



# CITY COUNCIL AGENDA

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

Pam Pruitt, Mayor • Brian Holtzclaw, Mayor Pro Tem • Sean Kelly • Donna Michelson •  
Vince Cavaleri • Mike Todd • Mark Bond

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 City Clerk at (425) 921-5732 three days prior to the meeting.

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

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

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

Times listed on the agenda are approximate only. Discussions may sometimes cause remaining agenda items to be considered before or after their scheduled time. Citizens are welcome and encouraged to attend all sessions (except for Executive Sessions) of the meeting.

**Next Ordinance No.** 2015-793

**Next Resolution No.** 2015-526

**February 10, 2015  
City Council Meeting  
6:00 p.m.**

**6:00 p.m. CALL TO ORDER:**

**6:01 p.m. FLAG SALUTE:**

**6:02 p.m. ROLL CALL:**

**6:03 p.m. AUDIENCE COMMUNICATION:**

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

**6:15 p.m. PRESENTATIONS:**

- A. Public Art Displays  
*(Zach Anders, Chair of the Art/Beautification Board)*

**6:30 p.m. STUDY SESSION:**

- A. Emergency Services Coordinating Agency (ESCA) Briefing  
*(Tom Gathmann, Public Works Director)*  
*Estimated Length of Discussion: 30 minutes)*
- B. Recommendations from the Economic Development Committee Report  
*(Tom Rogers, Director of Community Development)*  
*(Estimated Length of Discussion: 90 minutes)*
- C. Open Discussion  
*(City Council)*  
*(Estimated Length of Discussion: 5 minutes)*

**8:35 p.m. BUSINESS SESSION:**

**8:35 p.m. CONSENT AGENDA:**

- A. Approval of Checks #53275 through #53342 and ACH Wire Transfers in the Amount of \$473,456.12.  
*(Audit Committee: Councilmember Todd and Councilmember Michelson)*
- B. Payroll and Benefit ACH Payments in the Amount of \$192,322.27.  
*(Audit Committee: Councilmember Todd and Councilmember Michelson)*
- C. Council Meeting Minutes of January 13, 2015
- D. Council Meeting Minutes of January 27, 2015

**8:40 p.m. REPORTS:**

- A. Boards and Commissions  
Staff Reports  
City Manager  
Finance Director  
Director of Community Development  
1. Memo from Scott Smith, City Engineer Re: BWC pavement option  
Public Works Director  
Police Chief  
City Clerk  
1. Reschedule 3/10 Council Meeting to 3/17

**9:00 p.m. AUDIENCE COMMUNICATION:**

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

**9:10 p.m. ADJOURNMENT**

# Mill Creek Art Trail

## Potential Sites 2015

Art & Beautification Board  
Ad Hoc Committee

Thinking process

# Blank Canvas Stage

- **Vision:** To bring people and art together in Mill Creek
- **Purpose:** To increase community pride and spur economic development with art



# Scope

- High foot trafficked areas with options to expand
  - Start at Town Center/North Creek Trail due to existing lighting, facilities, and traffic patterns
  - Expansion to city parks after initial success

Going Forward

# Timeline

- Project Implementation
- Site identification - December 2014
- Secure funding/Sponsors/Legalese/Docs. - Feb/June 2015
- Call to Artists - September of 2015
- Jury - January of 2016
- Installations - Spring of 2016
- Rotations - 2 year cycles (staggered?)



# Budget

- **Budget to be determined by selected sites and installation costs**
- **Potential funding sources:**
  - Rotary
  - Corporate Sponsorships
  - Community Donations
  - Entry fees
  - Art Fund/Council
  - Commissions

# Paint on the Canvas Stage

- 4-5 suggested locations
- Jury process
- Releases/Insurance in order
- Community voting process established
- Fundraising options in place
- Call to artists
  - Specifications included

# Painting Complete

- Sculptures Installed
- Webpage
  - Mill Creek Art Trail
  - Artist details
  - Photos
  - Maps
  - Voting
- Donation/Funding ongoing



