

CITY COUNCIL AGENDA

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



Pam Pruitt, Mayor • Brian Holtzclaw, Mayor Pro Tem • Mark Bond
Mike Todd • Vince Cavaleri • John Steckler • Stephanie Vignal

Regular meetings of the Mill Creek City Council shall be held on the first, second and fourth Tuesdays of each month commencing at 6:00 p.m. in the Mill Creek Council Chambers located at 15728 Main Street, Mill Creek, Washington. Your participation and interest in these meetings are encouraged and very much appreciated. We are trying to make our public meetings accessible to all members of the public. If you require special accommodations, please call the office of the City Clerk at (425) 921-5725 three days prior to the meeting.

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

To comment on subjects listed on or not on the agenda, ask to be recognized during the Audience Communication portion of the agenda. Please stand at the podium and state your name and 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 - 863

Next Resolution No. 2020 - 588

**July 7, 2020
City Council Meeting
6:00 PM**

CALL TO ORDER

City of Mill Creek Virtual Council Meeting July 7, 2020

Mon, Jul 6, 2020 6:00 PM - 8:00 PM (PDT)

You can also dial in using your phone.

United States (Toll Free): [1 877 309 2073](tel:18773092073)

United States: [+1 \(571\) 317-3129](tel:+15713173129)

Access Code: 817-463-629

PLEDGE OF ALLEGIANCE

ROLL CALL

AUDIENCE COMMUNICATION

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

STUDY SESSION

- B. Police Department Use of Force Policies, Training, and Response to the Community.
(Scott Eastman, Acting Chief of Police)
- C. Request for a Perpetual Sight Line Easement on the Remillard Property
(Sherrie Ringstad, Associate Planner and Tom Rogers, Planning Supervisor)

CONSENT AGENDA

- D. City Council Meeting Minutes of June 9, 2020 and June 23, 2020.

REPORTS

- E. Mayor/Council
 - AWC Update
- F. City Manager
 - Emergency Proclamation Extension
- G. Staff
 - Finance Department Update, Jeff Balentine, Director of Finance

AUDIENCE COMMUNICATION

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

ADJOURNMENT



Agenda Item # _____

Meeting Date: July 7, 2020

CITY COUNCIL AGENDA SUMMARY

City of Mill Creek, Washington

AGENDA ITEM: POLICE DEPARTMENT USE OF FORCE POLICIES, TRAINING, AND RESPONSE TO THE COMMUNITY

PROPOSED MOTION:

None.

KEY FACTS AND INFORMATION SUMMARY:

The recent deaths of African-American men by law enforcement in Minneapolis, Atlanta, Tacoma, and other U.S. cities have caused anger, frustration, and in some cases, fear of law enforcement for many people in the country. This has raised the national debate about the role of law enforcement and law enforcement use of force, particularly when deadly force is used against people of color. As a result, law enforcement agency executives and elected officials have received questions about their agency's training and use of force policies along with demands for certain policies.

In response to increased scrutiny and questions from organizations, including a questionnaire from *8 Can't Wait*, Acting Chief Eastman wrote a response to the community and a list of frequency-asked questions and answers in order to identify where our policy is consistent with these demands and to provide an explanation where our policy differs.

In his message, Acting Chief Eastman wrote, "Our core values of *Empathy, Courage, and Resourcefulness* do not allow discrimination of any kind. It is not enough to rest on our values and condemn the wrongdoing of other law enforcement officers. We must be committed to continually evaluate our policies and expectations and ensure that these are carried out in a way that fulfills our oath and is consistent with our values."

The response and FAQ information were used to create a webpage where the public can learn more about Mill Creek Police Department use of force policies and training, with the goal of being transparent and responsive in the law enforcement services we provide and the manner in which we provide them.

Acting Chief Eastman will provide a summary of the frequently asked questions and answers.

ATTACHMENTS:

- Attachment A: MCPD Training, Policies, and Community Response FAQ
- Attachment B: Screen shot of MCPD Training, Policies, and Community Response page
- Attachment C: MCPD Training, Policies, and Community Response PowerPoint

City Council Agenda Summary
Page 2

Respectfully Submitted:

Michael Ciaravino

Michael Ciaravino
City Manager



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

MILL CREEK POLICE DEPARTMENT TRAINING, POLICIES, AND COMMUNITY RESPONSE

To the Mill Creek Community:

The City has received numerous questions about the Mill Creek Police Department’s use of force policies, training, and monitoring in response to the disturbing events in Minneapolis where a police officer killed George Floyd while he was restrained in handcuffs laying on his stomach. What we observed in the video of George Floyd’s death was disgusting and inconsistent with training, our values, and the oath Mill Creek police officers take to never betray the public trust and to have the courage to hold ourselves and others accountable for their actions. Our core values of *Empathy, Courage, and Resourcefulness* do not allow discrimination of any kind. It is not enough to rest on our values and condemn the wrongdoing of other law enforcement officers. We must be committed to continually evaluate our policies and expectations and ensure that these are carried out in a way that fulfills our oath and is consistent with our values. I am committed to providing a safe and welcoming community for everyone who lives, works, or visits the City of Mill Creek.

Our use of force policy states, “It is the policy of the Mill Creek Police Department to value and preserve human life. The use of force by law enforcement personnel is a matter of critical concern, both to the public and to the law enforcement community. Officers are involved on a daily basis in numerous and varied interactions and, when warranted, may use reasonable force in carrying out their duties. Officers must have an understanding of, and true appreciation for, their authority and limitations. This is especially true with respect to overcoming resistance while engaged in the performance of law enforcement duties. The Department recognizes and respects the value of all human life and dignity without prejudice to anyone. Vesting officers with the authority to use reasonable force and to protect the public welfare requires monitoring, evaluation and a careful balancing of all interests.”

The frequently-asked questions and their answer are meant to provide information related to the frequency asked questions I often receive. It is, and has been, our goal to be transparent and responsive in the law enforcement services we provide and the manner in which we provide them.

Acting Chief of Police Scott Eastman

Does your Use of Force Policy require de-escalation?

Yes.

Our Use of Force policy states, “Officers should use de-escalation techniques and other alternatives as opposed to higher levels of force consistent with their training whenever possible and appropriate before resorting to force, and to reduce the need for force.”

Our policy defines de-escalation as, “Taking action, or not taking action, or communicating verbally or non-verbally during a potential force encounter in an attempt to stabilize the situation and reduce the

immediacy of the threat so that more time, options, and resources can be called upon to resolve the situation without the use of force or with a reduction in the force necessary. De-escalation may include the use of such techniques as command presence, advisements, warnings, verbal persuasion, waiting, and tactical repositioning.”

Does your use of force policy have a use of force continuum that defines the types of force/weapons that can be used to respond to specific types of resistance?

The specific term “use of force continuum” refers to an outdated use of force model that is no longer taught by the Washington State Criminal Justice Training Commission. Our use of force policy is grounded in the fundamental concepts of de-escalation and objective reasonableness. If force is necessary, then the officer uses only that amount of force that is objectively reasonable under the totality of the circumstances and must be for a legitimate law enforcement purpose. This is consistent with federal case law, Washington State law, and current law enforcement best practices.

Does your Use of Force Policy allow for chokeholds or strangleholds (including carotid restraints)?

No.

“Chokeholds” and “strangleholds” are, by definition, designed to restrict airflow. Some agencies allow specially trained officers in some circumstances to use a carotid control hold that does not restrict airflow.

The Mill Creek Police Department does not use any of these techniques.

Does your policy prohibit “hog-tying” methods and transporting individuals in uncomfortable positions, such as face down in a vehicle?

Our restraint policy allows for the use of approved leg restraints on individuals who are violent or potentially violent when it is reasonable to do so during the course of the detention, arrest, or transportation. The policy states that once leg restraints are applied, the individual should be placed in a seated or upright position, secured with a seat belt, and shall not be placed on his/her stomach for an extended period, as this could reduce the person’s ability to breathe.

Our training prohibits the attaching of leg restraints to handcuffs that place the person in the “hog-tied” position.

Does your policy require a verbal warning, when possible, before using deadly force?

It depends.

