



MINUTES

City Council Regular Meeting

6:00 PM - Tuesday, September 22, 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. City Council Regular Meeting
Tue, Sep 22, 2020 6:00 PM - 8:30 PM (PDT)

<https://global.gotomeeting.com/join/614020997>

You can also dial in using your phone.

(For supported devices, tap a one-touch number below to join instantly.)

United States: +1 (224) 501-3412

- One-touch: tel:[+12245013412,,614020997#](tel:+12245013412,,614020997#)

Access Code: 614-020-997

CALL TO ORDER

Mayor Holtzclaw called the meeting of the Mill Creek City Council to order at 6:01 PM

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Councilmember Steckler

ROLL CALL

Councilmembers Absent:

Councilmembers Present:

Brian Holtzclaw, Mayor
Stephanie Vignal, Mayor Pro Tem
Vince Cavaleri, Councilmember
Mark Bond, Councilmember
John Steckler, Councilmember

AUDIENCE COMMUNICATION

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

Wil Nelson, a Mill Creek Resident, commented on the following agenda items: The Mill Creek Boulevard Subarea Plan and the Development Agreement regarding Community Transit's Swift Orange Line Bus Rapid Transit Program. Mr. Nelson inquired on whether recent changes in working conditions have been considered.

PRESENTATIONS

C. Snohomish Health District

(Heather Thomas, Public & Government Affairs Manager)

Heather Thomas Public & Government Affairs Manager for the Snohomish Health District provided a [PowerPoint presentation](#) titled: Supporting & Fostering Healthy, Thriving Communities. The presentation included the following:

- An update on COVID-19 and encourages people to see the following link: www.snohd.org/covid.
- Snohomish Health District continues to provide essential work and outreach while social distancing.
- Implementing a Strategic Plan
- Monitoring budgets and projections

Council engaged in discussion and Q & A.

D. Children's Cancer Awareness Month Proclamation

(Mayor Holtzclaw)

Mayor Holtzclaw proclaimed September 2020 as Childhood Cancer Awareness Month.

[Childhood Awareness Month Proclamation Sept. 2020](#)

NEW BUSINESS

E. Council Position #6 Vacancy

(Mayor Holtzclaw & Grant Degginger, Interim City Attorney)

Mayor Holtzclaw briefed Members of Council with a proposed schedule for filling the Council Position #6 vacancy.

Proposed Schedule:

September 23, 2020 – Advertise and publish the Candidate Application

October 14, 2020 – Applications due by 5:00 p.m.

October 20, 2020 – City Council Interviews & Appointment at a City Council Special Meeting

Interim City Attorney Grant Degginger apprised Council of the rules for filling a second vacancy under RCW 42.12.070 which states: *Where two or more positions are vacant and two or more members of the governing body remain in office, the remaining members of the governing body shall appoint a qualified person to fill one of the vacant positions, the remaining members of the governing body and the newly appointed person shall appoint another qualified person to fill another vacant position, and so on until each of the vacant positions is filled with each of the new appointees participating in each appointment that is made after his or her appointment.*

This appointment shall be for a term commencing on the date of appointment until certification of the next election in November 2021.

With no objection, the schedule for filling Council Position #6 will proceed as outlined above.

[AS Position 6 Council Interviews and Appointment](#)
[FINAL Council Position 6 Recruitment Brochure Sept. 2020](#)

- F. Development Agreement Regarding Community Transit's Swift Orange Line Bus Rapid Transit Program
(Tom Rogers, Planning Manager)

Planning Manager Tom Rogers introduced Christopher Silveira and Roland Behee from Community Transit who provided a presentation regarding the development agreement regarding Community Transit's Swift Orange Bus Rapid Transit Program.

Council engaged in discussion and Q &A.