## Current Installation “FLOW”

Near Starbucks - across from Cold Stone





**Current Installation**  
**“Urban Wind Rider”**  
At City Hall







## Current Installation “Mini Stonehedge?”

Near old ReMax at Creekside





**Proposed location - near John L. Scott**

Lighting in place, trailhead spot





**Proposed location - near Granola's**

Lighting in place, trailhead spot





## **Proposed location - near Reigning Imagination**

Large open forum, seating nearby, visible to both foot and street traffic





**Proposed location - near Raymond James**

Open spaces, seating nearby





## **Proposed location - near Filmore, Mill Creek Lodge**

Could replace pot in middle, concrete grooved  
towards central space

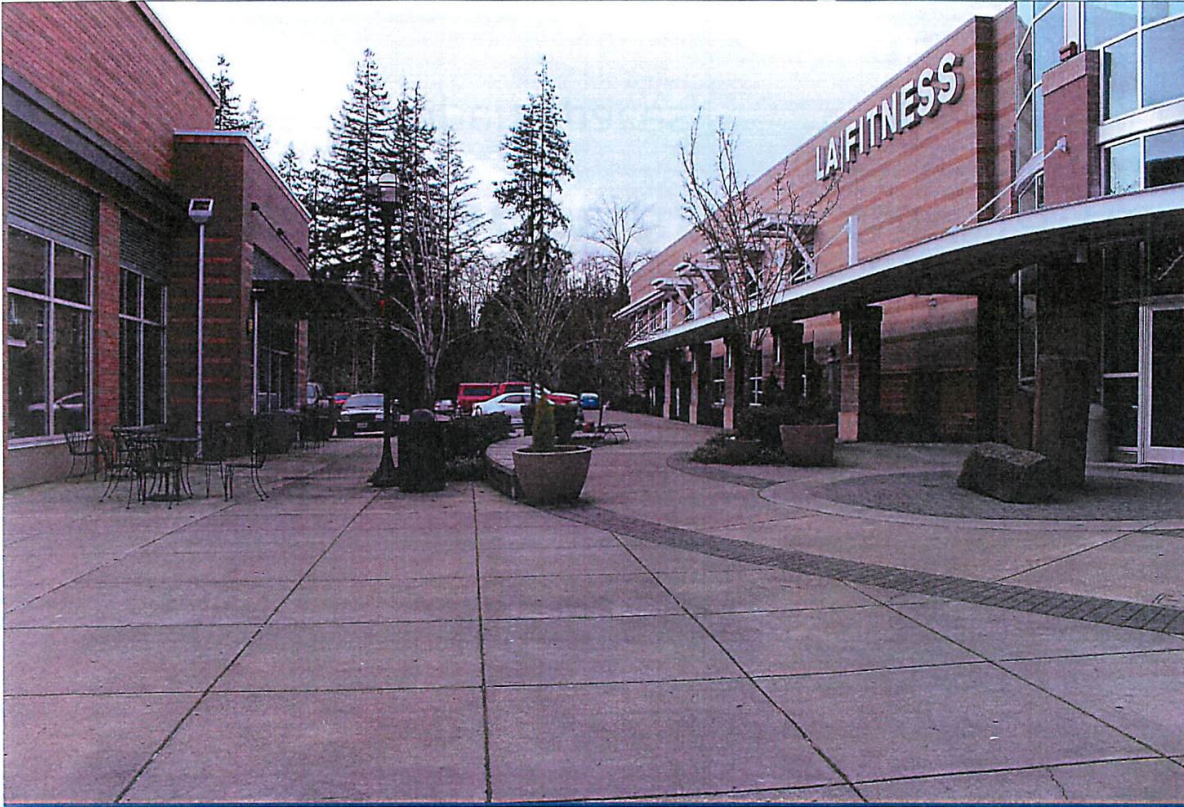




## Proposed location - near Frost

Open spaces, seating nearby





## **Proposed location - near Spotted Cow**

Lighting in place, seating nearby



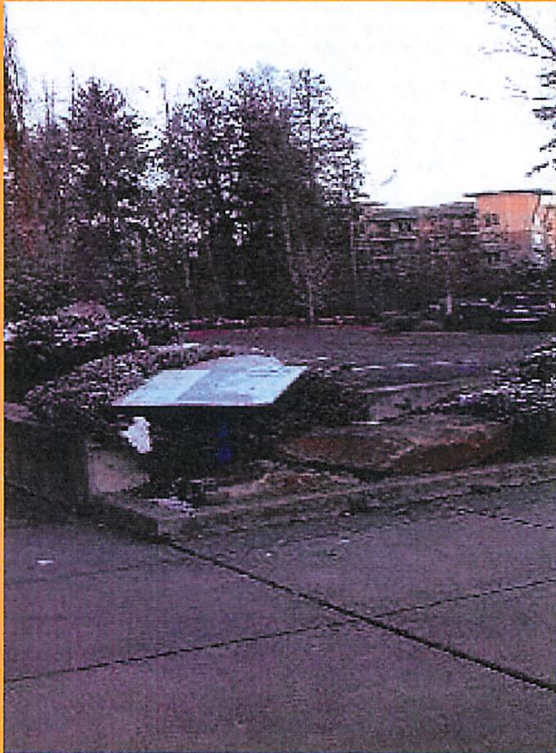


# Proposed location - near Jamba Juice

Seating nearby, Open Spaces



## Proposed location - near Tablas

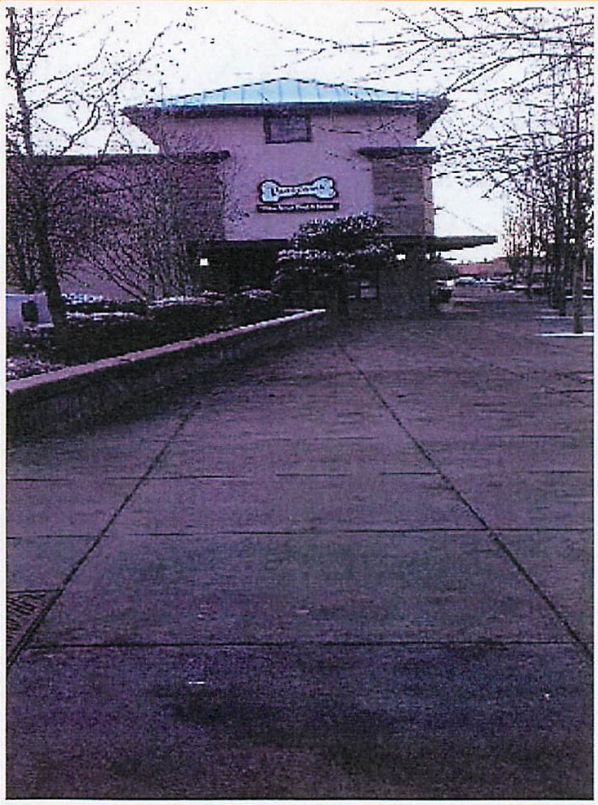


Information board on Mill Creek Trail





## Proposed location - near Paddywack



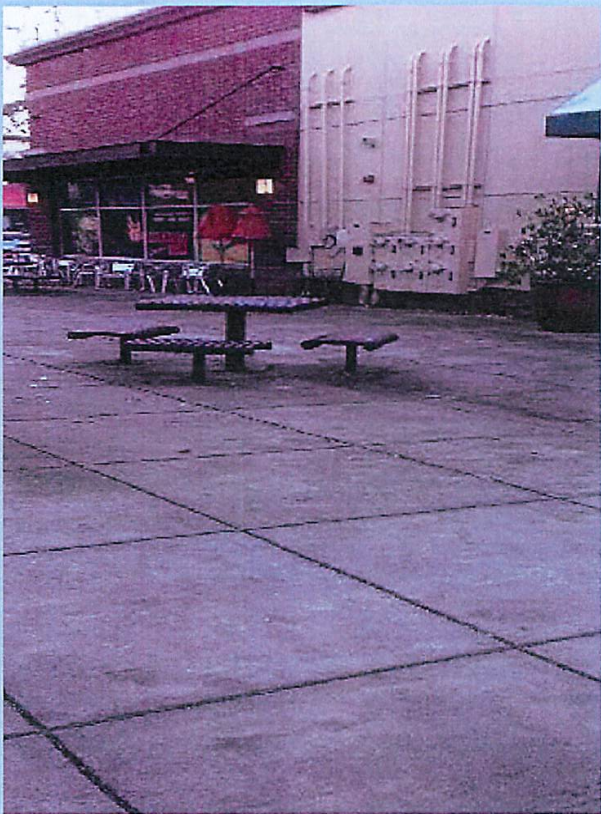




**Proposed location – near Boston's/Pier 1**

Lighting in place





**Proposed location – near FireStation Deli**





**Proposed location – near Run 26**





**Proposed location – near City Hall**





**Proposed location – near Mill Creek Clinic**





Proposed location – near intersection Main St. & Mill  
Creek Blvd.



MILL CREEK CITY COUNCIL

**AGENDA SUMMARY**

Date on Council Agenda: February 10, 2015

Subject: **EMERGENCY SERVICES COORDINATING AGENCY (ESCA) BRIEFING**

Budget Impact: Uncertain at this time

Contact Person/Department: Tom Gathmann, Public Works Director

**SUMMARY:**

The Emergency Services Coordinating Agency (ESCA) was formed in 1984 by a group of South Snohomish County cities, including Mill Creek, as an alternative to paying for the services of the Snohomish County Department of Emergency Management (DEM). That action was formalized by the Council's adoption of Resolution 84-14 (Attachment 1) on September 25, 1984. In 1994 an Interlocal Agreement (ILA) was signed by Mill Creek and the cities of Bothell, Brier, Edmonds, Lynnwood, Mountlake Terrace and the Town of Woodway because they had "mutually determined it would be beneficial to combine emergency management coordinating activities by the creation of a separate government entity constituted of its member communities." (Quoted from Attachment 2.) The membership has changed slightly since formation with the addition of the cities of Kenmore, Lake Forest Park, Mukilteo and Woodinville, while the City of Bothell has left the organization.

The primary mission of ESCA is to serve as the emergency management agency for member cities and to assist the member cities with development and updates of their Comprehensive Emergency Management Plan, Emergency Action Plans, and to provide emergency training. (A much more detailed description listing 18 services is included as Attachment 3, which is copied from the ESCA website on the page labeled "What We Do.") It is important for the City of Mill Creek and other cities with limited staffing resources to have available the expertise of emergency management professionals. Aside from Snohomish County itself, within the County only the City of Everett has its own staff dedicated to full-time emergency management functions. ESCA has provided necessary services that City staff simply do not have the time or knowledge to provide in-house. However, ESCA experienced significant staffing changes in 2014, including the resignation of a Senior Coordinator early in the year and the retirement of the Director in late summer. With only four full-time staff members, these events seriously hampered the ability of ESCA to function as intended.

To address both staffing and functional issues, a subcommittee of ESCA Board members prepared a draft strategic plan that outlined three potential options for ESCA moving forward: fill the vacancies and continue as before; dissolve ESCA and seek emergency management services somewhere else; create a hybrid organization that focused on training and planning, but not disaster event support. At the last ESCA Board meeting on January 22, 2015, the City of Mukilteo submitted a formal withdrawal letter. The ILA requires submission of withdrawal letters on or before June 30 for withdrawal at the end of the year in which the withdrawal is made. After considerable discussion of the current state of ESCA and options available, the board concluded it was essential to meet with DEM, and that meeting is scheduled for February 12, 2015. A letter from John Pennington, DEM Director, detailing some points of discussion at the meeting is included as Attachment 4.

The cost to Mill Creek in 2015 for ESCA membership is \$44,431. All member cities pay a fee based

Agenda Summary  
February 10, 2015  
Page 2

on population at the rate of about \$2 per person. The 2015 operating budget for ESCA is \$655,126 and it has about \$95,000 in reserves. Aside from revenue from member cities, ESCA also gets grant revenue. That can vary, but has average about \$125k in recent years. The existing cost for DEM member cities is \$1.12 per person, also based on population. DEM currently does not provide the same support services to member cities as ESCA. Much of the discussion at the February 12<sup>th</sup> meeting will focus on the potential integration of the seven ESCA member cities in Snohomish County into DEM and how some of the services provided by ESCA might (or might not) be provided by DEM.

Like Mukilteo, the City could formally withdraw from ESCA by submitting a letter so stating, but the withdrawal would not be effective until the end of the year. Section 7 of the 1994 ILA, entitled "Term and Dissolution," states the ILA, and thus ESCA, may be terminated and dissolved at any time by a simple majority vote of the members. City Attorney Maloney recommends that independent legal counsel be retained by ESCA to work through the details including the distribution of assets and potential assumption of liabilities among member cities and/or DEM. In any event, the actions taken by the City and the ESCA board will have ramifications and need to be made with prudence.

Chief Crannell and Director Gathmann will both attend the February 12, 2015 meeting between ESCA and DEM and report back to City Council on February 24<sup>th</sup>.

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**BACKGROUND:**

- In 1984 the City withdrew from the Snohomish County Department of Emergency Management (DEM) and helped create the Emergency Services Coordinating Agency (ESCA)
- In 1994 the relationship with ESCA was formalized in an Interlocal Agreement
- ESCA underwent significant staffing changes in 2014 including the retirement of the Director
- On February 12, 2015 a meeting is planned between the ESCA and DEM to discuss critical issues associated with the services DEM can provide and the needs of ESCA member cities.

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**STAFF RECOMMENDATION:**

- Direct staff to report back to Council on February 24, 2015 with a summary of the discussions between ESCA and DEM scheduled for February 12, 2015 and provide a recommendation for Council action at that time regarding the City's continuation with ESCA.

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**COUNCIL PROCESS/ACTION:**

- Presentation by Tom Gathmann, Director of Public Works
- Council questions and discussion

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**ATTACHMENTS:**

- Attachment 1 – Resolution 84-14 leaving Snohomish County Emergency Services
- Attachment 2 – 1994 ESCA Interlocal Agreement
- Attachment 3 – Services provided by ESCA
- Attachment 4 – February 12, 2015 ESCA/DEM meeting topic letter

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City Manager Approval: \_\_\_\_\_ Date: \_\_\_\_\_

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ATTACHMENT 1

WSS:jt  
9/10/84

RESOLUTION NO. 84-14

A RESOLUTION OF THE CITY OF MILL CREEK, WASHINGTON, PROVIDING FOR THE NOTIFICATION OF THE SNOHOMISH COUNTY DEPARTMENT OF EMERGENCY SERVICES OF THE CITY OF MILL CREEK'S EXERCISE OF ITS RIGHT UNDER AN AGREEMENT WITH SUCH AGENCY TO WITHDRAW FROM PARTICIPATION IN ITS ACTIVITIES AND DIRECTING THE CITY CLERK TO GIVE NOTICE OF SUCH INTENTION BY SEPTEMBER 30, 1984.

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WHEREAS, the City of Mill Creek has participated by contract in the Snohomish County Department of Emergency Services and

WHEREAS, its contract provides that the City may withdraw upon notification and approval of a plan for the provision of emergency services by the Washington State Department of Emergency Management and

WHEREAS, the City of Mill Creek has joined in the preparation of such a plan with other bodies comprising the South Snohomish County Emergency Services Coordinating Agency and

WHEREAS, approval of a plan developed by the South Snohomish County Emergency Services Coordinating Agency has been approved by the State of Washington, now, therefore,

BE IT RESOLVED AS FOLLOWS:

Section 1. That the City Council of the City of Mill Creek hereby states its intention and desire to withdraw from a contract providing for the Snohomish County Department of Emergency Services and the Emergency Management Council. The City Clerk of the City of Mill Creek is hereby instructed by certified copy of this resolution to inform the Snohomish County

Department of Emergency Services and the Emergency Management

( ) Council of the city's intention to withdraw on or before  
September 30, 1984.

RESOLVED this 25<sup>th</sup> day of September, 1984.

APPROVED:

Sid Hanson  
MAYOR, SID HANSON

ATTEST/AUTHENTICATED:

Michele Schutz  
CITY CLERK, MICHELE SCHUTZ

FILED WITH THE CITY CLERK: 9/13/84  
PASSED BY THE CITY COUNCIL: 9/25/84  
RESOLUTION NO. 84-14

2/2/2015

What We Do - ESCA

**ATTACHMENT 2**

HOME CONTACT ABOUT NEWS GET HELP PREPARE VOLUNTEER LINKS MEMBERS

You are here: Home / ESCA / What We Do

**What We Do**

The Emergency Services Coordination Agency (ESCA) was created in 1984 by Interlocal Agreement in accordance with 39.34 RCW. The agency currently serves the cities of Brier, Edmonds, Kenmore, Lake Forest Park, Lynnwood, Mill Creek, Mountlake Terrace, Mukilteo, Woodinville and the Town of Woodway. ESCA is a full service emergency management office with highly experienced and internationally certified staff, having over 60 years combined experience.