Our use of force policies states, “An officer may use deadly force to stop a fleeing subject when the officer has probable cause to believe that the person has committed, or intends to commit, a felony involving the infliction or threatened infliction of serious bodily injury or death, and the officer reasonably believes that there is an imminent risk of serious bodily injury or death to any other person if the subject is not immediately apprehended. Under such circumstances and when feasible, an officer shall identify himself or herself as a law enforcement officer and warn of their intent to use deadly force. Imminent does not mean immediate or instantaneous. An imminent danger may exist even if the suspect is not at that very moment pointing a weapon at someone.”

However, our use of force policy does not require a verbal warning before deadly force is used to protect the officer or others when it is objectively reasonable to believe that there is an imminent threat of death or serious bodily injury.

Does your policy prohibit shooting at people in moving vehicles unless the person poses a deadly threat by means other than the vehicle (for example, shooting at people from a vehicle)?

Our use of force policy states, “Shots fired at or from a moving vehicle are rarely effective. The circumstances in which an officer would fire at or from a moving vehicle are limited in scope. Officers should make every effort to move out of the path of an approaching vehicle instead of discharging their firearm at the vehicle or any of its occupants. Although officers are not strictly forbidden from shooting at moving vehicles, an officer should only discharge a firearm at a moving vehicle or its occupants when the officer reasonably believes there are no other reasonable means available to avert the threat of the vehicle, and deadly force would otherwise be justified. Officers should not shoot at any part of a vehicle in an attempt to disable the vehicle.

Does your policy require officers to exhaust all other reasonable alternatives before resorting to using deadly force?

Our use of force policy is based on the principle that force applied by an officer must be necessary and objectively reasonable. As stated earlier, the policy of the Mill Creek Police Department to value and preserve human life. The ultimate objective of every law enforcement encounter is to avoid or minimize injury. When determining whether to apply force and evaluating whether an officer has used reasonable force, a number of factors should be taken into consideration, as time and circumstances permit. These factors include, but are not limited to:

- Immediacy and severity of the threat to officers or others.
- The conduct of the individual being confronted, as reasonably perceived by the officer at the time.
- Officer/subject factors (age, size, relative strength, skill level, injuries sustained, level of exhaustion or fatigue, the number of officers available vs. subjects).
- The effects of drugs or alcohol.
- Subject’s mental state or capacity.

- Proximity of weapons or dangerous improvised devices.
- The degree to which the subject has been effectively restrained and his/her ability to resist despite being restrained.
- The availability of other options and their possible effectiveness.
- Seriousness of the suspected offense or reason for contact with the individual.
- Training and experience of the officer.
- Potential for injury to officers, suspects and others.
- Whether the person appears to be resisting, attempting to evade arrest by flight or is attacking the officer.
- The risk and reasonably foreseeable consequences of escape.
- The apparent need for immediate control of the subject or a prompt resolution of the situation.
- Whether the conduct of the individual being confronted no longer reasonably appears to pose an imminent threat to the officer or others.
- Prior contacts with the subject or awareness of any propensity for violence.
- Any other exigent circumstances.

Does your policy require officers to intervene to stop another officer from using excessive force?

Yes.

Our use of force policy states, "Any officer present and observing another officer using force that is clearly beyond that which is objectively reasonable under the circumstances shall, when in a position to do so, intercede to prevent the use of unreasonable force. An officer who observes another employee use force that exceeds the degree of force permitted by law should promptly report these observations to a supervisor."

Does your policy require officers to report all uses of force including threatening another person with a firearm?

Yes.

Our use of force policy requires that any use of force by a member of this department shall be documented promptly, completely and accurately in an appropriate manner, depending on the nature of the incident, the factors perceived and why he/she believed the use of force was reasonable under the circumstances. This includes situations where an officer displays a lethal weapon or less-lethal implement while a command or warning is given to a person(s) by an officer(s), regardless of which officer(s) is giving the command.

In certain use of force situations, officers are required to notify their supervisor who is required to respond to the scene and conduct a preliminary use of force review. More serious uses of force must also be documented on a use of force report form that is reviewed by the officer's supervisor, the Deputy Chief of Police, and the Chief of Police. The data from the use of force report form serves as an early warning system.

The Mill Creek Police Department convenes a Use of Force Review Board to investigate the circumstances surrounding any use of force that results in very serious injury or death to another and every discharge of a firearm, whether the employee was on or off-duty, excluding training or recreational use.

The policy of the Mill Creek Police Department is to ensure that officer-involved shootings and deaths are investigated in a thorough, fair and impartial manner by the Snohomish Multi-Agency Response Team, or SMART. SMART is comprised of investigators from agencies throughout Snohomish County and is trained to conduct independent investigations into officer-involved applications of lethal force.

Are your officers trained to perform and seek necessary medical action after using force?

Yes.

Our officers are trained in first aid and CPR. Our use of force policy states, "Once the scene is safe and as soon as practical, an officer shall provide appropriate medical care consistent with his or her training to any individual who has visible injuries, complains of being injured, or requests medical attention. This may include providing first aid, requesting emergency medical services, and/ or arranging for transportation to an emergency medical facility."

We provide our officers with first aid kits that are worn on their person, allowing officers to quickly provide lifesaving medical interventions.

Is there an early intervention system to correct officers who use excessive force? How many complaints does an officer have to receive before they are reprimanded? Before they are terminated?

Yes.

As was stated earlier, the use of force must be documented by the officer using the force. More significant uses of force must be reviewed and may require a supervisor to respond to the scene. Major use of force incidents may be investigated by a Use of Force Review Board. Use of deadly force results in an independent criminal investigation by the Snohomish Multi-Agency Response Team, or SMART.

Complaints of excessive force may be investigated by the Mill Creek Police Department Professional Standards Unit, a Use of Force Review Board, SMART, or all three.

The data from use of force report forms are compiled and used to identify any trends that may require early intervention.

Officers can only be disciplined for sustained complaints based on the just cause standard. Discipline is based on the severity of the offense and must be progressive. An officer may receive a reprimand or fired for a single serious policy violation or as part of progressive discipline. Officers are not disciplined based on the number of complaints they receive.

Are officers thoroughly vetted to ensure they do not have a history of abuse, racism, xenophobia, homophobia/transphobia, or discrimination?

All Mill Creek Police Officers are required to pass a thorough background investigation that includes reference checks and interviews with friends, neighbors, co-workers, etc. They must also pass a polygraph examination, a psychological examination, a medical examination. All of these checks seek to identify any past behaviors, psychological condition, history of bias, or other factors that would disqualify them from being a police officer.

Although we cannot require officers to submit to ongoing psychological examinations without cause, we do have the ability to require a psychological examination when the employee undergoes a significant event, such as an officer-involved shooting, or if circumstances reasonably indicate an officer is unable to safely and properly perform his/her job functions.

Police Department

Meet Your Mill Creek Police

Police Services

Community Outreach

Training, Policies and Community Response

Comprehensive Analysis / CPSM

Emergency Management

Forms and Brochures

K9 Team

Police Blotter

Public Records Requests

Homelessness & Panhandling

Solve Crime & Report Tips

Training, Policies and Community Response

FREQUENTLY ASKED QUESTIONS

Does your Use of Force policy require de-escalation? +

Does your policy have a use of force continuum that defines the types of force/weapons that can be used to respond to specific types of resistance? +

Does your policy allow for chokeholds or strangleholds (including carotid restraints)? +

Does your policy prohibit “hog-tying” methods and transporting individuals in uncomfortable positions, such as face down in a vehicle? +

Does your policy require a verbal warning, when possible, before using deadly force? +

Does your policy prohibit shooting at people in moving vehicles unless the person poses a deadly threat by means other than the vehicle (for example, shooting at people from a vehicle)? +

Does your policy require officers to exhaust all other reasonable alternatives before resorting to using deadly force? +

To the Mill Creek Community:



The City has received numerous questions about the Mill Creek Police Department’s use-of-force policies, training, and monitoring in response to the disturbing events in Minneapolis where a police officer killed George Floyd while he was restrained in handcuffs laying on his stomach. What we observed in the video of George Floyd’s death was disgusting and inconsistent with training, our values, and the oath Mill Creek Police officers take to never betray the public trust and to have the courage to hold ourselves and others accountable for their actions. Our core values of *Empathy, Courage, and Resourcefulness* do not allow discrimination of any kind. It is not enough to rest on our values and condemn the wrongdoing of other law enforcement officers. We must be committed to continually evaluate our policies and expectations and ensure that these are carried out in a way that fulfills our oath and is consistent with our values. I am committed to providing a safe and welcoming community for everyone who lives, works, or visits the City of Mill Creek.

