaw, Mayor
Stephanie Vignal, Mayor Pro Tem
Vince Cavaleri, Councilmember
John Steckler, Councilmember
Benjamin Briles, Councilmember
Adam Morgan, Councilmember

Councilmembers Absent:
Mark Bond, Councilmember

Councilmember Cavaleri made a motion to excuse Councilmember Bond who was on vacation. Mayor Pro Tem Vignal seconded the motion. The motion passed unanimously.

AUDIENCE COMMUNICATION

December 8, 2020 CITY COUNCIL REGULAR MEETING MINUTES

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

Representative John Lovick, a Mill Creek resident, stated that he was impressed with Acting Police Chief Robert Phillips' discipline and leadership during the Central Market protests.

PRESENTATIONS

C. Office of the Washington State Auditor's Entrance Conference for the 2019 Audit
(Sarrah Superville, Assistant State Auditor)

Washington State Auditor's Office auditors Kurt Gadbois and Sarrah Superville opened the Entrance Conference providing Members of Council with an overview of the purpose of the audit focusing on the areas of highest risk for the period of January 1, 2019 through December 31, 2019 including:

- Payroll – gross wages, benefit deductions, separation agreements, leave balances and accruals, and leave cash outs.
- Accounts payable – general disbursements and electronic fund transfers
- Financial condition
- Contract monitoring

[Entrance Packet - City of Mill Creek](#)

NEW BUSINESS

D. Appointments to the Planning Commission
(City Council Interview Committee, Mayor Holtzclaw, Mayor Pro Tem Vignal and Councilmember Morgan)

Mayor Pro Tem Vignal announced that she, Mayor Holtzclaw and Councilmember Morgan interviewed eight applicants for three vacancies on the Planning Commission.

Mayor Pro Tem Vignal made a motion to appoint Stan Eisner and David Hambelton to serve a three-year term on the Planning Commission, which expires on April 30, 2023, and Jose Borunda to fill a mid-term vacancy which will be effective January 1, 2021 and expires on April 30, 2022. Councilmember Morgan seconded the motion. The motion passed unanimously.

[PC Appointment Agenda 2020 Summary](#)
[Schedule with Applications Redacted](#)

E. Supplementing the Record of the 2021 - 2022 Biennial Budget approved by Council in Ordinance No. 2020-668 to reflect the replacement of the Chief of Staff Position with Deputy City Manager Position and to include the salary schedule in the Appendices of Ordinance No. 2020-668.
(Michael Ciaravino, City Manager)

City Manager Michael Ciaravino proposed a change in the job title and description of the Chief of Staff position to Deputy City Manager. This position is cost neutral to the

budget but changes the scope of work required of the position.

Council engaged in discussion.

Councilmember Cavaleri made a motion to adopt Ordinance No. 2020-869, replacing the Chief of Staff position with the Deputy City Manager position and to include the schedule of salaries and positions in the Appendices of Ordinance 2020-668. Mayor Pro Tem Vignal seconded the motion. The motion passed unanimously.

[Agenda Summary DCM Salary Schedule](#)
[ORDINANCE NO 2020 -869 \(DCM SALARY SCHEDULE](#)
[2020 Salary Plan - Edited](#)

- F. Addendum No.1 to Professional Services Contract 2017-1379 with Perteet for On Call Engineering Services
(Mike Todd, Public Works, and Development Services Director)

Public Works and Development Services Director Mike Todd requested that Council approve Addendum No. 1 to Contract 2017-1389 with Perteet for On-call Engineering support to amend past expenses, extend to 12/31/2021 and to increase the not to exceed amount.

Councilmember Cavaleri moved to adopt Resolution 2020-595 authorizing the City Manager to execute Addendum No. 1 to Professional Services Contract 2017-1379 for On-Call Engineering Services with Perteet, Inc. to: 1) to increase the maximum amount of the contract to not exceed \$200,000.00, and 2) extend the expiration date for the contract to December 31, 2021, which includes a 5% rate increase as allowed by the terms of the contract. Councilmember Morgan seconded the motion. The motion passed unanimously.