ESCA serves as the emergency management agency for each of its member cities and is an integral part of each city's emergency management organization. In cooperation with each city's Disaster Coordinator and Emergency Management Committee, ESCA staff provides direction and coordination in the development and maintenance of the city's Comprehensive Emergency Management Plans (CEMP) planes and provides for coordination with outside agencies and organizations involved in emergency planning.



Services to cities include:

- Comprehensive Emergency Management Plan development
- Emergency procedure development assistance
- Hazardous Materials Plan development and program management
- Emergency back-up communication system
- Emergency Alert System access
- Emergency public notification system
- EOC training and operational support
- Homeland Security compliance, projects and programs
- County and Regional program coordination i.e. Fire and Law Enforcement Mobilization
- Disaster recovery assistance
- Grant application assistance
- Public safety project management
- Public education programs including CERT and Neighbor Helping Neighbor
- City staff training including ICS, EOC Operations, Damage

IF YOU ARE EXPERIENCING AN EMERGENCY OR LIFE-THREATENING SITUATION **CALL 9-1-1**

SEARCH

Search this website...

MEMBER LOGIN

You are not currently logged in.

Username:   
 Password:   
 Remember Me

» Lost your Password?

CALENDAR

February 2015						
Today	Sun	Mon	Tue	Wed	Thu	Fri
Feb 1	2	3	4	5	6	7
7:30pm				7pm C		
8	9	10	11	12	13	14
7:30pm				7pm C		
15	16	17	18	19	20	21
7:30pm				7pm C		
22	23	24	25	26	27	28
7:30pm			7pm R	2pm E	7pm C	

Events shown in time zone: Pacific Time

Full Calendar

**OUR MISSION:** To coordinate and assist the Emergency Services Coordinating Agency member cities to be better prepared for disaster through mitigation, preparedness, response and recovery activities.

**OUR Volunteer Affiliations:**

RACES - Radio Amateur Civil Emergency Services

CERT - Community Emergency Response Team

2/2/2015

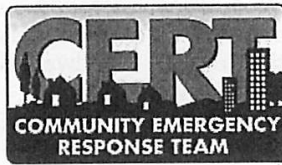
What We Do - ESCA

Assessment, Procedure Development, Volunteer Management and Shelter Operations

- Drill and exercise development and delivery
- Community information
- Individual city service as requested
- Development and management of trained volunteer cadre supporting emergency operations and communications

In addition to assisting each city with emergency planning and preparedness activities, ESCA develops and maintains its own emergency procedures. ESCA coordinates emergency planning and response activities with county and regional emergency management agencies and groups, as well as with outside agencies such as dispatch centers, disaster service organizations, hospitals, schools, and public utilities.

ESCA provides ongoing public education classes including disaster preparedness, emergency communications, Neighbor Helping Neighbor and Community Emergency Response Team (CERT). In addition to these scheduled programs, ESCA attends community fairs, safety events and conducts individual programs for schools, care centers, businesses and other community organizations.



A cadre of trained and organized volunteers is a part of ESCA's overall emergency management program. At monthly meetings, over 100 volunteers receive ongoing training in emergency operations, EOC support, damage assessment, and shelter management. These volunteers are called to support during, training, community events and during emergencies.

The Agency manages a variety of emergency management related tasks including participation in county and region-wide programs and state and federal mandated. These include programs such as Homeland Security, county and regional fire and law enforcement mobilization, administration of SARA Title III federal hazardous materials planning and Community Right to Know requirements. ESCA operates and maintains critical communication links such as the Emergency Alert System, emergency public notification and manages the development and maintenance of the ESCA emergency back-up communication system which supports the overall disaster response efforts at the local level.



During times of emergency, ESCS staff and our trained cadre of volunteers manage the ESCA Emergency Operations Center in order to provide a coordination point between local, state and federal agencies for support to ESCA cities. ESCA coordinates resources used between member cities and provides resource acquisition and deployment from outside sources based on the needs of each individual city. The Agency also develops and releases emergency public information. ESCA has direct access to emergency support agencies such as Washington State Emergency Management, state agencies, National Guard, public

<http://esca1.com/what-we-do/>

2/3



2/2/2015

What We Do - ESCA

and private utilities, social service organizations, Red Cross, Salvation Army and other volunteer emergency services organizations who provide support activities during major emergencies and disasters.

During the recovery period immediately following a disaster, ESCA staff provides assistance to member cities with disaster recovery documentation, cost recovery, mitigation grants and coordinate the establishment of Disaster Assistance Centers to support individual citizen and overall community recovery efforts.

ESCA is baseline funded on a per capita basis through member city budgets with approximately 18% of the funding provided through Federal Emergency Management Planning Grants (EMPG). ESCA also obtains Homeland Security Grants that provide additional funding for staffing, projects, community education and training.

Next: Links

CONTACT THE WEBMASTER, LEO >AT< N7LEO.COM, FOR QUESTIONS OR COMMENTS

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**ATTACHMENT 3**

**INTERLOCAL COOPERATION AGREEMENT FOR THE  
EMERGENCY SERVICES COORDINATING AGENCY (ESCA)**

WHEREAS, Chapter 39.34 RCW regarding Interlocal Cooperation permits local governmental units to make efficient use of their powers by enabling them to cooperate with other localities on the basis of mutual advantage and thereby provide services and facilities in a manner and pursuant to forms of governmental organization that will accord best with geographic, economic, population, or other factors influencing the needs and development of local communities; and

WHEREAS, the Cities of Bothell, Brier, Edmonds, Lynnwood, Mill Creek, Mountlake Terrace, and the Town of Woodway have mutually determined it would be beneficial to combine emergency management coordinating activities by the creation of a separate governmental entity constituted of its member communities; and

WHEREAS, these Cities and Town desire to continue with an existing coordinating agency know as the Emergency Services Coordinating Agency (ESCA) operating under the administrative direction of its Director, responsible to the ESCA Board, with fundings from the local agencies and the State Division of Emergency Management, so as to commence the implementation of the Emergency Management Program for the member cities and town, all in accordance with RCW 38.52.

NOW THEREFORE, the undersigned local governments have entered into this agreement in consideration of the mutual benefits to be derived and as authorized by RCW Chapter 39.34:

Section 1. Member Agencies. The undersigned local governments hereby join together to organize the Emergency Services Coordinating Agency (ESCA), hereinafter "Agency".

1.1. Initial Members. The initial member governments and parties to this agreement shall be the Cities of Bothell, Brier, Edmonds, Lynnwood, Mill Creek, Mountlake Terrace, and the Town of Woodway. The parties acknowledge that the Cities of Brier, Edmonds, Lynnwood, Mill Creek, Mountlake Terrace, and the Town of Woodway have previously committed funds and assets and that the Agency has personal property and leasehold interests which have an approximate value of \$ 31,140.00. By execution of this agreement and passage of a resolution or ordinance as required by WAC 118-06-040, the parties agree to full participation by the City of Bothell and any further members of the agency in the assets on dissolution.

1.2. Additional Members. Other governmental units may request to join in this interlocal agreement. Additional parties may be admitted upon the approving vote of the majority of the members as hereinafter provided. They shall become members upon execution of the agreement and its indemnity provisions and tender of their proportionate share of the budget for any partial budget year or full financial participation if the party joins at the commencement of a new budget



year.

**1.3. Withdrawal.** Any party may withdraw from this agreement by providing written notice of intent to withdraw on or before July 1 of the year preceding the year of withdrawal. Withdrawing during a budget year shall be deemed complete on December 31 of the final budget year in which the individual has agreed to participate. The provisions of Section 6 relating to indemnification shall survive the withdrawal of any agency and the withdrawing agency shall remain liable to indemnify the other parties for any excess liability as defined in said section which arose during the budget year(s) in which the party was a member and to 11:59 p.m., December 31 of the year of withdrawal. By withdrawing, a withdrawing party abandons any interest, if any, which it may have in the assets of the Agency.

**Section 2. Purpose of the Emergency Services Coordinating Agency.** The purpose of this Agency shall be to undertake a work program to implement the currently approved emergency operations plan. Upon approval of the parties, such plan shall be considered a part of this interlocal cooperation agreement and its provisions incorporated a fully as if herein set forth. This agreement shall be interpreted in accordance with such plan, provided, however, that issues relating to withdrawal, participation, indemnification, and budgeting shall be governed solely by this agreement. The work program shall be reviewed and approved by the ESCA Board annually and shall meet with the approval of the State Division of Emergency Management so as to be eligible for funding assistance and to meet the requirements of RCW 38.52.070(1).

**Section 3. Operation of Agency.** To accomplish its purpose, the Agency has been created by the parties. It shall be a separate nonprofit governmental unit operating and functioning in accordance with the laws of the State of Washington. The Director and its employees shall be deemed to be employees of the Agency only and not of its constituent members. The Director, with the concurrence of the ESCA Board, shall employ the necessary personnel with the expertise and experience required for the competent implementation of the emergency operations plan, in concert with appropriate local government entities and their officials. The Agency and parties shall cooperate fully so as to maintain continuity of operations from the past agreement to future separations.

**Section 4. Budgeting and Financial Participation.** The operating budget for fiscal year 1994 is attached as Exhibit A and incorporated by reference as fully as if herein set forth. Financial participation of the parties in future years shall be recommended prior to September 1 by the Director and with the approval of the ESCA Board. It shall be submitted to the parties for their approval. An entity which fails to withdraw as provided in Paragraph 1.3 above shall be liable for its budgeted share of assessments for the next budget year upon approval of the budget by a majority of its members. In the event of disagreement, the parties agree to make every reasonable effort to resolve their differences, including, with the agreement of the parties, the use of mediation services as provided in WAC 118-06-080. Nothing herein shall be interpreted to waive or relinquish the final budgetary authority of each entity, subject to the rules relating to withdrawal.

4.1. Each party shall pay its budgeted share into a fund to be administered in accordance with state law RCW 38.52. Annual budget participation shall be based upon the population of each party compared to the total population of the parties. Operating payments shall be made by January 31 of each year.