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Police Department Training, Policies, and Community Response

Acting Chief Scott Eastman



AGENDA ITEM #B.

Response to the Community

Our core values of *Empathy, Courage, and Resourcefulness* do not allow discrimination of any kind. It is not enough to rest on our values and condemn the wrongdoing of other law enforcement officers. We must be committed to continually evaluate our policies and expectations and ensure that these are carried out in a way that fulfills our oath and is consistent with our values. I am committed to providing a safe and welcoming community for everyone who lives, works, or visits the City of Mill Creek.



Response to the Community

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Objectively Reasonable

Graham v. Connor, 490 U.S. 386 (1989)

As in other Fourth Amendment contexts, however, the ‘reasonableness’ inquiry in an excessive force case is an objective one: the question is whether the officers' actions are ‘objectively reasonable’ in light of the facts and circumstances confronting them, without regard to their underlying intent or motivation...An officer's evil intentions will not make a Fourth Amendment violation out of an objectively reasonable use of force; nor will an officer's good intentions make an objectively unreasonable use of force constitutional.”



Objective Reasonableness

Graham v. Connor, 490 U.S. 386 (1989)

“The ‘reasonableness’ of a particular use of force must be judged from the perspective of a reasonable officer on the scene, and its calculus must embody an allowance for the fact that police officers are often forced to make split-second decisions about the amount of force necessary in a particular situation.”

“Our Fourth Amendment jurisprudence has long recognized that the right to make an arrest or investigatory stop necessarily carries with it the right to use some degree of physical coercion or threat thereof to effect it.”

“The ‘reasonableness’ of a particular use of force must be judged from the perspective of a reasonable officer on the scene, rather than with the 20/20 vision of hindsight.”



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Future Study Session Topics

- Body-Worn Cameras
- Police Recruiting Strategy



Thank you





Agenda Item # _____

Meeting Date: July 7, 2020

CITY COUNCIL AGENDA SUMMARY

City of Mill Creek, Washington

AGENDA ITEM: **REQUEST FOR THE CITY TO GRANT A PERPETUAL SIGHT LINE EASEMENT ON THE REMILLARD PROPERTY**

PROPOSED MOTION:

None at this time. Discussion only.

KEY FACTS AND INFORMATION SUMMARY:

A Binding Site Plan (**BSP**) has been submitted to develop the property located on the southeast corner of the North Creek Drive and Dumas Road intersection (colloquially known as the Kelly Property; referred to below as **7C's Property**). *See Attachment 1 (Vicinity Map)*. The applicant, Daniel Carr with 7C's Swim School, is proposing an approximately 10,000 square foot recreational building that will be used as a swim school (**Project**). *See Attachment 2 (Proposed Site Plan)*. Access to the Project is proposed to be to/from North Creek Drive. The access point will be directly aligned with the existing Heatherwood Apartments entrance across North Creek Drive as required by the City's transportation, traffic alignment and spacing requirements. *See Attachment 3 – (Aerial Photo Showing Access)*.

Because North Creek Drive curves at that location, there is a "sight distance" issue that needs to be resolved to ensure safe ingress/egress. The sight distance is currently obstructed by an existing fence and vegetation located along the western boundary of the City's property to the south of the Project site (colloquially known as the Remillard Property; referred to below as **City Property**). *See Attachment 4 (Site Photos)*.

To address the visibility and safety issue, Mr. Carr is requesting that the City grant to 7C's a perpetual vehicular sight line easement covering 1,337 sq. ft. across a portion of the Remillard Property fronting North Creek Drive (**Easement**). *See Attachment 5 (Proposed Sight Distance Triangle)*. Because the Easement will effectively deprive the City of some utility and value to the City Property, the City Attorney has advised that the City should require appropriate terms and conditions in the easement.

The Council must approve actions related to City real property (RCW 35A.11.020). If approved, the Easement would have minor, but permanent short-term and long-term impacts on the City Property.

Short-Term Impacts to City Property

The short-term impacts to the property would be the removal of the existing fence along the City Property frontage on North Creek Drive, potentially leaving the City Property more vulnerable to unauthorized access. This can be mitigated by requiring 7C's to replace the removed portion of the fence with a new fence along the eastern boundary of the proposed sight distance triangle. The replacement fence would be a 6-foot wooden fence (to City specifications) and would

connect to the proposed new fence on the 7C's Property and to the remaining portion of the existing City fence along North Creek Drive. A second short-term impact would be the removal of vegetation within the sight triangle area. This can be remedied by requiring 7C's to finish the cleared area with river rock/cobble (to City specifications) to prevent vegetation from growing in the easement area.

Long-Term Impacts to City Property

The long-term impacts include permanently limiting City development on and use within the Easement area. If the easement is granted, structures and taller vegetation would be permanently prohibited from being placed within the Easement area. It is important to note that it is not likely that a structure would ever be proposed in that area. Unless the use was ground floor commercial, any structure would be required to be setback from the ROW. In addition, whenever the City Property is developed, 8.5 feet of the entire frontage of the Remillard property, including a portion of the sight distance triangle, will be dedicated to right-of-way use (ROW) as part of North Creek Drive. Future anticipated improvements in that ROW area could include a parking strip with lawn, sidewalk, and either lawn or low growing vegetation, none of which would impede sight distance.

Compensation/Mitigation

Because of the long-term impacts of the requested Easement and requirements of state law, it is appropriate for the Council to require reasonable compensation for the lost value to the City Property. Staff recommends monetary compensation to the City for the loss of Easement area, as well as removal and replacement of the existing fence and vegetation as described above. To determine the value of the Easement, one method could be to reference the recent appraisal performed for the Dioceses property acquisition. That appraisal determined the value of a potential sewer line easement (which is somewhat similar to the sight triangle use in terms of zoning and use of the property) to be \$5.50 per square foot. The total area of the proposed sight triangle area is 1,337 square feet, equating to a value of \$7,353.50.

Approval Process

If the Council is agreeable to granting the proposed Easement, Council will need to give direction on its terms. Once prepared, the Easement would be brought back for final approval at a meeting in the near future. Time is of the essence, since Mr. Carr is in the process of development review. This issue needs to be settled prior to any site work.

CITY MANAGER RECOMMENDATION:

Consider a request from 7Cs Swim School that the City grant a perpetual vehicular sight line easement across a portion of the Remillard Property fronting North Creek Drive and give direction to staff on the Easement terms.

ATTACHMENTS:

- Attachment 1 - Vicinity Map
- Attachment 2 - Proposed Site Plan
- Attachment 3 - Aerial Photo Showing Access
- Attachments 4 - Site Photos
- Attachment 5 - Proposed Sight Distance Triangle