[1 Summary - Perteet Addendum 1tr.mt](#)
[R1 Perteet 2017-1389 Amendment Presentation 12.8.2020](#)
[2 Attachment 1 RESOLUTION 595 TO APPROVE](#)
[3 Attachment 2 Consultant Contract Addendum No. 1 December 2020](#)
[4 Attachment 3 2017-1379 Signed Final Contract](#)

- G. Professional Services Contract for On-Call Engineering Services for Private Development Review with Perteet.
(Mike Todd, Public Works, and Development Services Director)

Public Works and Development Services Director Mike Todd proposed a new contract with Perteet that has a maximum contract limit of \$75,000 and automatically expires on December 31, 2021 (one-year term). The contract includes a provision to allow up to two one-year time extensions if the contract dollar limit is not exceeded. The contract would allow for rate increases of up to 5% annually if extended. The funds to pay for the consultant work will come from civil permit and development application fees which more than cover the cost of the contract.

Councilmember Cavaleri moved to approve Resolution 2020-596 authorizing the

December 8, 2020 CITY COUNCIL REGULAR MEETING MINUTES

City Manager to execute the Professional Services Contract with Perteet, Inc. for On-Call Engineering Review for Private Development, not to exceed \$75,000. Councilmember Morgan seconded the motion. The motion passed unanimously.

[1 Summary - Perteet On Call Private Development Review Final](#)

[2 Attachment 1 RESOLUTION 596 TO APPROVE](#)

[3 Attachment 2 Perteet On Call Private Development Review December 2020 Final](#)

- H. Snohomish Regional Drug Task Force Interlocal Agreement (ILA) with revisions.
(*Sergeant Phillips*)

Sergeant Robert Phillips explained the importance of the Snohomish Regional Drug and Gang Task Force (SRDGTF) and requested renewal of the annual ILA. The SRDGTF provides investigative support to the Mill Creek Police Department and other jurisdictions for cases requiring specialized equipment and investigative techniques. Typically, the SRDGTF will assume a primary investigative role for drug and gang violence cases that have regional, statewide, or interstate impact. The level of these cases is beyond the operational ability of the Mill Creek Police Department.

Councilmember Cavaleri made a motion to approve Resolution 2020-597 authorizing the City Manager to sign the Interlocal Agreement (ILA) between the City of Mill Creek and the Snohomish Regional Drug and Gang Task Force (SRDGTF) for drug and gang violence investigative support. Mayor Pro Tem Vignal seconded the motion. The motion passed unanimously.

[2020 AIS-SRGDTF ILA Agenda Summary](#)

[ILA with Revisions Snohomish Regional Drug Task Force](#)

[2 SRGDTF Resolution 2020-597](#)

- I. Approval of a one-year extension of the Collective Bargaining Agreement between the City of Mill Creek and the Mill Creek Police Officers' Guild for the period January 1, 2021 to December 31, 2021.
(*Michael Ciaravino, City Manager*)

City Manager Michael Ciaravino provided an overview to Members of Council on the extension of terms for the current 2018-2020 Mill Creek Officers' Guild Collective Bargaining Agreement (CBA) for one year with a 2.0 percent increase in wage rates commencing January 1, 2021. Manager Ciaravino stated that it is prudent at this time to approve with a commitment to open bargain on a successor agreement by July 2021.

Mayor Pro Tem Vignal made a motion to approve Resolution No. 2020-598 authorizing the City Manager to execute a one-year extension of the Collective Bargaining Agreement with the Mill Creek Police Officers' Guild for the period of January 1, 2021 to December 31, 2021 which includes a 2.0 percent wage increase effective January 1, 2021. Councilmember Cavaleri seconded the motion. The motion passed unanimously.