Mayor Pro Tem Vignal made a motion to authorize the City Manager to execute the Development Agreement regarding Community Transit's Swift Orange Line Bus Rapid Transit Program. Councilmember Steckler seconded the motion. The motion passed 4-1-0 with Councilmember Cavaleri in opposition.

[2020-09-14 - Orange Line DA Agenda Summary](#)
[2020-09-22 - Swift Orange Line Mill Creek City Council Meeting - Packet Presentation](#)
[2020-09-04 - Swift Orange Line Mill Creek - Development Agreement](#)

- G. SAFEbuilt Addendum No. 2 To Professional Services Contract 2018-1474 For Building Inspection and Plan Review Services
(Tom Rogers, Planning Manager)

Planning Manager Tom Rogers provided a historical overview of the SAFEbuilt Consultant Services Contract and briefed Members of Council on the proposed Addendum No. 2 to provide building inspection and plan review services.

Council engaged in discussion.

Councilmember Cavaleri made a motion authorize the City Manager to execute Addendum No. 2 to Professional Services Contract 2018-1474 for Building

Official, inspection and plan review services with SAFEbuilt to increase the maximum amount of the contract to not exceed \$250,000.00. Councilmember Steckler seconded the motion. The motion passed unanimously.

[Summary - Safebuilt Addendum 2](#)

[Consultant Contract Addendum No. 2 August 21.20](#)

[Safe Built Contract Addendum No. 1](#)

[2018-1474 Signed Contract](#)

- H. Addendum No. 2 To Contract 2019-1504 With Otak For Professional Services
(Tom Rogers, Planning Manager)

Planning Manager Tom Rogers briefed Members of Council on the contract with Otak for professional services. Otak provides design services related to the Mill Creek Boulevard land use and infrastructure plan. Due to COVID-19, work has been delayed on the project. The City's procurement procedures require City Council approval to extend the completion date beyond October 31, 2020. Addendum No. 2 with Otak was presented for City Council authorization to extend the contract until May 31, 2021 for work to be performed prior to the State grant reimbursement deadline of June 30, 2021.

Council engaged in discussion.

Councilmember Bond made a motion to authorize the City Manager to execute Addendum No. 2 to Professional Services Contract 2019- 1504 with Otak for professional design services related to the Mill Creek Boulevard Land Use and Infrastructure Plan extending the Completion Date to May 31, 2021. Councilmember Cavaleri seconded the motion. The motion passed unanimously.

[Summary - Otak Addendum 2](#)

[1 - Consultant Contract Addendum 2 Final](#)

[2 - Mill Creek Boulevard Schedule Draft September 10 2020](#)

[3 - Fully Executed Contract 2019 1504 Addendum 1 Otak Signed](#)

[4 - 2019-1504 Signed Contract](#)

STUDY SESSION

- I. Status Update on Governance Manual
(Mayor Holtzclaw)

Mayor Holtzclaw recommended that Council delay this discussion until the two new Council Position vacancies are filled. Without objection, the discussion was postponed to a future Council meeting.

- J. CARES Act Update and Actions
(Jeff Balentine, Finance Director)

Finance Director Jeff Balentine provided a [presentation](#) outlining the current financial trends as well as recommendations for the City of Mill Creek to utilize the Coronavirus Relief Fund (CARES) Funds.

Council engaged in discussion.

At 8:27 PM Councilmember Cavaleri made a motion to extend the City Council Regular Meeting until 10:00 PM. Councilmember Steckler seconded the motion. The motion passed unanimously.

Councilmember Cavaleri made a motion to utilize the CARES Act funds for the Mill Creek totaling \$927,000 to be executed as soon as possible and utilized by November 30, 2020 as outlined by staff. Councilmember Steckler seconded the motion. The motion passed unanimously.