4.2. Any entity that fails to timely make payment of its share shall be subject to a late payment charge of one percent (1%) of its assessment for each and every month or part of thereof which its payment is late.

**Section 5. ESCA Board.** Parties shall be represented on an ESCA Board by their respective Mayors or the Mayors' designees. The Board shall advise and direct the Director or other designee to coordinate and assist in the implementation of the plan and program by the member agencies. The Board shall attempt to reach consensus decisions. In the event of disagreement or formal vote, each member shall have one vote.

5.1. The Director shall be responsible for the day-to-day administration of the agency. The Director shall serve in accordance with ESCA personnel policies. The direction of employees is vested in the Director. Employees have the rights and obligations as established pursuant to the Personnel Policies adopted by the Council on September 10, 1992, and all amendments thereto as approved by the Board; provided, however that the Director is authorized to deviate from policies in order to cope with the exigencies of and emergency and said personnel policies shall reference that ability.

5.2. The ESCA Board shall provide for and coordinate with the Compensation Board established by RCW 38.52.210.

**Section 6. Insurance, Indemnification, and Legal Relations.** The agency, through its final budget, shall maintain liability and casualty insurance policies as the ESCA Board shall determine appropriate or shall participate in an insurance pool established in accordance with the laws of the State of Washington. At the date of execution of this agreement, the Agency is a participant in the Washington Cities Insurance Authority. As used herein, the term "excess liability" shall refer to liability for its operations incurred with respect to the actions and operations of the Agency which are in excess of applicable insurance coverage as determined by judgment or approved settlement agreement.

6.1. **Indemnification.** The parties to this agreement agree to share excess liability for claims, losses, or liabilities in excess of the unexpended budget for the annual period in which the claim arose on the same percentage basis as their relative financial participation for the budget year in which such claims arose is determined in paragraph 4.1 above.

6.2. **Survival of Indemnity.** A party which withdraws its support from the Agency shall by its participation in any budget year promise to indemnify and hold harmless the remaining parties from any and all excess liability incurred



with respect to the operations of the Agency during the budget year(s) in which the withdrawing entity was a party to the agreement. Whether or not a particular claim loss or liability arose during a budget year shall be determined based upon the date on which the incident or incidents occurred which gave rise to such liability. This promise to hold harmless and indemnify shall be limited to the same percentage proportion of liability determined in accordance with the financial participation of the withdrawing entity by paragraph 4.1 above during the budget year in which the liability arose.

6.3. Nothing herein shall be deemed to waive the immunities established pursuant to RCW 38.52.180 et seq. nor to create third party rights or liability.

Section 7. Term and Dissolution. This agreement shall continue from year to year until terminated by action of the parties. The agreement may be terminated at any time by the agreement of a majority of the parties or the withdrawal of all parties but one with respect to a future budget year. Upon dissolution of the Agency, any and all assets, real or personal, and the ownership of the Agency shall be applied first to any financial liability or responsibility with respect to its windup operations. The value of the assets shall be then apportioned between the parties to the agreement in the same proportion as their financial participation in the budget year of dissolution.

Section 8. Director: Responsibilities. The Director shall be solely responsible for the day-to-day administration of the agency and shall exercise all powers available under RCW 38.52.070 and perform all the responsibilities and duties set forth in Chapter 38.52 RCW and Chapter 118-07 WAC. Among the Directors duties shall be the keeping of financial and other records reflective of the appropriations and expenditures of the Agency. The Director shall be responsible for the disbursement of funds provided for under the budget and shall, at the request of any party, provide an accounting of the Agency's operations. Funds shall be deposited with the Treasurer or Finance Director of the most populous party as provided in RCW 38.52.070(1). Such fund shall be known as the ESCA Emergency Management Fund. Disbursements, bidding and purchasing shall comply with requirements applicable to towns, so long as the Town of Woodway shall be a member; provided that in the event of an emergency restrictions shall be done away with as authorized in RCW 38.52.070(2). Legal services shall be provided by the legal counsel to the chairperson of the ESCA Board or such other counsel as the parties shall designate by their majority vote. Access to the books of the Agency shall be permitted during normal business hours to any party.

Section 9. Definitions.

9.1. Agency. The term "agency" shall mean the Emergency Services Coordinating Agency to be synonymous with the abbreviation ESCA.

9.2. Budget Year. The budget year shall refer to the calendar year January 1 through December 31 of each year.

9.3. Excess Liability. "Excess liability" shall mean the amount of the judgment or settlement approved by the ESCA Board in excess of the policy limits of an insurance policy or pool coverage and the available unencumbered budget for the agency for the year of occurrence.

9.4. Party. A "party" is a city or a town who is a party to this agreement and a member of the ESCA Board.

9.5. All other terms herein shall have the meaning assigned by Chapter 38.52 RCW and Chapter 118-07 WAC.

Section 10. Prior Agreement: Amendment. This agreement supersedes prior agreements by the parties, provided, however, that prior indemnification agreements shall survive to the extent necessary to provide for full indemnification of parties for liabilities arising during prior budget years. This shall be the sole agreement between the parties and shall be amended only in writing with the express written consent of the parties hereto. Once approved by the separate City Councils of the entities, it shall remain in full force and effect until terminated by the parties or by the withdrawal of a party from the agreement. All prior understandings between the parties, written or oral, are deemed merged with this agreement, provided, however, that this agreement shall be interpreted in order to implement its central purpose - the implementation of the emergency management plan previously incorporated by reference.

Section 11. Recording. This agreement shall be filed with the city or town clerks of each of the parties hereto, with King County Department of Records and Elections, and with the Snohomish County Auditor prior to becoming effective in accordance with the requirements of RCW 39.34.040.

DATED this 16 day of May, 1994.

*June Allred*  
City of Bothell City Manager

*Sharon L Walker*  
Mayor, City of Brier

*Laura H. Hall*  
Mayor, City of Edmonds

*Lina Roberts*  
Mayor, City of Lynnwood

*John Smith*  
City of Mill Creek

*William A. Schick*  
City of Mountlake Terrace

*Ross Wood*  
Mayor, City of Woodway



**ATTACHMENT 4**

**From:** Pennington, John [<mailto:John.Pennington@co.snohomish.wa.us>]  
**Sent:** Monday, January 26, 2015 12:49 PM  
**To:** Bob Colinas  
**Cc:** Biermann, Jason; Good, Daniel  
**Subject:** DEM-ESCA Meeting February 12th  
**Importance:** High

Thank you for the conversation, Mayor Colinas.

DEM will be at the February 12<sup>th</sup> meeting... Brier at 2:00.

Our intentions will be as follows:

- 1) Share a conceptual organizational chart that we have developed for integration of ESCA cities in Snohomish County into DEM.
- 2) Discuss current DEM Planning, Training, and Exercise (PTE) activities and how it might look into the future with ESCA cities.
- 3) Discuss current CEMP processes in place at DEM with our cities and tribes, again sharing what we believe that would look like.
- 4) Address the current fiscal costs associated with member cities at DEM and anticipated budget and staffing requirements.
- 5) Discuss the merger of volunteers between the two organizations... some of which is tactical and some strategic.
- 6) Other support that is inherent in our mission and operations (ex. mitigation, search and rescue nexus, enhanced utilization of Reverse Notification, etc.).
- 7) Answer additional questions.

Senior staff members that will be present during our presentation and some of their primary responsibilities:

- 1) John E. Pennington, Director
  - a. UASI-DHS/FEMA Coordination
  - b. State Emergency Management Division liaison
  - c. Disaster Assistance Cadre (DAE) Coordination
- 2) Jason Biermann, Deputy Director
  - a. DEM Administrative Management
  - b. State Homeland Security Region 1 (HLS-1) Management
  - c. EOC Readiness
- 3) Mark Murphy, Lead Emergency Program Manager
  - a. Response Coordination
  - b. PTE
- 4) Dan Good, Emergency Program Manager
  - a. Response Coordination
  - b. PTE
- 5) Dara Salmon, Emergency Program Manager
  - a. Mitigation Lead
  - b. Continuity of Operations (COOP)
- 6) Randy Fay, Emergency Program Manager

- a. Volunteer Coordination
- b. Vulnerable Populations
- c. Search and Rescue (County and UASI-wide SAR Liaison/Team Member)

The following staff members will not be present but I feel it relevant to share their names and primary functions:

**Scott Honaker** (RACES-ARES Communications Lead); **Tammy Jones** (HLS-1 Coordinator); **Bill Ekse** (UASI-DHS Coordinator); **Susan Alexander** (Administrative/Finance Tech); **Therese Quinn** (Medical Reserve Corps and Snohomish Health District Liaison); **Jarrold Dibble** (EOC Call Center Manager); **Nicki Newman** (Americorps Preparedness Coordinator). We are in the process of hiring a replacement for our Budget Analyst (formerly Diana Rose) and will be hiring shortly an Emergency Management Coordinator position (EMC) to support the EOC readiness efforts).

We look forward to meeting with you on the 12<sup>th</sup>.

Best wishes.

JP.

John E. Pennington, M.A.  
Director  
Department of Emergency Management (DEM)



*Snohomish County DEM  
Emergency Operations Center  
720 80th Street SW: Building A  
Everett, WA 98203*

*(425) 388-5070  
(425) 423-9152 (fax)*

On the Web at [www.snoco.org](http://www.snoco.org)  
On Facebook at <http://www.facebook.com/SnoCoDEM>  
Via Twitter at [http://www.twitter.com/SnoCo\\_DEM](http://www.twitter.com/SnoCo_DEM)

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MILL CREEK CITY COUNCIL  
**AGENDA SUMMARY**

Date on Council Agenda: February 10, 2015

Subject: **DISCUSS RECOMMENDATIONS FROM THE ECONOMIC DEVELOPMENT COMMITTEE REPORT**

Budget Impact: None

Contact Person/Department: Tom Rogers, Director of Community Development

**SUMMARY:**

The Mill Creek Economic Development Committee presented its report to the City Council on September 23, 2014. The report contained several “Areas For Consideration,” which they believed warranted further Council consideration. These recommendations were categorized as either short-term (to be investigated/ implemented within one year) or long-term (to be investigated/ implemented in two or more years). Although the Council did not discuss them in any detail, a few of the short-term recommendations, if approved, would have budgetary implications for 2015-2016.