December 8, 2020 CITY COUNCIL REGULAR MEETING MINUTES

[AIS Guild Contract](#)
[millcreek_amclean2020.12.04 Guild MOU - CBA extension](#)
[Resolution COM & MC Police Officers' Guild](#)

PROPOSED NEW INITIATIVES

J. Legislative Agenda for 2021

City Manager Michael Ciaravino and City Attorney Grant Degginger explained the importance of developing an annual legislative agenda and requested Councilmembers to provide topics of importance to develop a City of Mill Creek Legislative Agenda for the upcoming session.

[FactSheetBroadband202180a88bbc-1dd7-4382-be61-33207cf6134a](#)
[FactSheetFiscalFlexibility2021f62c1de8-e37a-46d2-8497-0f678c9015f4](#)
[FactSheetHousingStability2021d5b713c3-dc55-4a6e-aaf3-6de58ef52dbf](#)
[FactSheetPoliceReform20211b4e787b-3100-4984-b32b-cab967a7317c](#)
[FactSheetSharedRevenues20211d2e4ef5-7092-433e-8cd4-8d38b15cb385](#)
[FactSheetTransportation20217ab04cbb-57ca-42bf-b73e-cebc8c8370d0](#)

STUDY SESSION

K. Governance Manual

City Manager Ciaravino started discussions regarding the process for revamping the City's Governance Manual which was last updated in 2011. City Attorney Grant Degginger suggested that the manual be separated, and a series of study sessions be dedicated to each section. Council engaged in discussion and set a goal to have a work plan outlined by mid-January 2021.

[Agenda Summary Governance Manual Update 12-08-20](#)
[Attachment A_code of conduct](#)
[Governance Manual Complete](#)

CONSENT AGENDA

- L.** Approval of Checks #62727 through #62822 and ACH Wire Transfers in the Amount of \$873,979.48
(*Audit Committee: Councilmember Briles and Councilmember Steckler*)
[Check Vouchers](#)
- M.** ACH Voucher 187,401.30 Payroll and Benefit ACH Payments in the Amount of \$187,401.30.
(*Audit Committee: Councilmember Briles and Councilmember Steckler*)
[ACH Voucher 187,401.30](#)

**Councilmember Cavaleri made a motion to approve the consent agenda.
Councilmember Briles seconded the motion. The motion passed unanimously.**

REPORTS

N. Mayor/Council

- Mill Creek Subarea Study Committee Vacancy

Mayor Holtzclaw attended the Snohomish County Tomorrow (SCT) meeting. Topics of discussion were:

- Growth Monitoring Report showing growth is outpacing 2020 projections by 3%
- Sound Transit's report showing a \$6 Billion reduction in revenue over the next 20 years causing them to enter a realignment phase.
- Mill Creek Subarea Study Committee Vacancy - There are two positions open on the Mill Creek Subarea Committee. Vacancies are open for a Councilmember and Art and Beautification Board member.

Council engaged in discussion.

Councilmember Briles indicated that he would like to represent the Council on the Mill Creek Subarea Committee.

Councilmember Steckler will make an announcement at the next Art and Beautification Board meeting alerting board members of the available position on the Mill Creek Subarea Committee.

Councilmember Cavaleri made a motion to appoint Councilmember Briles to the Mill Creek Subarea Committee. Mayor Pro Tem Vignal seconded the motion. The motion passed unanimously.

Councilmember Steckler expressed his gratitude for the City's CARES Act funding and stated that the funding enabled the Kiwanis Club of Mill Creek to produce the Zoom Santa program during the holidays. For more information Councilmember Steckler provided the following link: <http://zoomsantamillcreek.org/>.

Mayor Pro Tem Vignal welcomed Police Chief Young and expressed her gratitude to (Acting Chief) Sergeant Phillips.

Mayor Pro Tem Vignal asked for an update on the Christmas tree lighting?

Community Engagement Coordinator Kristen Rasmussen provided a brief overview the upcoming virtual tree lighting.

Councilmember Briles stated that his children participated and enjoyed the Kiwanis Zoom Santa event.