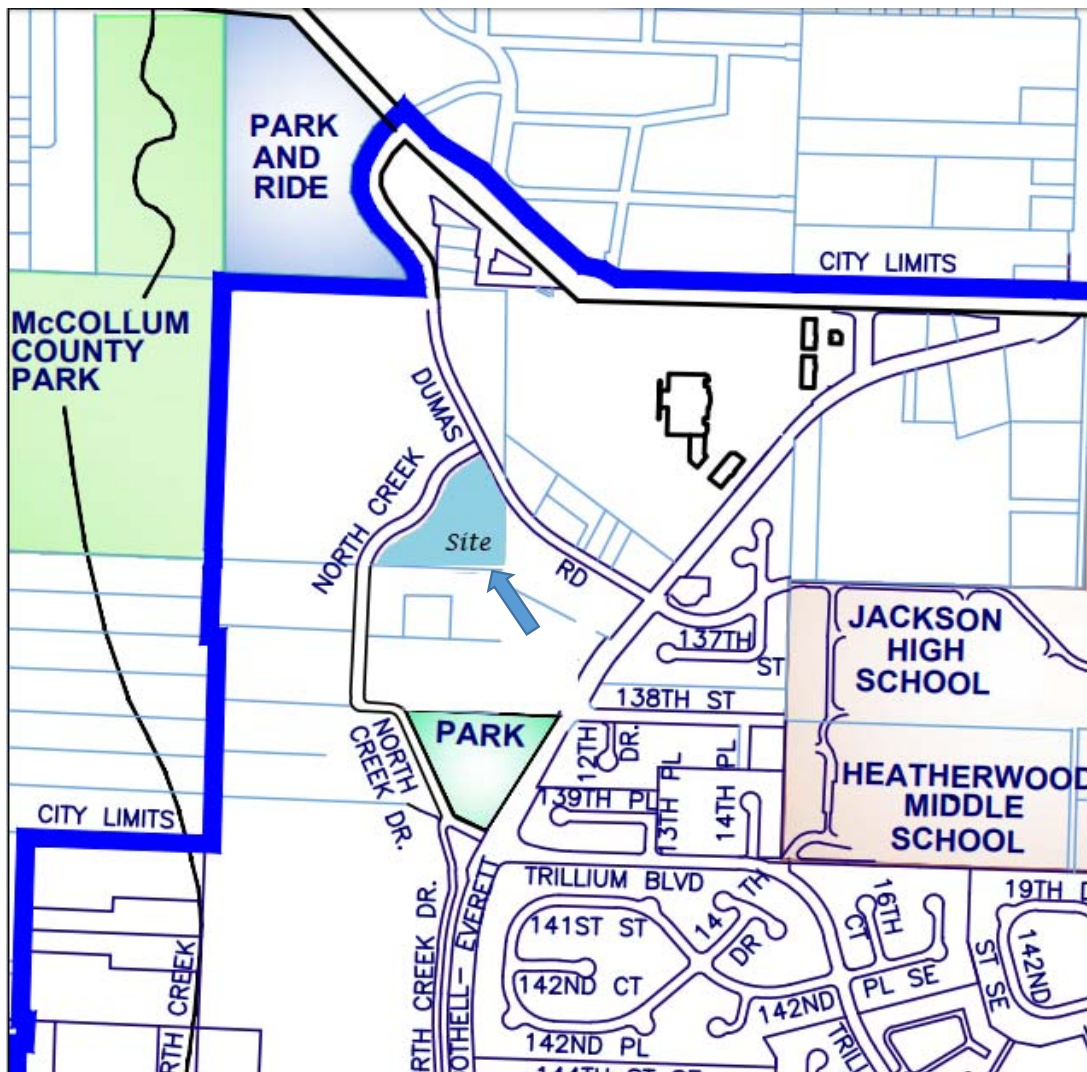
Respectfully Submitted:

Michael Ciaravino

Michael Ciaravino
City Manager

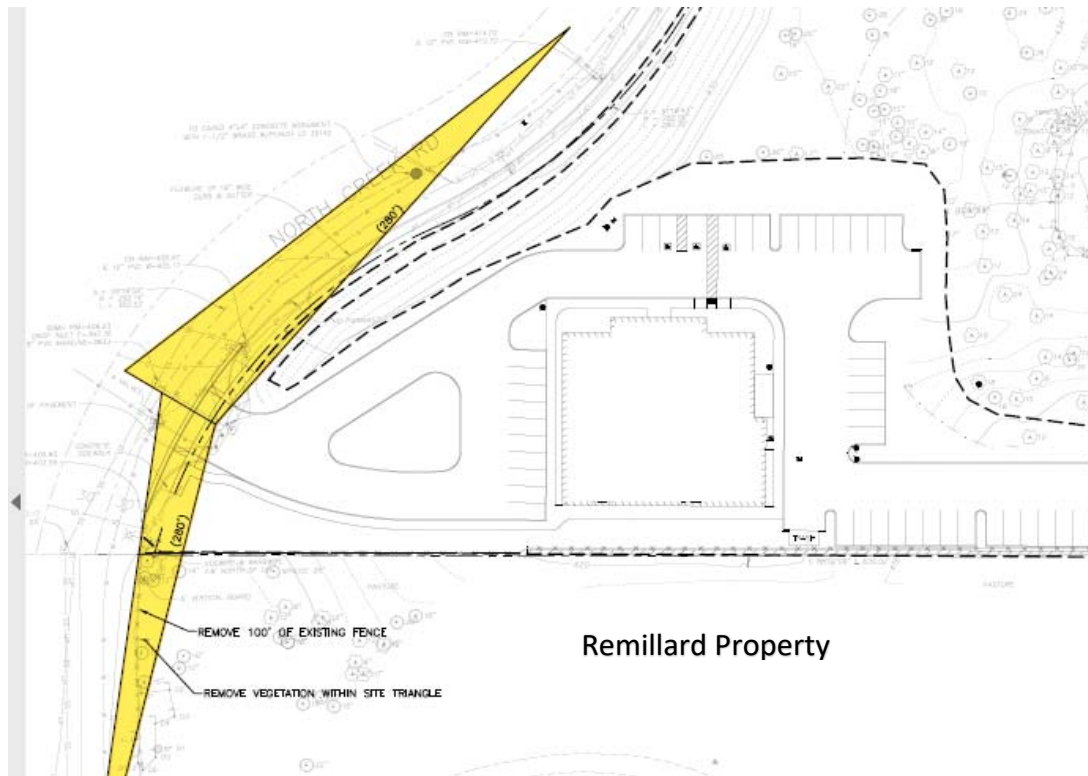
Attachment 1

Vicinity Map



{SXM2102857.DOCX;2/05739.000002/ }

Attachment 2
Proposed Site Plan Including Sight Distance Triangle



{SXM2102857.DOCX;2/05739.000002/ }

Attachment 3
Aerial Photo



Attachment 4

Site Photos



View from North Creek Drive headed northwest

{SXM2102857.DOCX;2/05739.000002/ }

Attachment 4 Continued

Site Photos



View from the proposed access drive looking to the south.

{SXM2102857.DOCX;2/05739.000002/ }

Attachment 4 Continued

Site Photos

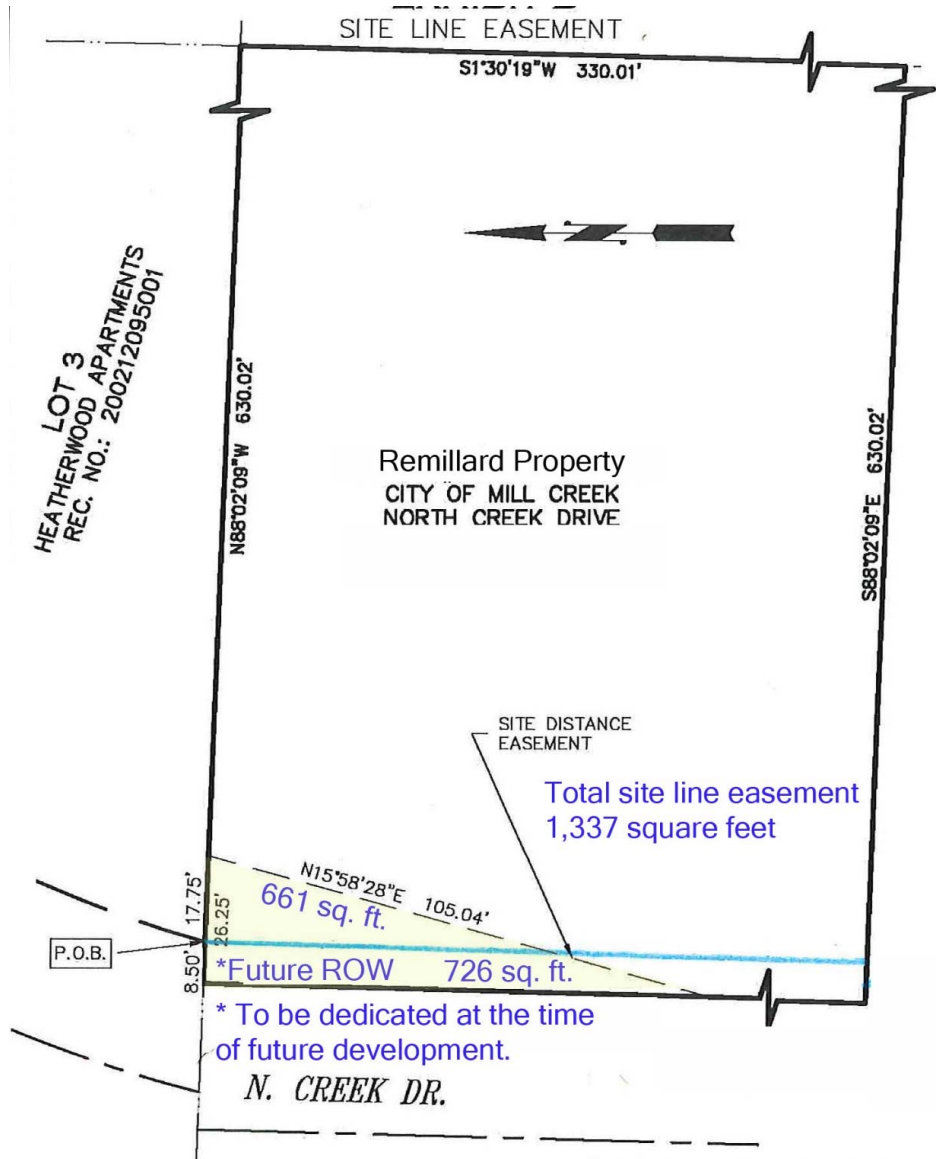


Existing fence along North Creek Drive.