The recommended Areas for Consideration as contained in the Economic Development Committee Report are listed below. Those recommendations that would require funding within the 2015/2016 budget period are bolded.

**AREAS FOR CONSIDERATION**

*A consensus was reached on the following areas for consideration by the members of the committee who have participated for these last three months. They are divided into short-term (1 year) and long-term (2+ years and up).*

**SHORT TERM**

- **Add an Economic Development position to City staff.**
- **Promote the concept of a “big box” store in the EGUV for a reasonable time period and then if no contract evolves, offer an alternative design with focus on an arts and entertainment complex, restaurants and surrounding retail outlets. See Attachment A for a design example.**
- **Create an Economic Development web page to use as a resource for property owners, developers and brokers to use as a marketing tool, by highlighting the benefits of living in Mill Creek or owning/developing a business in the City. The web page would feature the types of businesses the City would like to see in Mill Creek and provide a one-stop shop for development information and support.**
- *Create relationships with business organizations to determine necessary information to incentivize potential new businesses to locate in Mill Creek.*
- *Streamline and promote the online permitting process to make it simple and more pro-business.*
- *Create a City motto or tag line and use it in all promotions.*
  - *Mill Creek – a place where good things happen.*

Agenda Summary  
February 10, 2015  
Page 2

- *Mill Creek – come see why we love Mill Creek.*
- *Mill Creek – where families are proud to call our City home.*
- *Mill Creek – a community of families, nestled among parks and trails.*
- *Or make it a city-wide contest to create the favorite one.*
- *Continue to provide community-oriented activities to enhance the character of the City, such as “Movies in the Park.”*
- ***Optimize North Creek Trail through promotion, signage for parking, addition of exercise stations and restrooms.***
- *Review and revise the current annexation policy document to modify it from a “pencil out” numbers focus to add elements of future control and potential new developments.*
- ***Gather preliminary data for annexing the 164<sup>th</sup> corridor to I-5 in order to manage future development and control a key artery from I-5 to our City.***
- ***Encourage the creation of a wetlands bank whereby developers could buy financial offsets to be used as mitigation in the same watershed.***
- *Change zoning codes to allow “mixed-use” in CB zones and increased building heights.*
- ***Create a standing five-member Economic Development Committee to advise the City Council, support the Economic Development Director and provide oversight on the economic development direction in the City.***

#### **LONG TERM**

- *Provide a dedicated facility for family-oriented public activities such as the Annual Mill Creek Festival, Easter Egg Hunt, and future possibilities such as the Munch at Mill Creek, etc.*
- *Reconsider the south-end annexation without the burden of the Fire District payments and using the rewritten annexation policy.*
- *Pursue partnerships with businesses to advance community enhancements such as the position the City of Monroe took in partnering with a movie theater in order to secure its establishment.*
- *As the Council approaches the 2017-18 budget process and plan, we understand there will be difficult decisions to be made. Besides reviewing the possibilities of increased property taxes, instituting a new utility tax, cutting services to the citizens, we think you should seriously consider annexing into Fire District #7.*



Agenda Summary  
February 10, 2015  
Page 3

**STAFF RECOMMENDATIONS:**

- None at this time.

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**COUNCIL PROCESS/ACTION:**

- Council discussion of the recommendations contained within the Economic Development Report
- Council provides direction to staff

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**ATTACHMENTS:**

- EDC Report to the City Council, dated September 2014
- 

Acting City Manager Approval: \_\_\_\_\_ Date: \_\_\_\_\_


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**REPORT TO THE CITY COUNCIL OF MILL CREEK FROM  
THE ECONOMIC DEVELOPMENT COMMITTEE**

September 2014

This report is the summary efforts of the Economic Development Committee, which met six times since June 9th. First, the committee would like to thank the Council for the opportunity to serve Mill Creek. We especially want to thank the Council for their encouragement and inspiring us to “think outside the box” in our deliberations. The committee would also like to thank Tom Rogers and his staff for their support, plus input we received from Landy Manual during his visit.



**FINDINGS** After reviewing the background materials provided by the Community Development Department and other data from the committee members, we found:

- Mill Creek has the amenities and quality of life that’s attractive to families and retirees; and the citizens living here are protective of that quality of life AND would like to keep it that way.
- The City has comparatively well educated and affluent population.
- There is an active interest in having more family-oriented community activities, like the annual Mill Creek Festival, Trunk or Treat, various runs and the Easter egg hunt.
- There are amenities like the North Creek Trail that are underutilized because citizens are not aware of them.



- Mill Creek has little or no control over the access or through traffic in the City.
- The City of Mill Creek has relatively low business taxes (no utility or B&O taxes).
- There's about a 14% vacancy rate in professional commercial space and just below 8% vacancy rate in retail commercial space. Both these rates are trending down and the vacant retail space is limited to several pockets in the City such as Thomas Lake Center, Creekside Village and two properties near Safeway.
- The financial resources have been adequate in the past but the City needs additional revenue sources to assist in preventing a budget shortfall in the next 2-4 years.
- There is no coordinated effort to market or promote the City as a place to do business or to visit retail outlets or restaurants.
- Current budgetary concerns and potential annexations are burdened by the Fire District #7 contract payments.

**IDENTIFIED PROBLEMS**

Here are some of the problems identified by the committee that need consideration:

- No dedicated space to hold public family-oriented events without disturbing commercial establishments and normal traffic patterns within the City.
- There is no web page that developers can access to get information about the City and what types of development the City is seeking.

- There is no coordinated effort to market or promote the good things the City has to offer.
- Fire District #7 contract payments create budgetary challenges and make annexations highly improbable.
- Current zoning codes restrict development.
- There is no City staff dedicated to foster economic development.
- The City has transportation issues with access and through traffic.

**SUMMARY STATEMENT**

It is not lost on the committee that the City of Mill Creek is in the precarious position of facing a budget shortfall in the near future. At the guidance of the Council, the City has done an admirable job of balancing expenses against tight revenues. And though the committee would not argue for throwing out fiscal prudence, it is the consensus of this committee that the City must take some risks in the near term to address the coming revenue shortfall. It is evident that fiscal management alone will not be enough to shore up the deficit.

So it is the opinion of the committee that the City must place a priority on revenue generation. This would include not only pursuing options in the form of utility taxes, fees and permits, but more importantly aggressive business development. The 2012 Strategic Plan alludes to annexation policies being evaluated fiscally instead of by the longer term strategic value. It is our contention that a premium must be given to the longer term strategic value of such decisions, not only for possible annexation, but other business development opportunities, as well. Economic gain cannot be made without the accompaniment of risk.



This committee has reviewed a number of the different suggestions presented in the background material provided by City staff, which had previously been reviewed by the City Council, and the suggestions presented by the members of this committee. We believe a number of these ideas have merit and should be investigated further as a means to generate and attract more business development within Mill Creek.

### **AREAS FOR CONSIDERATION**

A consensus was reached on the following areas for consideration by the members of the committee who have participated for these last three months. They are divided into short-term (1 year) and long-term (2+ years and up).

#### **SHORT TERM**

- Add an Economic Development position to City staff.
- Promote the concept of a “big box” store in the EGUV for a reasonable time period and then if no contract evolves, offer an alternative design with focus on an arts and entertainment complex, restaurants and surrounding retail outlets. See Attachment A for a design example.
- Create an Economic Development web page to use as a resource for property owners, developers and brokers to use as a marketing tool, by highlighting the benefits of living in Mill Creek or owning/developing a business in the City. The web page would feature the types of businesses the City would like to see in Mill Creek and provide a one-stop shop for development information and support.

- Create relationships with business organizations to determine necessary information to incentivize potential new businesses to locate in Mill Creek.
- Streamline and promote the online permitting process to make it simple and more pro-business.
- Create a City motto or tag line and use it in all promotions.
  - Mill Creek – a place where good things happen.
  - Mill Creek – come see why we love Mill Creek.
  - Mill Creek – where families are proud to call our City home.
  - Mill Creek – a community of families, nestled among parks and trails.
  - Or make it a city-wide contest to create the favorite one.
- Continue to provide community-oriented activities to enhance the character of the City, such as “Movies in the Park.”
- Optimize North Creek Trail through promotion, signage for parking, addition of exercise stations and restrooms.
- Review and revise the current annexation policy document to modify it from a “pencil out” numbers focus to add elements of future control and potential new developments.
- Gather preliminary data for annexing the 164<sup>th</sup> corridor to I-5 in order to manage future development and control a key artery from I-5 to our City.
- Encourage the creation of a wetlands bank whereby developers could buy financial offsets to be used as mitigation in the same watershed.
- Change zoning codes to allow “mixed-use” in CB zones and increased building heights.

- Create a standing five member Economic Development Committee to advise the City Council, support the Economic Development Director and provide oversight on the economic development direction in the City.

**LONG TERM**

- Provide a dedicated facility for family-oriented public activities such as the Annual Mill Creek Festival, Easter Egg Hunt, and future possibilities such as the Munch at Mill Creek, etc.
- Reconsider the south-end annexation without the burden of the Fire District payments and using the rewritten annexation policy.
- Pursue partnerships with businesses to advance community enhancements such as the position the City of Monroe took in partnering with a movie theater in order to secure its establishment.
- As the Council approaches the 2017-18 budget process and plan, we understand there will be difficult decisions to be made. Besides reviewing the possibilities of increased property taxes, instituting a new utility tax, cutting services to the citizens, we think you should seriously consider annexing into Fire District #7.






**Attachment A:**

**Vision for EGUV:**

*“Restaurants really can determine the fate of cities and neighborhoods” A new survey shows how much food influences the vibrancy of urban centers.*

*“When a part of the city puts itself on the map, it’s often because a wave of trendy eateries has opened there.”* (Excerpts from The Atlantic Citylab, Jul 22, 2014.)