O. City Manager

- Emergency Proclamation Extension

City Manager Michael Ciaravino introduced newly hired Finance Director Laurel Gimzo and stated that a press release will be forthcoming.

Manager Ciaravino noted that the Emergency Proclamation in place has expired and requested a motion to extend the emergency proclamation until January 5, 2021 retroactive to December 1, 2020.

Councilmember Steckler made a motion to extend the City Manager's Proclamation of Emergency until January 5, 2021 consistent with the Governor's action and declaring it retroactive as of December 1, 2020. Councilmember Cavaleri seconded the motion. The motion passed unanimously.

Due to the holidays, City Manager Ciaravino and Members of Council engaged in discussion regarding cancelling the December 22, 2020 City Council Meeting.

Councilmember Cavaleri made a motion to cancel the December 22, 2020 Regular Council Meeting. Mayor Pro Tem Vignal seconded the motion. The motion passed unanimously.

City Manager Ciaravino reported on receiving a letter from Snohomish Regional Fire and Rescue (formerly Fire District 7) formally notifying the City of its intent to terminate the existing agreement.

City Manager Ciaravino provided an update on the Silverlake Water District MOU.

P. Staff

- Mike Todd Report

City Manager Michael Ciaravino and Public Works and Development Services Director Mike Todd briefed Council on the status of two separate agreements with Silverlake Water District.

- One, to allow Silverlake to make improvements on the City's right of way (ROW)
- Two, property acquisition of a portion of Silverlake Water District's land by the City for a future Public Works shop.

[lift station expansion plan view](#)

[Boardwalk and Trail Map Off-Site Wetland Preserve](#)

AUDIENCE COMMUNICATION

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

Barb Heidel, a Mill Creek resident commented on the following:

- Appreciation of the extreme care the City is taking to keep people safe
- Wants to see transparency in the hiring process for the Deputy City Manager position.
- Wished everyone happy holidays.

Wil Nelson, a Mill Creek Resident, commented on Sound Transit's budget impacts due to COVID-19.

December 8, 2020 CITY COUNCIL REGULAR MEETING MINUTES

ADJOURNMENT

With no objection, Mayor Holtzclaw adjourned the meeting at 8:11 PM

Brian Holtzclaw, Mayor

Naomi Fay, City Clerk

December 8, 2020 CITY COUNCIL REGULAR MEETING MINUTES

JANUARY 2021						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
					1	2
3	4	5 Council	6	7	8	9
10	11	12 Council	13	14	15	16
17	18	19	20	21	22	23
24	25	26 Council	27	28	29	30
31						

FEBRUARY 2021						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
	1	2 Council	3	4	5	6
7	8	9 Council	10	11	12	13
14	15	16	17	18	19	20
21	22	23 Council	24	25	26	27
28						

MARCH 2021						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
	1	2 Council	3	4	5	6
7	8	9 Council	10	11	12	13
14	15	16	17	18	19	20
21	22	23 Council	24	25	26	27
28	29	30	31			

Tentative Council Meeting Agendas
Subject to change without notice

Last updated: January 1, 2021

City Council Meetings are the first, second and four Tuesdays of every month at 6 p.m.,

January 12, 2020

- Public Records Ordinance Amendment
- Silver Lake Water District - Right of First Refusal Agreement
- Silver Lake Water & Sewer District MOU

Possible Work Session Topics for Discussion

- Dobson Remillard Update
- Body Worn Camera Update – equipment cost estimates, workload analysis, financial impact of video processing
- Victim Coordination Services Agreement

2021 Audit Committee Schedule

January:

Steckler/Cavaleri

July:

Briles/Steckler

February:

Cavaleri/Holtzclaw

August:

no meetings

March:

Holtzclaw/Morgan

September:

Steckler/Cavaleri

April:

Morgan/Bond

October:

Cavaleri/Holtzclaw

May:

Bond/Vignal

November:

Holtzclaw/Morgan

June:

Vignal/Briles

December:

Morgan/Bond

**City of Mill Creek
Art & Beautification Board**

MINUTES

June 10, 2020

4 to 5 p.m.