{SXM2102857.DOCX;2/05739.000002/ }

Attachment 5

Proposed Sight Distance Triangle



SCALE: 1" = 30' DATE: 1/10/2020

BENCHMARK SURVEYING LLC
11915 44TH DR. SE
EVERETT, WA 98208
206-396-3199

SITE LINE EASEMENT
FOR 7C'S
CITY OF MILL CREEK

1 OF 1

{SXM2102857.DOCX;2/05739.000002/ }



7Cs Swim School Perpetual Vehicular Sight Line Easement

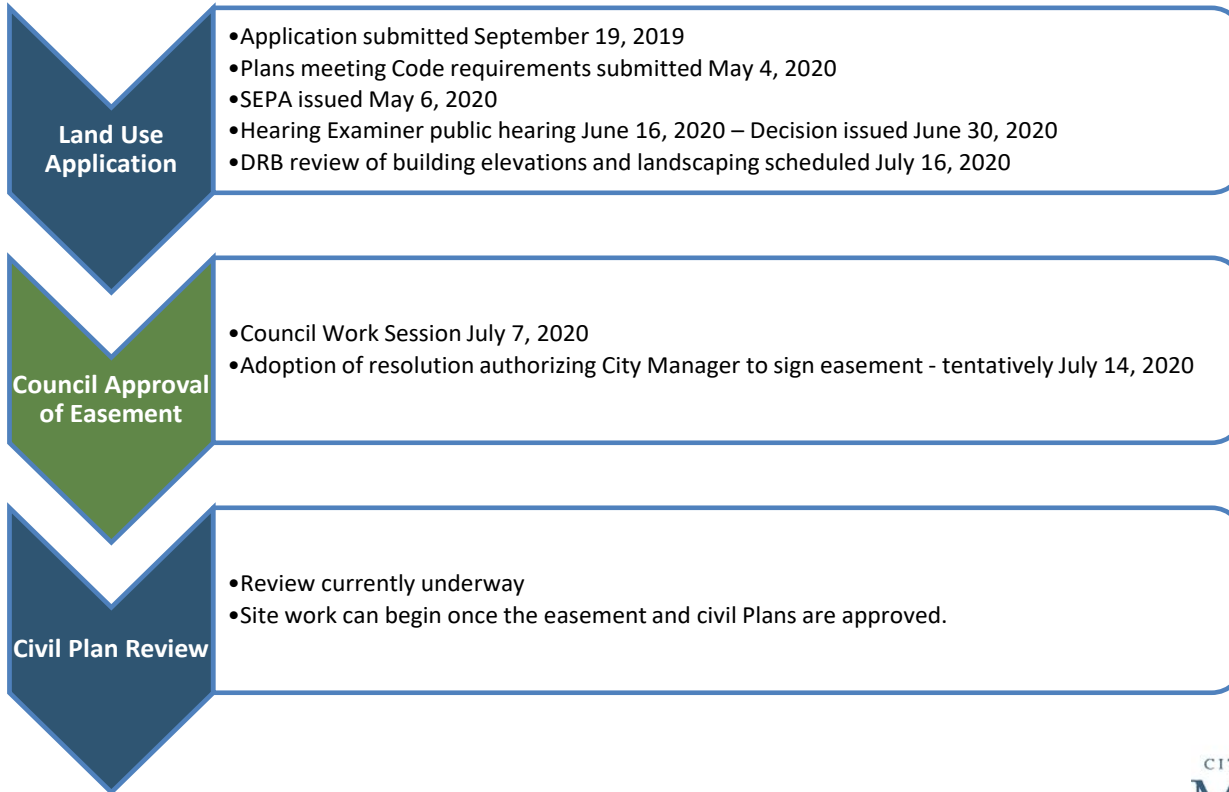
July 7, 2020

Background

- 7Cs Swim School development proposed adjacent to City owned property
- Access needs to be across from the Heatherwood southern entrance
- Sight distance issue to south - fence and vegetation on the City's property
- Request City to grant a vehicular sight line easement
- Council approval required (RCW 35A.11.020)



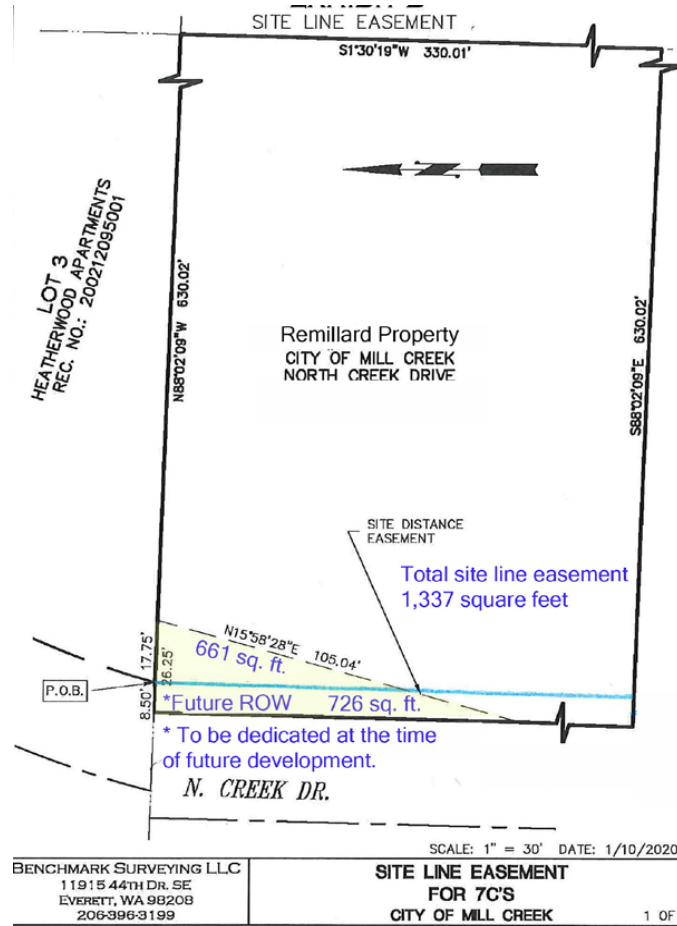
7Cs Swim School – Review Process To-Date



Aerial / Vicinity Map



Sight Distance Easement



Existing Conditions Photos



View from North Creek Drive adjacent to City property looking north



View from the access drive looking south toward the City property

Impacts to the City Property

- Short-Term.
 - Removal of the existing fence
 - If not replaced, property more vulnerable
 - Removal/prevention of vegetation
 - Long-Term.
 - Limits land uses that would block view in the easement area

Potential Easement Terms

- Compensation
 - Utilize appraisal from recent church property purchase – at \$5.50 per sq. ft. (1,337 sq. ft. = \$7,353.50)
- Mitigation of Impacts
 - Replace portion of the existing fence that is removed
 - Grade and finish easement area with river rock/cobble to minimize maintenance
 - City likelihood of using easement area minimal



Next Steps

- Council direction on easement terms
- City Attorney to prepare easement document and resolution authorizing City Manager to sign the easement.
- Council consideration of easement and resolution at future meeting – tentative date July 14, 2020.