It is the consensus of the EDC that an Urban Village atmosphere be maintained when planning future development in EGUV. We highly encourage the following:

- 1) *Trader Joe’s or like retail outlet.*
- 2) *Bed & Breakfast (20-30 rooms) or small boutique hotel.*
-  3) *Gateway International Place Market: A collection of Deli’s and Bistro’s, to include Bakery, Butcher, Cheeses, Pasta, German, Greek plus beer and wine gardens and master car shows.*
- 4) *Arts & Entertainment Grand Plaza: Multipurpose entertainment/events hall; e.g., small theatre (for movies, performances, fundraising auctions, and meetings). New library building if the current facility is relocated.*
- 5) *Three-level parking garage: (Lower level can be used for outdoor summer activities, such as food trucks, art festival, and a Farmer’s market.)*
- 6) *Buffalo Park (assuming the park will be completed as planned).*



**CITY COUNCIL MINUTES**

**January 13, 2015**

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

---

Pam Pruitt, Mayor  
Brian Holtzclaw, Mayor Pro Tem  
Sean Kelly  
Donna Michelson  
Vince Cavaleri  
Mike Todd  
Mark Bond

**January 13, 2015**  
**Regular City Council Meeting**  
**5:30 p.m.**

**CALL TO ORDER**

Mayor Pruitt called the meeting to order at 5:30 p.m.

**FLAG SALUTE**

Flag Salute was conducted.

**ROLL CALL**

Roll was called by the City Clerk with all Councilmembers present.

**AUDIENCE COMMUNICATION**

Karen Brandon  
15907 24<sup>th</sup> Court SE  
Mill Creek, Washington 98012

Ms. Brandon spoke about the recent Herald article on the pattern of resignations from City Managers.

**STUDY SESSION**

The City Council conducted the following Council Candidate Interviews:

Wil Nelson  
Zachary Anders

Note: The Council took a break from 6:25-6:30 p.m.

Herbie Martin  
Michelle Racioppo  
Vincent Cavaleri  
Lynn Sordel

Douglas Carlson's interview was rescheduled to 7:30 p.m.

At 7:15 p.m., the Council proceeded to other business and will interview Mr. Carlson when he arrives.

Council Meeting Minutes  
January 13, 2015  
Page 2

**CONSENT AGENDA**

City Council Meeting Minutes of December 2, 2014

City Council Meeting Minutes of December 9, 2014

**MOTION: Councilmember Michelson made a motion to approve the consent agenda, Councilmember Todd seconded the motion. The motion passed unanimously.**

**REPORTS**

Mayor Pruitt reported that she attended the joint SNOPAC/SNOCOM meeting last week. The New World update was very informative.

Councilmember Michelson reported that she will be attending the Art/Beautification Board meeting tomorrow.

Councilmember Todd reported on the upcoming elections being held at the Snohomish County Cities dinner next week.

Acting City Manager Manuel reminded Council that the City Manager recruitment firm will be on site next week to interview Councilmembers and staff.

Community Development Director Rogers reported on the Comprehensive Plan updates.

**STUDY SESSION**

At 7:30 p.m., The Council conducted a Council Candidate Interview with Douglas Carlson.

**ACTION ITEMS**

Nominate, Vote, Appoint to Council Position 5 and Conduct Oath of Office  
(City Council and Kelly Chelin, City Clerk)

Mayor Pruitt asked for nominations.

**NOMINATION: Councilmember Todd nominated Lynn Sordel for Council Position 5, Councilmember Michelson seconded the nomination.**

**NOMINATION: Councilmember Kelly nominated Vince Cavaleri for Council Position 5, Councilmember Bond seconded the nomination.**

**NOMINATION: Mayor Pro Tem Holtzclaw nominated Wil Nelson for Council Position 5, Mayor Pruitt seconded the nomination.**

There were no further nominations.

Mayor Todd spoke to his nomination for Lynn Sordel. He stated that he has a depth of knowledge and experience and would get up to speed quickly.

Councilmember Bond spoke to his nomination for Vince Cavaleri. He supports Mr. Cavaleri for the



Council Meeting Minutes  
January 13, 2015  
Page 3

position and believes he doesn't have a particular agenda and cares about the community.

Councilmember Kelly also spoke to the nomination for Vince Cavaleri. He will be supporting Vince for the position.

Mayor Pro Tem Holtzclaw spoke to the nomination for Wil Nelson. He believes Wil has been consistent in attending meetings and involved in the City.

Mayor Pruitt also spoke to Wil Nelson. She stated that Wil has given up many evenings to attend Council meetings.

Vince Cavaleri, Wil Nelson and Lynn Sordel's names were highlighted on the paper ballot and passed out to the Councilmembers for voting.

City Clerk Kelly Chelin counted the votes (with Police Chief Crannell as a witness) and read aloud the votes for each candidate.

Round 1: Wil Nelson received one vote from Mayor Pruitt.  
Vince Cavaleri received three votes from Councilmember Bond, Councilmember Kelly and Mayor Pro Tem Holtzclaw.  
Lynn Sordel received two votes from Councilmember Todd and Councilmember Michelson.

Wil Nelson only received 1 vote therefore, a new ballot was prepared with Vince Cavaleri and Lynn Sordel's names highlighted.

Round 2: Vince Cavaleri received 4 votes from Councilmember Bond, Councilmember Kelly, Mayor Pruitt and Mayor Pro Tem Brian Holtzclaw.  
Lynn Sordel received two votes from Councilmember Todd and Councilmember Michelson.

Vince Cavaleri received a majority vote therefore he was selected to Council Position 5.

City Clerk Chelin conducted the oath of office for newly-elected Councilmember Vince Cavaleri.

Prioritize Items for Study Sessions  
(Landy Manuel, Acting City Manager)

The following agenda summary information was presented:

In an effort to have in depth discussion on major issues and to provide staff with direction on them we are planning to rededicate the second Tuesday meetings to have study sessions on individual topics. We will still have other items on the agenda but plan to give over the bulk of time to the topic at hand. Some of the major discussion items that have been identified are listed below in no particular order.

- Fire and EMS Service Options
- Economic Development Committee Recommendations
- Vision for Dobson/Remillard Properties

Council Meeting Minutes  
January 13, 2015  
Page 4

- South Annexation
- Financial Reserves Policy
- Police Facility Options
- Future City Revenues
- Comp Plan re: zoning and planning
- Others?

Staff is seeking direction from Council on prioritizing the above topics and thus setting the monthly date for each study session. Please note that in terms of workload in addition to ongoing operations some of the major initiatives staff is facing near term are records management system, emergency management services (ESCA), HR policy, New World go live, finance software upgrade, PW shop and CIP projects.

Discussion.

The Council decided on the following goals:

Revisit Strategic Plan Vision

- Annexation considerations
- Economic Development Committee Recommendations
- Fire/EMS contract
- Vision for Dobson/Remillard/Cook Properties
- Financial Reserves Policy
- Revenues/Efficiencies
- Comp Plan Update
- Land Use/Redevelopment
- Economic Summit
- Facility Needs
- Parks & Active Playfields

**MOTION: Councilmember Kelly made a motion to extend the meeting to 9:30 p.m., Councilmember Todd seconded the motion. The motion passed unanimously.**

This list of goals will be finalized and prioritized at the next Council meeting.

**AUDIENCE COMMUNICATION**

Douglas Carlson  
1220 164th Street SE  
Mill Creek, Washington 98012

Mr. Carlson spoke to the active use play field needs. He stated that both indoor and outdoor facilities would make sense.

Bill Schatz  
15523 29<sup>th</sup> Avenue SE  
Mill Creek, Washington 98012

Council Meeting Minutes  
January 13, 2015  
Page 5

Mr. Schatz spoke about the City's goals and priorities. Even though it's a long list, he believes it's a good start.

**ADJOURNMENT**

With no objection, Mayor Pruitt adjourned the meeting at 8:45 p.m.

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Pam Pruitt, Mayor

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Kelly M. Chelin, City Clerk





**CITY COUNCIL MINUTES**

**January 27, 2015**

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

---

Pam Pruitt, Mayor  
Brian Holtzclaw, Mayor Pro Tem  
Sean Kelly  
Donna Michelson  
Vince Cavaleri  
Mike Todd  
Mark Bond (Arrived at 7:45 p.m.)

**January 27, 2015**  
**Regular City Council Meeting**  
**6:00 p.m.**

**CALL TO ORDER**

Mayor Pruitt called the meeting to order at 6:00 p.m.

**FLAG SALUTE**

Flag Salute was conducted.

**ROLL CALL**

Roll was called by the City Clerk with all Councilmembers present except Councilmember Bond. Mayor Pruitt stated that Councilmember Bond was most likely running late.

**AUDIENCE COMMUNICATION**

Chuck Wright  
15907 24<sup>th</sup> Court SE  
Mill Creek, Washington 98012

Mr. Wright stated that he was hearing impaired and asked the Council to consider turning the volume up on the speakers in the Chambers or possibly getting a listening device.

Karen Brandon  
15907 24th Court SE  
Mill Creek, Washington 98012

Ms. Brandon stated that was unhappy with the recent pick for the new City Councilmember. She believed there were other qualified applicants.

Bill Schatz  
1123 29th Avenue SE  
Mill Creek, Washington 98012

Mr. Schatz made comments on the fire contract. He stated that the Council needs to look into structural fixes.

Council Meeting Minutes  
January 27, 2015  
Page 2

**STUDY SESSION**

New World RMS/CAD Systems City Council Briefing

*(Bob Crannell, Chief of Police / Debbie Grady, Executive Director of SNOCOM 911)*

The following agenda summary information was presented:

In 2007, SNOCOM police agencies embarked on a research project to locate a software package that allowed the full information and data sharing of law enforcement records. An overlapping effort was also being conducted by SNOAC and it was determined that it was in the best interest of public safety to combine both efforts and seek a product that interconnects law enforcement, fire/EMS, corrections and the communication centers countywide.

The results of a competitive bid process concluded with the selection of New World Systems, Inc., located in Troy Michigan. New World Systems was tasked with developing a fully integrated software suite to include law enforcement records (RMS), corrections, and computer aided dispatch (CAD). A contract was ratified between SNOAC, SNOCOM and New World Systems, Inc. in 2009.

Since the ratification of the contract, the project has sustained two postponed go-live/launch events due mostly to the functional readiness of the software. The first postponement occurred in July of 2011, and the second in August of 2012.

At a joint meeting of the SNOAC/SNOCOM Boards on December 17, 2014, a majority of the participating county agencies decided that the full system (CAD and RMS) will be launched simultaneously, also referred to as a “big bang launch, on June 9, 2015.

Director Grady will bring the Council up to speed on the project milestones/timeline beginning in 2009, through the status of the project to date. Further, Director Grady and Chief Crannell will brief the Council on the individual agency and regional tasks needed prior the go-live event scheduled for June 9, 2014 including contingency and fallback plans.