I. CALL TO ORDER

Chair Briles called the meeting to order at 4:05 p.m. via GoToMeeting.

II. ROLL CALL:

Benjamin Briles, Chair

Vanessa Good, Vice Chair

Guy Armfield

Matt Buchanan

Jeanne Smart

John Steckler, City Council Representative

Guy Armfield

Excused

Michelle Edwards

Ken Lowery

Staff

Bill Craig, Interim Communications & Marketing Coordinator

Kristen Rasmussen, Community Engagement Coordinator

III. ANNOUNCEMENTS

Chair Briles welcomed everyone to the virtual meeting.

IV. APPROVAL OF MINUTES

The May minutes were approved as written. Motion by Vanessa. Seconded by Matt. Passed unanimously.

OLD BUSINESS

a. Snohomish County Small Grant Application:

The board has learned that nothing has been approved for the \$2,000 grant and no work has been done due to the virus. Council Member Steckler said he would talk to County Council Member Jared Mead.

b. Historical Project:

No progress has been made. Bill said he has not heard from Nathan Beagle despite leaving a message.

c. Great Garden Awards

Discussion took place about logistics for the Great Garden Awards. Matt said he would drop off a map at City Hall for Bill to scan and distribute. Chair Briles asked Bill to create a Dropbox account so that members can submit their nominations and asked for a list of last year's winners sent out to members. Chair Briles asked Bill to find out how much money the board has for awards and the location of temporary awards. Kristen said she would know where the temporary awards are located at City Hall. Guy suggested that past winners should not be excluded. All agreed. Discussion took place about paperweights. Due to time constraints, the idea was tabled for next year.

V. Roundtable

Vanessa said that the board could be involved in judging Christmas lights during the holidays. Chairman Briles asked her to bring more information at the next meeting.

Kristen noted that the next art walk will be on Aug. 14.

Councilman Steckler informed the board about the Council's discussion on June 9 about the City's financial situation. There has been significant losses in taxes and revenues that will result in staff cuts. The City wants to save reserves for emergencies.

I. ADJOURNMENT

Having no further business, the Arts and Beautification Board adjourned at 5 p.m.

Submitted By:

Bill Craig, Interim Communications and Marketing Coordinator

**City of Mill Creek
Art & Beautification Board
MINUTES
July 8, 2020
4 p.m.**

I. CALL TO ORDER

Chair Briles called the meeting to order at 4:15 p.m. via GoToMeeting. There were some technical difficulties with the software preventing the meeting from starting on time. Councilman Steckler had difficulty getting into the meeting but communicated with Interim Communications & Marketing Bill Craig during the meeting.

II. ROLL CALL:

Benjamin Briles, Chair
Vanessa Good, Vice Chair
Michelle Edwards
Ken Lowery
Matt Buchanan
John Steckler, City Council Representative
Absent
Guy Armfield
Ken Lowery
Jeanne Smart

Staff

Bill Craig, Interim Communications & Marketing Coordinator

III. ANNOUNCEMENTS

Chair Briles welcomed everyone to the virtual meeting.

IV. APPROVAL OF MINUTES

The June 10 meeting minutes were approved with motion by Vice Chair Good and second by Member Armfield.

V. OLD BUSINESS

a. Snohomish County Small Grant Application:

Interim Communications & Marketing Bill Craig reported that the last report was that Councilmember Steckler was going to work with County Councilmember Jared Mead but had not heard any updates.

b. Historical Project:

Interim Communications & Marketing Bill Craig reported that the contact for this project in Public Works Supervisor Nathan Beagle, has been out and won't return to work until August. Acting Public Works & Development Services Matthew Feeley told Mr. Craig he was unaware of the project details and could not answer questions.

c. Great Garden Awards

Board members worked through the submissions for the Great Garden awards. Interim Communications & Marketing Bill Craig showed the pictures via teleconference. There was much discussion about each picture of the submissions. The winning and at-large photos were placed in folders in Dropbox.