[9-22-20 Finance Agenda Summary](#)
[Sep 22, 2020 Coronavirus Relief Fund COMC](#)

- K. Mill Creek Boulevard Corridor Subarea Planning Presentations - Town Center from Vision to Reality, And Mill Creek Boulevard Subarea Plan Market Analysis and Alternatives
(Tom Rogers, Planning Manager)
Planning Manager Tom Rogers and Brian Vanneman with Leland Consulting gave presentations about the economics of the Mill Creek Boulevard Corridor Subarea, including what type of incentives/land use and zoning changes would be necessary to stimulate redevelopment in the area.

At 9:55 PM Councilmember Bond made a motion to extend the regular meeting until 10:30. Councilmember Cavaleri seconded. The motion passed unanimously.

[MC Blvd. Subarea Planning Presentation Agenda Summary September 22](#)
[MCB Subarea - Market Analysis and Alternatives Presentation - 09-2020](#)
[Town Center Vision to Reality MC Blvd Vision Alternatives](#)

PROPOSED NEW INITIATIVES

- L. Proposed Resolution of the Snohomish County Council Supporting Snohomish County Sheriff Deputies and Law Enforcement Officials across the County in Response to the Tragic Shooting of Two Sheriff Deputies in LA County
(Councilmember Cavaleri)

Without objection, this item was pulled from the agenda and will be placed on the next City Council Regular Meeting agenda due to the limitation of time.

[Resolution Sample](#)

CONSENT AGENDA

- M. Approval of Checks #62445 through #62510 and ACH Wire Transfers in the Amount of \$1,286,310.83.
(Audit Committee: Mayor Pro Tem Vignal and Councilmember Bond)
[Check Vouchers Sept. 22, 2020](#)
- N. Payroll and Benefit ACH Payments in the Amount of \$268,659.98.
(Audit Committee: Mayor Pro Tem Vignal and Councilmember Bond)
[ACH Wire Transfers](#)
- O. City Council Meeting Minutes of August 25, 2020, September 1, 2020 & September 8, 2020.
[Special Meeting Minutes - 25 Aug 2020](#)
[Meeting Minutes- 01 Sep 2020 - Minutes](#)
[Meeting Minutes- 08 Sep 2020 - Minutes](#)

**Mayor Pro Tem Vignal made a motion to adopt the Consent Agenda.
Councilmember Bond seconded the motion. The motion passed unanimously.**

REPORTS

- P. Mayor/Council
Mayor Holtzclaw reported on
- The Community Transit Board seat vacated by former Councilmember Todd
 - A conversation with MCCA Director Hilary Bublitz regarding stormwater, median maintenance and increased transient activity.
- Q. City Manager
- Department of Ecology Update
 - Fire District 7
 - Council Planning Schedule
- City Manager Michael Ciaravino reported on:
- The City's actions to regain compliance with the NPDES permit requirements
 - The status of the City's contractual relationship with Fire District 7
 - The updated planning calendar
- R. Staff

AUDIENCE COMMUNICATION

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

There was no one from the audience wishing to address Council.

RECESS TO EXECUTIVE SESSION

At 10:05 Council recessed into Executive Session. No action was to be taken.

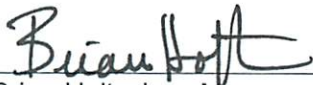
- T.
 - To discuss the performance of a public employee and to evaluate the qualifications of an applicant for public employment per RCW 42.30.110 (1)(g)

- To discuss the evaluation of the qualifications of a candidate(s) for an appointment to elective office per RCW 42.30.110(1)(h).
- To discuss potential litigation per RCW 42.30.110(1)(i).

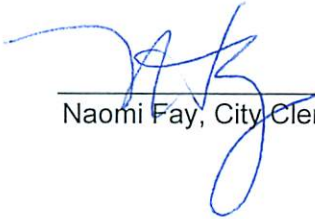
City Council reconvened into regular session at 10:29 p.m.

ADJOURNMENT

With no objection, Mayor Holtzclaw adjourned the meeting at 10:30 PM



Brian Holtzclaw, Mayor



Naomi Fay, City Clerk