Fire & EMS Service Options

*(Landy Manuel, Acting City Manager)*

The following agenda summary information was presented:

Fire and emergency medical services (EMS) for the City of Mill Creek have been provided by Snohomish County Fire District No. 7 (FD7) since the incorporation of the City in 1983. The existing contract ends on December 31, 2016. The importance of the service and the magnitude of its cost have implications that extend to other City issues such as annexation, adequacy of revenues and facility planning. Various options exist to provide the service and they are each outlined briefly below.

Current Condition:

The staffing level at Mill Creek Station #76 is a five person crew 24/7 with two designated for EMS. The response time performance standard within the City is to be less than seven and one half minutes. The contract cost for 2015 is \$3.5 million and is in part funded by the City’s EMS levy of \$1.2 million. The City accrues equity in the fire station and at year end 2016 it will be worth \$678,000.

Council Meeting Minutes  
January 27, 2015  
Page 3

The City may acquire ownership of the station by buying out the Fire District's equity, at the end of 2016 that amount would be \$1.2 million. If the City annexes property then the annual assessment is adjusted upward per the terms of the contract (this acts as a detriment to the financial analysis for any annexation the City considers). Both the City and the Fire District contract for dispatch services through SNOCOM.

**Contract for Services:**

This is the model that the City utilizes for Fire District #7 service, a negotiated contract. The City may pursue contracting with other agencies in the area, both fire districts or cities if it desires. Other potential candidates are Fire District #1 which borders much of the City to the north and west, City of Lynnwood or even perhaps City of Bothell. Every detail concerning level of service, cost, facilities, equipment, legal etc. would need to be attended to.

**Annexation to Fire District:**

A city may annex to a fire protection district as authorized by RCW 52.04.061. Annexation is initiated by the city/town council adopting an ordinance stating an intent to join the fire protection district. The ordinance is then forwarded to the board of fire commissioners of the fire protection district. If they concur in the annexation, then a special election is held in the city and in the fire protection district on the issue. If a majority of the voters in the city and a majority of the voters in the district are in favor of the annexation, then the city is annexed to the fire protection district. The annual tax levy imposed by the fire protection district then applies throughout the district, including within the city limits. The 2014 property tax levies for Fire District 7 were \$1.46 for the regular levy and \$0.50 for the EMS levy, a total rate of \$1.96. The City's equivalent property tax rate for the 2015 contract amount is \$1.22 substantially less than the rate in the District.

Mill Creek's current maximum levy rate is \$3.10. If the City annexes into a fire district its maximum rate will fall to \$1.60 ( $\$3.10 - \$1.50 = \$1.60$ ) as fire districts are allowed to levy up to a \$1.50 regular levy. The City's EMS levy would cease and be replaced by the District's EMS levy.

The City will of course realize a savings as it will no longer have the expense of paying the contract. Can or will the City reduce its own property tax levy to offset the levy imposed by annexing to the District? This is a very tricky question and seems unlikely because the City is paying substantially less under the negotiated contract than what the District charges in property tax.

The City is under no legal obligation to make its levy tax neutral if annexation occurs. It can in fact set it at any point up to the new \$1.60 limit once the annexation becomes effective.

The City's current EMS levy expires at the end of 2016, the same date as the fire contract. If the City plans to annex into a fire district or be part of a regional fire authority then it would not need to renew the EMS levy. If the City is more inclined to continue contracting for service then it would be important to renew the levy by placing it on the ballot in August 2016.

Under the current contract the City has a forum through the Joint Fire Board to review the level of service and discuss other issues with District 7. In the event of annexation control of policy on fire and EMS services would reside with the fire commissioners of the district. Citizen concerns about levels of service, tax rates, etc. would need to be appropriately voiced to the fire district board.



Council Meeting Minutes  
January 27, 2015  
Page 4

The City has partial equity in the Mill Creek Fire Station. At contract end in 2016 that equity amount will be \$678,000. The City may prior to the end of the contract in 2016 notify the District of its intent to buy out District 7's equity in the station, \$1.2 million at contract end. If the City does not notify the District and the contract is terminated after the original term (December 31, 2016) then the District will pay the City for its equity in the station. The City does not have ownership in any of the fire equipment.

**Regional Fire Authority (RFA):**

An RFA allows fire districts and cities to join together for provision of fire and EMS services. It can combine any two entities, like the City and District 7, or a multitude of entities, as was attempted in 2012 and 2013 for south county entities. Usually an RFA planning committee is formed to develop a full implementation plan. The primary reason to form an RFA is usually for economies of scale and a streamlined deployment model for stations and manpower. An RFA has the same property tax authority as a fire district, \$1.50 plus EMS of \$0.50 but may forgo one-third of the \$1.50 and implement a fire benefit charge. A fire benefit charge allows the commissioners to annually adjust charges based on the type of structure and diversifies the revenue structure reducing reliance on property taxes.

An RFA plan would be submitted to the voters of the entities involved and would require a simple majority of the total persons voting, however if benefit charges or sixty percent voter approved taxes are part of the plan then a sixty percent affirmative vote is required. The composition of the governing board is determined in the RFA plan and consist only of elected officials.

The details for working out service levels, staffing, facilities, financing, union agreements, organizational structure and governance can take a very long time. This is especially true when multiple entities are involved like in the recent south county discussions.

**Establish a City Fire Department:**

The City has the authority to form and operate its own fire department. To get a department up and running would require a large investment of time and money. The City would need to buy out the equity for the fire station and purchase all the necessary equipment. We would also need to recruit and hire a chief and staff including enough firefighters and paramedics to maintain the five person 24/7 service. Although staff has not penciled out any estimates of costs it is unlikely there would be substantial savings. Firefighting personnel is a highly unionized environment and it is unlikely the City could avoid paying union scale wages and benefits; the days of community volunteer firefighters is a thing of the past due to training requirements and liability issues. While this option does give the City control it seems it is bucking the overall trend toward regionalization for provision of fire/EMS service.

**Private Ambulance Service:**

This is an intriguing idea but it raises many questions concerning achievement of turning EMS over to a private service. To research, analyze and put all the pieces together is a large and long undertaking. Even if it could be accomplished there is still the need to have fire protection service and the coordination of it with EMS. Just mentioning privatization here in a list of service options brings to mind those private versus public, protection of union jobs and adequacy of delivery of

Council Meeting Minutes  
January 27, 2015  
Page 5

service discussions. Generally cities look at it to lower the cost of the service, whether or not that would be the case for Mill Creek is unknown.

Discussion.

Council and staff discussed the options. The consensus of the Council was to open preliminary discussions with Fire District 7 and report back to the Council in 60 days.

Prioritize Goals from January 13th Council Meeting

*(Landy Manuel, Acting City Manager)*

The following agenda summary information was presented:

At the January 13th meeting council suggested a list of a dozen goals/topics for prioritization for 2015. The idea after the list is prioritized would be to have dedicated study sessions (multiple if necessary) planned for the year for each topic. In actuality the first priority has been given over to the fire/EMS contract discussion and is scheduled for tonight.

- Revisit Strategic Plan Vision (suggested for Feb 24th, first of several if necessary)
- Annexation considerations
- Economic Development Committee Recommendations (suggested for Feb. 10th)
- Fire/EMS contract (on agenda for Jan. 27th)
- Vision for Dobson/Remillard/Cook Properties
- Financial Reserves Policy
- Revenues/Efficiencies (LEAN)
- Comp Plan Update (suggested for Feb. 3rd, first of possibly several)
- Land Use/Redevelopment
- Economic Summit
- Facility Needs
- Parks & Active Playfields

Staff is seeking direction from Council on prioritizing the above topics and thus setting the monthly date(s) for each topic or scheduling a retreat to focus in on the most important two or three. Having in depth discussion and providing staff clear direction will go a long way in allowing us to work toward the ultimate long range goal. Please note that in terms of workload in addition to ongoing operations some of the major initiatives staff is facing near term are records management system, emergency management services (ESCA), HR policy, New World go live, finance software upgrade, PW shop and CIP projects.

Note: Councilmember Bond arrived at 7:45 p.m.

Discussion.

Council and staff discussed the list of goals and reviewed the upcoming Council planning schedule.

2015 City Assignments List

*(Landy Manuel, Acting City Manager)*

The following agenda summary information was presented:

Every two years the Council reviews and reassigns, as appropriate, Council members to various

Council Meeting Minutes  
January 27, 2015  
Page 6

regional boards, commissions, councils and committees. The purpose of this study session is to review the City assignment list due to the recent resignation of Mark Harmsworth and the appointment of Vince Cavaleri. It would also give the Council an opportunity to make new appointments and assignments if they so desire.

Discussion.

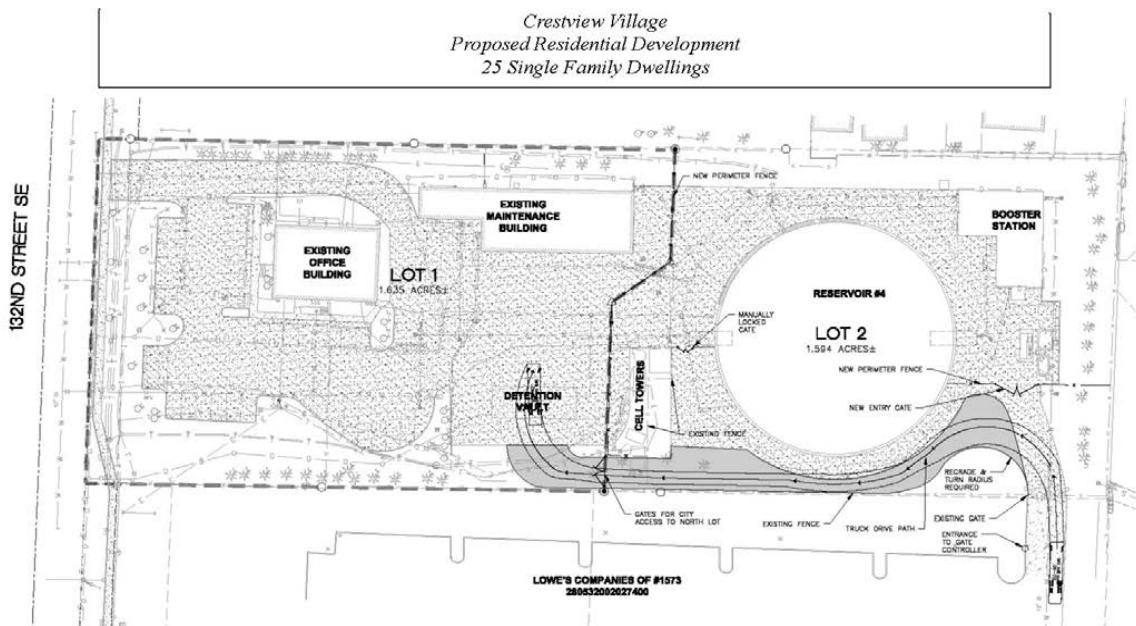
Council and staff reviewed the list and made the necessary appointments.