The winners were:

3906 145th Place SE (Benjamin)
2227 23rd Ave SE, Chatham Park (Jeanne)
15220 20th Circle SE (Michelle)
2419 139th St. SE (John)
15027 3rd Dr. SE (Guy)
14123 24th Dr. (Vanessa)
15808 25th Dr. SE (Ken)
16317 29th Drive SE (Matt)

At-Large Winners:

1623 166th Place SE, The Lakes
Screen Shot 2020-07-08
Screen Shot 2020-07-08
3927 137th Place SE

VI. Roundtable

It was discussed briefly that the board could talk at the next meeting about Vice Chair Good's idea of judging Christmas lights.

Interim Communications & Marketing Coordinator Craig announced that the meeting would be his last meeting due to City layoffs. Members wished Mr. Craig well in his future plans.

ADJOURNMENT

Having no further business, the Arts and Beautification Board adjourned at 6 p.m.

Submitted By:

Bill Craig

Interim Communications & Marketing Coordinator



15728 Main Street, Mill Creek, WA 98012
Administration 425-745-1891
Police 425-745-6175
All Other Departments 425-551-7254

Art & Beautification BOARD MINUTES
15728 Main Street, Mill Creek, Washington 98012 – 425-745-1891

August 12, 2020
4 p.m.

I. CALL TO ORDER

Chair Benjamin Briles called the meeting to order at 4:06 p.m. via GoToMeeting.

II. ROLL CALL:

Benjamin Briles, Chair
Vanessa Good, Vice Chair
Michelle Edwards
Matt Buchanan
John Steckler, City Council Representative

Absent

Guy Armfield
Ken Lowery
Jeanne Smart

Staff

Kristen Rasmussen, Community Engagement Coordinator
Matthew Combs, Public Works Supervisor

III. ANNOUNCEMENTS

The Art Walk on August 14, 2020 has been canceled due to COVID restrictions.

IV. APPROVAL OF MINUTES

The July 8 meeting minutes were approved with motion by Member Buchanan and second by Vice Chair Good.

V. OLD BUSINESS

a. Snohomish County Art Grant

Community Engagement Coordinator Rasmussen informed the board members that the City was not selected as a recipient of the Snohomish County Art Grant. Therefore the board will not be able to depend on this source of funding to help for installation of the Historical Preservation Project.

b. Historical Preservation Project updates

cityofmillcreek.com Facebook: Facebook.com/MillCreekWA Twitter: @MillCreekWA Instagram: @CityofMillCreek

The board members provided context and design details of the project to the new Public Works Supervisor Combs. The members expressed their desire for a border of metal backing may be either aluminum or painted metal. The board stated their preference for brushed aluminum. Further discussion of adding adhesive to the panels and place on metal backing. Additionally, the members stated a desire to ensure the panels may be moved in order to add a future sixth panel.

Mr. Combs discussed with the board members various options for installing the panels. Mr. Combs is going to present a couple options to the board in regards to getting bids for installation of the project.

Councilmember Steckler informed the board that once they have received the bids the board will be able to present a request funding for this project from Council.

c. Great Garden Awards

i. Schedule delivery of Great Garden yard signs

Community Engagement Coordinator Rasmussen told the board members she will share screenshots with the board members of the two unknown at-large winners in order to acquire the missing addresses.

Chair Briles offered to deliver the signs along with Member Edwards. They will coordinate a date with Mrs. Rasmussen to present the awards and document the event by taking photos. These photos will be used during the award ceremony at an upcoming City Council meeting.

ii. Vote on Permanent Awards for Great Garden winners

After some discussion, Member Buchanan makes a motion to purchase the paperweights as the permanent award, seconded by Member Edwards. The vote passes unanimously.

Community Engagement Coordinator Rasmussen states she will proceed and order the paperweights. In addition, Mrs. Rasmussen will request to present the Great Garden Awards at a future City Council meeting.