Questions?





MINUTES

City Council Regular Meeting

6:00 PM - Tuesday, June 9, 2020

Council Chambers, 15728 Main Street, Mill Creek, WA 98012

Minutes are the official record of Mill Creek City Council meetings. Minutes document action taken at the council meeting, not what was said at the council meeting.

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

Virtual City Council Meeting

Due to the COVID-19 pandemic, the City of Mill Creek has established a virtual and audio meeting for the Council meetings.

United States (Toll Free): 1 866 899 4679
United States: +1 (669) 224-3319

Access Code: 927-117-773

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

- A. Councilmember Todd led the Pledge of Allegiance.

ROLL CALL

Councilmembers Present:

Pam Pruitt, Mayor
Brian Holtzclaw, Mayor Pro Tem
Vince Cavaleri, Councilmember
Mike Todd, Councilmember
John Steckler, Councilmember
Stephanie Vignal, Councilmember

Councilmembers Absent:

Mark Bond, Councilmember

- B. Councilmember Cavaleri motioned to excuse Councilmember Bond for being absent due to being on vacation. Councilmember Vignal seconded the motion. The motion passed unanimously.

AUDIENCE COMMUNICATION

- C.

June 9, 2020 REGULAR COUNCIL MEETING MINUTES

Sid Siegal, Rotary Club of Mill Creek Treasurer and Mill Creek resident commented on the Heron Park Acceptance of Donations and Ordinance Adoption May 12, 2020 agenda item that was withdrawn from the agenda due to an error. Mr. Siegal requested an update of whether the item will put included on the agenda at a future Council Meeting.

City Manager Ciaravino responded that City staff and Interim City Attorney Grant Degginger conducted additional research regarding past practices in regards to the prior donations. He explained that he wanted to ensure that the path forward would address any outstanding issues before legislation was presented. Manager Ciaravino thanked Mr. Siegal for his patience and informed him that the City hopes to put this on the next City Council Meeting.

NEW BUSINESS

- D.** Memorandum of Understanding Regarding Mill Creek PD Temporary Vehicle Storage; SnoCo Cathcart Facility (*Scott Eastman, Acting Chief of Police*)
Acting Chief Scott Eastman provided information to Members of Council regarding a Memorandum of Understanding (MOU) with the Snohomish County Sheriff's Office for vehicle evidence storage

The MOU would allow the Mill Creek Police Department to temporarily use the Sheriff's Office Cathcart facility to store short-term and long-term vehicle evidence at no cost to the City while the City seeks a permanent solution to store vehicles that are suspected of containing evidence and are being held pending a search warrant and vehicles that are the evidence (e.g. evidence from vehicular homicides, felony hit and run, etc.) of a crime.

Council engaged in discussion and Q & A.

Mayor Pro Tem Holtzclaw made a motion to adopt Resolution 2020 - 587 to authorize the City Manager to sign a Memorandum of Understanding (MOU) with the Snohomish County Sheriff's Office for vehicle evidence storage with a modification to the MOU to include the signature of the City Manager. Councilmember Cavaleri seconded the motion. The motion passed unanimously.

STUDY SESSION

- E.** Financial Update
(*Jeff Balentine, Director of Finance*)
As an introduction to the financial update for the City of Mill Creek, City Manager Michael Ciaravino addressed the effects of operating during this unprecedented time of the COVID 19 pandemic. The result of the pandemic as resulted in addressing the projected \$3.1M decrease versus 2019 in the City of Mill Creek's revenues.

Finance Director Jeff Balentine presented to Members of City Council a financial analysis on the current COVID 19 Recovery Plan for the City of Mill Creek. The following items were discussed:

June 9, 2020 REGULAR COUNCIL MEETING MINUTES

- Projected COVID-19 Revenue Impact on 2020 versus 2019
- 2020 Projected Fund Balance
- Staff Mitigation Recommendations to include the reorganization of core operations in all department as well as to curtail non-essential contracts.

Council engaged in discussion and Q & A.

To view power point presentation [click here](#).

CONSENT AGENDA

- F.** Approval of Checks #62009 through #62077 and ACH Wire Transfers in the Amount of \$163,120.92.
(Audit Committee: Councilmember Cavaleri and Mayor Pro Tem Holtzclaw)
- G.** Payroll and Benefit ACH Payments in the Amount of \$218,535.92
(Audit Committee: Councilmember Cavaleri and Mayor Pro Tem Holtzclaw)

Councilmember Cavaleri motioned to pass the consent agenda excluding the June 2, 2020 meeting minutes. Mayor Pro Tem Holtzclaw seconded the motion. The motion passed unanimously.

- H.** City Council Meeting Minutes of June 2, 2020.

Councilmember Todd requested an amendment to the meeting minutes to reflect that the City Council took a ten minutes recess due to outside disturbances. The meeting minutes of June 2, 2020 will be put on the June 23, 2020 City Council Meeting agenda for approval.

REPORTS

- I.** Mayor/Council

- This year's voting delegates for the Association of Washington Cities AWC are Councilmember Todd, Councilmember Vignal and Councilmember Steckler.

Mayor Pruitt reported that she participated in the County's conference call regarding the coronavirus.

The following are updates:

- The County is preparing Phase 3 paperwork to ensure they can submit as soon as possible;
- The County will continue disseminate additional updates as they become available;
- The County started a pilot food distribution project in Marysville called Nourishing Neighborhoods to areas where the need is the greatest and for those who have limited transportation. The program is likely to expand once funds are in place.
- Personal Protective Equipment (PPE) orders have been filled
- Quarantine and isolation sites called Angel of the Winds is currently empty

June 9, 2020 REGULAR COUNCIL MEETING MINUTES

- A new quarantine site is being created at the Evergreen Fairgrounds
- For June 2020, drive-thru testing will be available 2-3 days a week at McCollum Park and 1-2 days a week at a Sno-Isle Libraries location.. [Click here](#) to find out more.
- There were no new deaths of COVID 19 as of yesterday, June 1, 2020
- Twenty new cases of COVID 19 were reported in Snohomish County.

Councilmember Cavaleri thanked Mayor Pruitt for the updates as reminded all to support the food bank's efforts and local businesses as we enter into Phase 2 of the pandemic.

Councilmember Vignal reported the following:

- Congresswoman DelBene participated in a question and answer format at the Snohomish County Economic Alliance meeting she attended last week
- Snohomish County's budgetary constraints due to the COVID 19 pandemic. Councilmember Vignal stated that it is important to stay up to date with information on programs and or grants that Mill Creek relies upon from the County. [Click here](#) to view the County's release on *Economic impacts of COVID-19 are expected to force significant cuts to county budget* .
- Snohomish County Health Department meeting update that there is a three (3) week waiting period from the time the Governor announced the entry into Phase 2 of the pandemic to submit the County's application to go into Phase 3 as long as requirements are met. The date of the three week wait period is June 26, 2020.
- Councilmember Vignal requested a list of the new businesses that will be opening in light of the opening into Phase 2 to be posted on our website and on our Facebook page.

Mayor Pro Tem Holtzclaw commented on the following:

- Remember to support our local businesses due to the hardships caused by the pandemic
- Reminded all to still be cautious and aware of the social distancing regulations in order for the County to meet the requirements to enter into Phase 3. He also noted that there are areas where COVID 19 cases are continuing to spike.

Councilmember Todd reported on the following:

- Update on the Community Transit Meeting and the issue of low ridership and difficulty of social distancing requirements on the bus as well as the financial impacts related to COVID 19. [Click here](#) for more information.

- J.** City Manager Michael Ciaravino updated Council on the 2020 Graduating Class Car Parade with the following:
- Safety Protocols
 - Final the route and map of the parade as approved by the County and WSDOT
 - Plan is in place with allocation of staff resources including: Community Outreach; Public Works
 - Next Steps

Council engaged in discussion.

June 9, 2020 REGULAR COUNCIL MEETING MINUTES

- K.** Gina Hortillosa, Director of Public Works and Development Services updated City Council on the Temporary Expansion of Space for Restaurants (COVID 19).