Public Works Shop Update

*(Tom Gathmann, Public Works Director)*

The following agenda summary information was presented:

Silver Lake Water and Sewer District is selling the front half of the 3.2 acre property it owns on 132<sup>nd</sup> Street SE that served as the District's administrative and maintenance operations site until 2006. The site has three existing buildings, which includes an administrative building, and a maintenance building with an attached maintenance office. The property is proposed to be divided as shown below, with the District retaining ownership of lot 2 and the City (or another party) purchasing lot 1.



The property provides an excellent opportunity for the City to address its current and future Public Works maintenance operations and storage needs. At this point in time, it would be most economical to use only the maintenance building and attached office for the City's maintenance operations. Full renovation of the office building would be fairly expensive, in the \$350k to \$500k range, and the additional space far exceeds current Public Works needs for office space. Long term, the office building could be used for both City functions or leased for private commercial use.

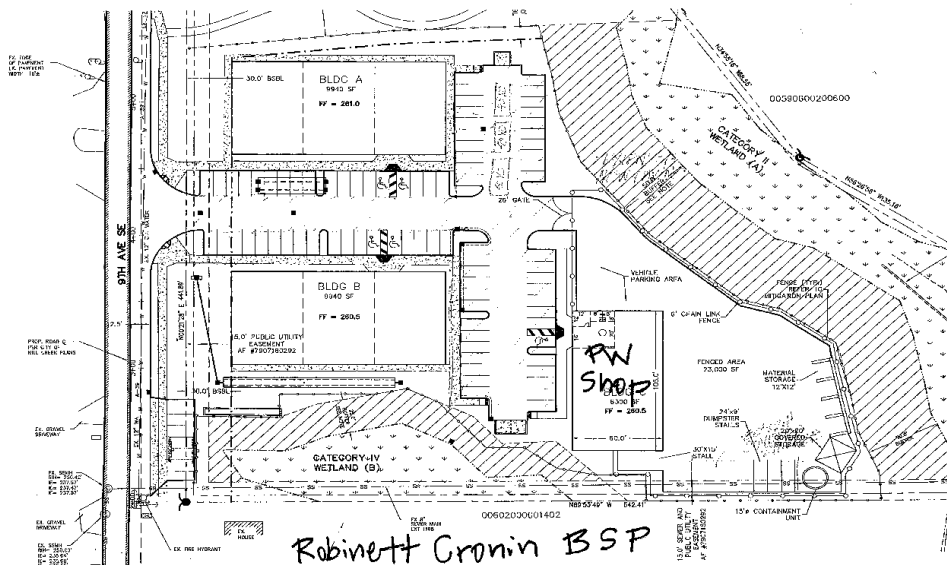


Council Meeting Minutes  
 January 27, 2015  
 Page 7

The City has had informal discussions with the District regarding potential purchase for about a year, and most recently agreed to share the cost of updating the appraisal commissioned by the District in the summer of 2013. At that time lot 1 had an appraised value of \$1.07 million. Renovation costs for the maintenance building and attached shop office are estimated in the \$75k - \$125k range. Estimated renovation costs for the office building, which is much older, range from about \$250k to over \$400k, depending on the extent of changes made. Site improvements for drainage, storage of materials like bark and sand, and a sweeper wash-down area will be required regardless of building renovation options, and are estimated to cost between \$150k and \$200k. The updated appraisal is expected to be completed before the end of March, 2015.

Access to the site is from 132<sup>nd</sup> Street SE. Turning left when exiting the site is difficult when traffic is heavy, and it is likely the Washington State Department of Transportation will install a median curb at some point in the future. Although this makes some traffic movements less convenient, it is not a significant operational disadvantage.

City staff also investigated a potential shop site on 9<sup>th</sup> Avenue SE, as shown on the sketch below.



This is the Robinett-Cronin Binding Site Plan, and was approved for three 10,000 square foot buildings and associated parking. Placing the shop here would not allow sufficient remaining useable area for two additional buildings as originally planned. The loss in value of the remainder lead the owners to the decision that the City would need to purchase the entire site rather than just the land needed for the shop. The estimated cost for the locating the shop at this location would be about \$1.8 million plus the cost of the land. A firm figure for the land cost was never agreed upon, but a price in the \$1.1 million to \$1.3 million was informally discussed, putting the total cost at about \$3 million -

Council Meeting Minutes  
January 27, 2015  
Page 8

roughly twice the cost of the District site on 132<sup>nd</sup> Street SE. This location has the advantage that it is not a prime commercial property on a busy arterial and is slightly larger (2.5 acres vs. 1.7 acres), providing more room for future expansion. Both these features make this site more likely to be a “permanent” location for the Public Works shop for many decades.

A consulting firm retained by the City is about halfway through the process of completing a Phase I Environmental Site Assessment (ESA) for the District property. When the ESA gives the site a “clean bill of health” and the updated appraisal work is completed, staff will be seeking approval from Council to draft a Purchase and Sale Agreement and negotiate the final purchase price.

Discussion.

Council asked Staff to report back to Council upon completion of the appraisal update for consideration of a purchase/sale agreement.

AWC Center for Quality Communities Scholarship Program  
(Landy Manuel, Acting City Manager)

The following agenda summary information was presented:

The Association for Washington Cities’ Quality Communities has a scholarship program for students who want to attend college or a trade program. Councilmember Todd has proposed that the City participate in the program. The City, led by Councilmember Todd, would form a council sub-committee, develop criteria, publicize the scholarship and then select one candidate to be recommended with an endorsement letter to AWC by March 13th.

Discussion.

Councilmember Todd, Councilmember Cavaleri and Councilmember Michelson were appointed to the committee to review the scholarship applications and make a recommendation to AWC.

Open Discussion  
(City Council)

Council discussed the City Manager Recruitment profile. The Council will review the profile, provide feedback to the recruiter and finalized the profile at the next meeting.

**CONSENT AGENDA**

Approval of Checks #53142 through #53274 and ACH Wire Transfers in the Amount of \$423,661.00.

(Audit Committee: Councilmember Holtzclaw and Councilmember Todd)

Payroll and Benefit ACH Payments in the Amount of \$528,858.32.

(Audit Committee: Councilmember Holtzclaw and Councilmember Todd)

City Council Meeting Minutes of January 6, 2015

Council Meeting Minutes  
January 27, 2015  
Page 9

**MOTION:** Mayor Pro Tem Holtzclaw made a motion to approve the consent agenda, Councilmember Todd seconded the motion. The motion passed unanimously.

**ACTION ITEMS**

Motion to Participate in the AWC Center for Quality Communities Scholarship Program  
(Landy Manuel, Acting City Manager)

**MOTION:** Councilmember Michelson made a motion to participate in the AWC Center for Quality Communities Scholarship Program, Councilmember Todd seconded the motion. The motion passed unanimously.

**REPORTS**

Mayor Pruitt reported on the redesign at McCollum Park. She thanked the Public Works department for the clean-up around the City.

Councilmember Michelson reported that she attended the Art/Beautification Board meeting last week.

Mayor Pro Tem Holtzclaw stated that the Snohomish County Tomorrow meeting has been canceled.

Councilmember Todd spoke about the Snohomish County Cities legislative priorities.

Acting City Manager Manuel stated that the finance department is working on closing the books for 2014.

City Engineer Smith reported on the park survey. The survey is on the City's website and ends at the end of February. Lastly, the City's pipe repair project is going to bid this week.

**AUDIENCE COMMUNICATION**

Karen Brandon  
15907 24<sup>th</sup> Court SE  
Mill Creek, Washington 98012

Ms. Brandon stated that she worked for a fire department. The City should ask the fire department for recent statistics.

**EXECUTIVE SESSION**

The meeting recessed to executive session at 8:59 p.m. to discuss the performance of a public employee per RCW 42.30.110 (1) (g) for approximately 15 minutes.

The executive session was extended to 9:35 p.m.



Council Meeting Minutes  
January 27, 2015  
Page 10

**RECONVENE TO REGULAR SESSION**

The meeting reconvened to regular session at 9:35 p.m.

**ADJOURNMENT**

With no objection, Mayor Pruitt adjourned the meeting at 9:35 p.m.

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Pam Pruitt, Mayor

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Kelly M. Chelin, City Clerk

MEMORANDUM

TO: Mayor Pam Pruitt and Councilmembers  
FROM: Scott Smith, City Engineer *ads*  
DATE: February 5, 2015

SUBJECT: BONDED WEARING COURSE TRIAL

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As part of my presentation on February 3<sup>rd</sup> regarding the 2015 Pavement Preservation work plan, the City Council requested that I follow up on the use of Bonded Wearing Course (BWC) in climates similar to the Puget Sound region.

I talked to a BWC contractor, Telfer Oil, as well as engineering staff at the City of Mukilteo, who are strong proponents of this material. In addition to the local agencies and Snohomish County, the city of Hillsboro, Oregon, is also planning a BWC trial this year.

There have been several applications of BWC in wet, cool climates around the San Francisco Bay area and along the coast in northern California, including:

- Marin County – Point Reyes, along the coast. Fog, Rain and cool temp.
- Sonoma County – Bodega Highway – This highway also runs along the coast, 1 hour north of San Francisco.
- CALTRANS – Highway 1 – through the City of Gualala. 9 mile stretch along the coast.
- CALTRANS – Highway 116 – By the City of Jenner, River Road by Russian River heading to the coast.

The only environments where climate has been an issue with BWC life expectancy are in alpine areas with snow and ice conditions, such as over a mountain pass.

In summary, BWC should perform well in our region, and I would recommend proceeding with a paving trial in 2015. Please feel free to contact me at 425-921-5708 or [scott@cityofmillcreek.com](mailto:scott@cityofmillcreek.com) if you have any further questions or need more information. Thank you.