VI. NEW BUSINESS

a. Great Light Awards Idea:

Vice Chair Good presented a new event idea to the group called the Great Lights Award. She stated this idea is similar to the Great Garden Award with the exception of judging light displays during the winter holiday. The board discuss judging requirements to include commercial and multi-house units. The nomination process will be open to the public, who may submit their nomination with the nominees address. To ensure there are nominations submitted, each board member will take one photo and submit as a potential winner. The board members will vote on the submissions, and the top five (no ranking) with the most votes are the winners.

The timeline for this event will take place from Thanksgiving to mid-December. Due to the quick timeline for the event, the board outlined a plan to promote and recognize the winners

of this event. The request was made that Community Engagement Coordinator Rasmussen assist with the following:

- Create a fillable form online for submissions on the City website.
- Submit a press release with the event details to promote the event.
- Promote the event with a flyer (made by Vice Chair Good) via social media and through local business, MCTBA and Chamber.
- Pre-order awards for the top five winners.
- Present timeline of event to the board members.

The members discussed various ideas for the prize, including: Ornament, Ornament or Stained Glass to be displayed on a window, Glassybaby candle, or Bulb.

VII. ROUNDTABLE

N/A

VIII. REPORTS

Councilmember Steckler updated the board members that the City's financials are better than anticipated with the projected worst-case-scenario planning. The Biannual budget process will begin after the fall recess.

IX. ADJOURNMENT

Chair Briles adjourned the meeting at 5:03 p.m.

Submitted by:

Kristen Rasmussen, Community Engagement Coordinator

Kristen Rasmussen, Community Engagement Coordinator



15728 Main Street, Mill Creek, WA 98012
Administration 425-745-1891
Police 425-745-6175
All Other Departments 425-551-7254

Art & Beautification BOARD MINUTES
15728 Main Street, Mill Creek, Washington 98012 – 425-745-1891

September 9, 2020
4 p.m.

I. CALL TO ORDER

Chair Benjamin Briles called the meeting to order at 4:13 p.m. via GoToMeeting.

II. ROLL CALL:

Benjamin Briles, Chair
Jeanne Smart
Ken Lowery
Guy Armfield
John Steckler, City Council Representative

Staff

Kristen Rasmussen, Community Engagement Coordinator
Matthew Combs, Public Works Supervisor

Absent

Vanessa Good, Vice Chair
Michelle Edwards

III. ANNOUNCEMENTS

Matt Buchanan has resigned from the board. Board discussed upcoming term expirations and filling the empty seat on the board.

IV. APPROVAL OF MINUTES

The August 12 meeting minutes were approved with motion by Ken Lowery seconded by Jeanne Smart, passes unanimously.

V. OLD BUSINESS

a. Historical Preservation Project updates

Public Works Supervisor Matthew Combs updated the board members with a projected installation cost for the historic panels. The estimated cost for the City to purchase the aluminum or steel used in the design is around \$800, and approximate labor cost is

cityofmillcreek.com Facebook: Facebook.com/MillCreekWA Twitter: @MillCreekWA Instagram: @CityofMillCreek

\$70/hour for 16 hour project is approximately \$1,100. The combined cost fit into the Art Board budget of approximately \$3,000.

Mr. Combs discussed a second option which is to hire a welder to install the frame and panels, with the City purchasing the materials. The city staff would pre-cut the metal to reduce cost for a contractor to install. A third option is to hire a contractor to purchase, cut and install the historic panels. If the board decides to contract out the service, Mr. Combs recommends using aluminum for the frame. The members expressed concern of adding this project to the city staff's work schedule when they are down staff members and may not be able to finish this project by year end which is the goal of the board. After some discussion, the board made a motion presented by Member Lowery for City staff to work with a contracted welder to complete the project in order to stay within budget and keep on the timeline of completing the project. The motion was seconded by Chair Briles and passed unanimously.

b. Great Garden Awards

Community Engagement Coordinator Rasmussen reminded the board members that they would not be able present the Great Garden awards during a regular City Council meeting this year due to COVID-19. The board discussed different ways to distribute the permanent awards to the winners and decided to send a letter, inviting them to the City Council meeting via the GoTo virtual platform. The letter asks the homeowner to contact Mrs. Rasmussen to schedule a time with the board member who nominated them to exchange the yard sign for the permanent award, either at their home or at City Hall. If applicable, photos of the winners receiving the awards will be added to the PowerPoint presentation for the City Council meeting scheduled on Tuesday, October 22.