The following were items that were discussed:

- City Manager authority to waive special event fees as per MCMC 12.08.030
- Washington State Liquor and Cannabis Board (WSLCB) requirements:
In order to add or extend outside liquor service, liquor licensees must request floor plan approvals from the WSLCB's Licensing Division. An alteration request application for a spirits/beer/wine or beer/wine restaurant can be submitted through the WSLCB's website <https://lcb.wa.gov/> or completed forms can be emailed to liquoralterations@lcb.wa.gov.
- Openings into and out of the outside service area cannot exceed 10 feet. If there is more than one opening along one side, the total combined opening may not exceed 10 feet.
The WSLCB's Enforcement and Licensing Divisions will be working together to approve alteration requests for outside service areas on a case-by-case basis. The process from submittal to a decision typically takes 14-21 days, but are being prioritized to assist with shorter turnaround times.
- Scenarios for existing vendors:
 - Description of City review process for regular outdoor seating permit
The permit would be applied for through the City's normal process on www.MyBuildingPermit.com.
 - Description of City review process for Special Events Permits. This applies in cases for Temporary use of sidewalk for outside dining (where min. 8 foot clearance for pedestrians cannot be provided) or in parking lots.
 - Administrative steps staff can take to expedite the review process (regular permit and special event permit)

AUDIENCE COMMUNICATION

- L.** Public comment on items on or not on the agenda was given by Kim Mason Hatt, employee of the City of Mill Creek and president of the City's union-represented employees AFSCME Union commented on the reduction of full time employees and the budgetary constraints due to the COVID 19 Pandemic.

RECESS TO EXECUTIVE SESSION

- M.** City Council went into executive session to discuss potential litigation with legal counsel per RCW 42.30.110 (1) (I) at approximately 8:00 p.m. for 20 minutes. At approximately 8:20 p.m. Council extended exec session for 20 minutes. At 8:41 p.m. Councilmember Steckler made a motion to extend executive session for another 20 minutes. Councilmember Cavaleri seconded the motion. The motion passed unanimously. Council returned to Regular Session at approximately 8:59 p.m. No action was taken.

June 9, 2020 REGULAR COUNCIL MEETING MINUTES

ADJOURNMENT

With no objection, Mayor Pruitt adjourned the meeting at approximately 9:00 p.m

Pam Pruitt, Mayor

Naomi Fay, Interim City Clerk

June 9, 2020 REGULAR COUNCIL MEETING MINUTES



MINUTES

City Council Regular Meeting

6:00 PM - Tuesday, June 23, 2020

Council Chambers, 15728 Main Street, Mill Creek, WA 98012

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 City Council Meeting

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CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

- A. The Pledge of Allegiance was led by Councilmember Mark Bond.

ROLL CALL

Councilmembers Present:

Pam Pruitt, Mayor
Brian Holtzclaw, Mayor Pro Tem
Vince Cavaleri, Councilmember
Mike Todd, Councilmember
Mark Bond, Councilmember
John Steckler, Councilmember
Stephanie Vignal, Councilmember

Councilmembers Absent:

June 23, 2020 REGULAR COUNCIL MEETING MINUTES

AUDIENCE COMMUNICATION

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

Barbara Heidel, City of Mill Creek resident commented that the 2020 Graduating Senior Car Parade wonderful and that graduating seniors were very enthusiast.

Jon Ramer, City of Mill Creek resident shared his feedback and disappointment regarding the City of Mill Creek's Memorial Day event.

Ruth Griffin, City of Mill Creek resident requested the formation of a racial equity board or some equivalent for the City of Mill Creek to serve as an advisory capacity to the City administration.

Carmen Fischer, City of Mill Creek resident commented on the following: that she supports the idea of a racial equality board; that she appreciated Council proclaiming June as Pride Month; and that she is disappointed with the announcement of City of Mill Creek employee lay offs.

PRESENTATIONS

C. [Pride Month Proclamation](#)

Mayor Pruitt and Members of Council issued a Proclamation to proclaim June 2020 as Lesbian, Gay, Bisexual, Transgender and Queer Pride Month.

OLD BUSINESS

D. Heron Park Acceptance of Donation Ordinance Adoption
(Tom Rogers, Planning Supervisor)

City Manager Michael Ciaravino and Tom Rogers, Planning Supervisor informed Members of Council that in order for the City of Mill Creek to accept a donation of labor and materials for the replacement of a pedestrian bridge deck in Heron Park Ordinance No. 2020- 861 would need to be adopted. RCW 35.21.100 (Donations – Authority to accept and Use) allows Cities and Towns to, by ordinance, accept money or property donated and Ordinance 2018-834 authorizes the monetary material donations. However, the definition of “donation” does not address donations of labor. Section 2.B. of Ordinance 2018-834 provides that the City Council may approve non-monetary donations.

Council engaged in discussion.

Councilmember Cavaleri motioned to adopt Ordinance No. 2020- 861 accepting the donation of labor and materials for the replacement of a pedestrian bridge deck in Heron Park and authorizing the City Manager to execute an agreement with the Mill Creek Rotary Foundation for the construction of a pedestrian bridge deck in Heron Park.

Councilmember Bond seconded the motion.

June 23, 2020 REGULAR COUNCIL MEETING MINUTES

The motion passed with 5 votes in favor and 1 vote against by Councilmember Todd and 1 abstention by Councilmember Steckler for reasons of conflict with the administrative process and the need to repair the bridge.

NEW BUSINESS

- E.** Addendum No. 1 To Contract 2018-1461 For Building Plan Review Consultant Services
(Tom Rogers, Planning Supervisor)

Tom Rogers, Planning Supervisor recommended to Members of Council to authorize the City Manager to execute Addendum No. 1 to Contract 2018-1461 for building plan review consultant services with Pacific Rim. The addendum is to increase the maximum amount of the contract to a not to exceed amount of \$138,822.95 and reduce the contract Fixed Rate fee from 70% to 60% for City plan review services.

Council engaged in discussion.

Mayor Pro Tem Holtzclaw made a motion to authorize the City Manager to execute Addendum No. 1 to Contract 2018-1461 for building plan review consultant services with Pacific Rim to:

- 1) increase the maximum amount of the contract not to exceed amount of \$138,822.95; and**
- 2) reduce the contract Fixed Rate fee from 70% to 60% for City plan review services.**

Councilmember Todd seconded the motion. The motion passed 6 in favor and 1 against by Councilmember Steckler and no abstentions.

- F.** An Ordinance Of The City Of Mill Creek, Washington To Amend The Mill Creek Municipal Code Section 6.08.10 Providing The Ability To Appeal The Declaration Of A Potentially Dangerous Animal
(Scott Eastman, Acting Chief)

City Manager Michael Ciaravino introduced the topic to request an adoption of the Ordinance because the current Ordinance in place does not allow for a right to appeal.

Acting Chief Scott Eastman further briefed Members of Council on the Mill Creek Municipal Code Section 6.08.10, which authorizes the City's animal control authority to declare an animal potentially dangerous if the animal control authority has probable cause to believe that the animal falls within the definition of "potentially dangerous animal" as set forth in MCMC 6.02.060. Since the current Ordinance does not have an appeal process in place, the adoption of this ordinance would provide an opportunity.

Councilmember Cavaleri made a motion to adopt Ordinance 2020 - 862 amending the Mill Creek Municipal Code Section 6.08.10 related to the appeal of a proclamation of a Potentially Dangerous Animal. Councilmember Steckler seconded the motion. The motion passed unanimously.

June 23, 2020 REGULAR COUNCIL MEETING MINUTES

STUDY SESSION

- G. COVID-19 Revenue Projections**
(Jeff Balentine, Director of Finance)

City Manager Michael Ciaravino introduced the study session to Members of Council with a brief overview of the intention to keep City Council informed with frequent presentations and updates regarding the financial picture as a result of the COVID 19 pandemic. Director of Finance Jeff Balentine presented to Members of Council with a power point presentation. [Click here](#) to view.

CONSENT AGENDA

- H. Approval of Checks #62078 through #62133 and ACH Wire Transfers in the Amount of \$1,092,303.41**
(Audit Committee: Councilmember Cavaleri and Mayor Pro Tem Holtzclaw)
- I. Payroll and Benefit ACH Payments in the Amount of \$281,709.22**
(Audit Committee: Councilmember Cavaleri and Mayor Pro Tem Holtzclaw)
- J. City Council Meeting Minutes of June 2, 2020**

Councilmember Cavaleri motioned to pass the consent agenda. Mayor Pro Tem Holtzclaw seconded the motion. The motion passed unanimously.