VI. NEW BUSINESS

a. Great Light Awards Idea:

Vice Chair Good was unable to attend the meeting so the board decided to hold off on further discussion.

As noted from the August meeting, the timeline for this event will take place from Thanksgiving to mid-December. Due to the quick timeline for the event, the board outlined a plan to promote and recognize the winners of this event. The request was made that Community Engagement Coordinator Rasmussen assist with the following:

- Create a fillable form online for submissions on the City website.
- Submit a press release with the event details to promote the event.
- Promote the event with a flyer (made by Vice Chair Good) via social media and through local business, MCTBA and Chamber.
- Pre-order awards for the top five winners.
- Present timeline of event to the board members.

The members discussed various ideas for the prize, including: Ornament, Ornament or Stained Glass to be displayed on a window, Glassybaby candle, or Bulb.

VII. ROUNDTABLE

N/A

VIII. REPORTS

Councilmember Steckler updated the board members that the City Council has an open seat and additional details of this vacancy will be posted on the city's website. Interviews for this position will take place on Tuesday, September 29.

Councilmember Steckler will conduct the Great Garden presentation at the City Council meeting on Tuesday, October 22.

IX. ADJOURNMENT

Chair Briles adjourned the meeting at 5:09 p.m.

Submitted by:

Kristen Rasmussen, Community Engagement Coordinator

Kristen Rasmussen, Community Engagement Coordinator



15728 Main Street, Mill Creek, WA 98012
Administration 425-745-1891
Police 425-745-6175
All Other Departments 425-551-7254

**Park & Recreation Board Meeting Minutes
October 7, 2020**

Members:

Melissa Duque, Chair
Bridget Casey
Peter Lalic
Tyler Hogan
Michael Bauer

Not Present:

Ryan Nichols, Vice Chair
Jim Erlewine

Also Present:

Vince Cavaleri, Council Representative
Jay Sandstrom, Recreation Coordinator

CALL TO ORDER

Chair Duque called the meeting to order at 5:02pm. Members and staff were present as noted above.

NEW BUSINESS

Jay Sandstrom Departure

Recreation Coordinator Jay Sandstrom informed the board that his last day with Mill Creek will be on Thursday, October 15. The individual that will take his position as staff liaison has yet to be determined.

With two board positions coming up for renewal and Recreation Coordinator Jay Sandstrom leaving, the board voted unanimously to cancel the November meeting. The next meeting will be held on December 2.

Agenda Summary for Park Recommendations

This topic will be worked on by the board in preparation for the next meeting.

Member Feedback

- Issue noted from Exploration Park:
 - In the tunnel portion of the play area, the soft ground surface has a hole in it.
- Heron Park has a sign posted on the tennis court that is not correct.

FOR THE GOOD OF THE ORDER

Updated the board about upcoming events:

cityofmillcreek.com

Facebook: Facebook.com/MillCreekWA

Twitter: @MillCreekWA

Instagram: @CityofMillCreek

- Halloween Candy Grab Drive Thru

ADJOURNMENT

Member Hogan moved to adjourn the meeting at 5:22pm, seconded by Member Bauer. The motion passed unanimously. The next meeting is scheduled for December 2, 2020, at 5 p.m. virtually via Go To Meeting.

Submitted by:

Kristen Rasmussen, Community Engagement Coordinator

Kristen Rasmussen, Community Engagement Coordinator