REPORTS

- K. Mayor/Council**

Mayor Pruitt provided update on a conference call she participated in with Snohomish County and the Health District. The following are items she reported: Governor Inslee statewide mandated the wearing masks in public; the personal protective equipment (PPE) warehouse and the Angel of the Winds facility had been moved to the Evergreen Fairgrounds; the County continues to fulfill bulk orders for PPE as they provide to those in need and to first responders; and the County is preparing the Phase 3 application to be submitted as long as the requirements of Phase 3 are met. Mayor Pruitt continued her report with an update on COVID 19 statistics.

Councilmember Steckler reported that he will be participating in the virtual Association of Washington Cities (AWC) Conference along with Councilmember Todd and Councilmember Vignal and thanked those members of City Staff whose efforts contributed to the coordination of the 2020 Graduating Senior Car Parade and said it was executed flawlessly. He also thanked all citizens and participants that took part in the event.

Councilmember Cavaleri commented on an issue that is being discussed throughout the country regarding de-funding the police. He said that public safety is a top priority and that he does not intend on de-funding the City of Mill Creek Police Department.

Councilmember Vignal wanted to thank the City Manager, Acting Chief Eastman and all of staff who put forth their efforts towards the Graduating Seniors Car Parade. She

June 23, 2020 REGULAR COUNCIL MEETING MINUTES

said that it was heart warming experience for all who joined. Councilmember Vignal requested an update regarding the preschool program and more information on what it would require to form an equity board. She also reported that she will be participating in the AWC Conference.

Councilmember Todd reported on the following:

- Councilmember Jared Mead was a speaker at the Mill Creek Chamber of Commerce and shared information on the County 's programs to support local businesses. Councilmember Todd encouraged other Councilmembers to attend the Chambers meetings in the future;
- Participation in the AWC Conference and noted that he began his participation that day and attended workshop sessions and a networking session and found the information valuable and mentioned that he will share notes with Council after the conclusion of the conference;
- Snohomish County Committee for Improved Transportation (SCCIT) meeting update;
- Sound Transit meeting update.

Councilman Todd requested information regarding an issue with a homeowner regarding property is a wetland or not and an update on the 7C Swim Project. Councilmember Todd also requested to schedule City Manager review process in July to discuss and collect information on future goals for the City.

L. City Manager Michael Ciaravino reported on the following:

- Washington Cities Insurance Authority WCIA's new risk management Covid-19 Tool Kit that is available on the WCIA website. To find out more click on: [WCIA Covid-19 Tool Kit](#).
- Mill Creek playgrounds and equipment are open and signage has been installed as well as the bathrooms; and
- the City is exploring new technology systems to enhance the City's website to enhance emergency communications.

AUDIENCE COMMUNICATION

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

Mill Creek resident, Barbara Heidel requested information regarding the opening of City Hall. City Manager Ciaravino gave an update of the re-entry plan for City Hall.

Mill Creek resident Jon Ramer commented on the announcement of City Hall employee lay offs, hiring freeze at the City of Mill Creek and requested information on the budget.

Kim Mason Hatt, City of Mill Creek employee and AFSME Union President made comments regarding the lay offs at the City of Mill Creek.

June 23, 2020 REGULAR COUNCIL MEETING MINUTES

ADJOURNMENT

With no objection, Mayor Pruitt adjourned the meeting at 8:07 p.m.

Pam Pruitt, Mayor

Naomi Fay, Interim City Clerk

June 23, 2020 REGULAR COUNCIL MEETING MINUTES

AWC Conference Report (June 23-26, 2020)

A. CARES ACT funds: The most noteworthy and actionable topic we heard at the Conference was how cities were reacting to COVID and their use of CARES Act funding. Out of various conference sessions and networking events and breakout groups, we heard these items from others:

- All cities are concerned about the impact on revenue immediately, and how long the recovery might take. Some cities had already started doing budget planning for next year, and now will need to revisit their goals and base assumptions. All are trying to forecast what revenue for 2021 will be (April sales tax results were not out before conference ended). Cities that rely heavily on sales tax are more concerned about forecast than others that have other more stable revenue sources, but everyone is concerned and is hoping for better data before setting budgets for 2021.
- Cities were not generally concerned about extra expenses in the short term – the CARES Act funding adequately covers the extra expenses cities are seeing in the short term. (E.g., PPE for staff, sanitizing at facilities/parks, rearranging work spaces, IT costs for remote work, etc.)
- Many cities have put programs in place to pass along CARES funding to agencies and individuals who have extraordinary needs due to COVID. Examples:
 - Small business grants (e.g., in-city employers with under 20 FTE, 2 month’s rent up to \$3500 max).
 - Grant to community social service agencies and non-municipal governmental agencies with their own increased costs (e.g., food bank programs with extra delivery costs, health district for testing and contact tracing, NGO childcare programs with extra sanitation or staffing expenses, housing for homeless agencies with extra costs)
 - Help for individuals who lost jobs due to COVID make rent or utility payments (typically through local non profits set up to administer efficiently so city didn’t need to get into details).
- Other creative uses directly by cities:
 - developed/improved online capabilities (e.g., on line permitting tools rather than face to face over the counter)
 - purchased and mailed masks to all citizens (2/household – Arlington)
 - closed off short street sections to increase outdoor dining space so people could take out food and eat outdoors and stay in business district rather than take out and carry home.
 - closed off neighborhood streets to non-local traffic to accommodate more walking and biking (Bellevue “Healthy Streets” example. Idea came from social media. Low cost A-frame signs, two weeks to implement, used cameras to capture results, well received and used.)
 - Virtualized a popular rec program for youth rather than cancel it – attendance higher than before.
- It is legit to give public funds to “poor and infirm”. Dept of Commerce website has list of allowable uses (<https://www.commerce.wa.gov/serving-communities/local-government/covid-resiliency-grants/>). Use it by October 31 (State deadline to meet Federal deadline of December 31, 2020) or lose it, so cities are acting quickly to get the extra they don’t need directly out to the community where it is needed.

B. Business meeting:

- AWC is in good financial shape: they had a good year in 2019, so they have adequate reserves for the Association to not have extraordinary issues with providing programs we expect.

- New officers were elected (Twisp Mayor Soo Ing Moody is new President, Federal Way Councilmember Kent Keel is new VP). Marysville Mayor Jon Nehring reelected as our District 8 rep; Duvall Mayor Amy Ockerlander elected as new Western At Large rep.
- New Statements of Policy Adopted (6 year horizon to guide AWC in their advocacy and other work).

C. Advocacy Academy session:

- They are predicting a special session in August focused on state's budget shortfall. Likely all revenue/expense related, but cities need to be engaged to ensure that funds we count on aren't redirected, or programs we need curtailed due to their budget cuts. (E.g., transportation funding was already a problem for WSDOT from I-976; fuel tax revenue now also taking a big hit and expense restrictions will impact staff time, so expect delays in state funded and administered road projects.)
- Cities should develop their legislative agenda well ahead of the next session so that each and all of us can speak on behalf of the City's positions – that is more meaningful than individual voices. This is a long session, so Legislators will be dealing with both budget setting and policy issues. Now is not too early to look at AWC's policy statement to see what they will be focusing on, as well as look at issues we may need the Legislature's help on and start drafting our priority document. Once developed (before session), we need to communicate our priorities to our legislators. Invite them to come learn what we need and want; develop relationships now so we are prepared when they get into session and are very busy.
- Election season is coming. Be careful and thoughtful about any endorsements you make. Understand the candidates' positions and emphases so that no matter who is elected we are prepared to work with them effectively during the 2021 session.

D. Mayor/Council/Manager roles and responsibilities. Steve DiJulio gave a fast run through of all things legal that pertain to local government officials. It was a good reminder of the roles and responsibilities of elected officials versus staff, and gave some examples (case law and litigation) of what can happen if we all don't fully appreciate how we need to stay in our own lanes but work together. Some training at a future Council workshop/study session might be good to pick up some of the highlights from this session.

E. Each of us attended various other on-demand video sessions. These may be made available by AWC more broadly later. We each will highlight any additional items we learned that may be of general interest to others on Council and Staff.

Respectfully submitted:

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