



City of Arlington Council Agenda Bill

Item:
CA #3
Attachment
B

COUNCIL MEETING DATE:	
November 2, 2020	
SUBJECT:	
Resolution Establishing the City as a Public Aircraft Operator	
ATTACHMENTS:	
Resolution; Letter to FAA	
DEPARTMENT OF ORIGIN	
Police; Jonathan Ventura, Chief – 360-403-4621	
EXPENDITURES REQUESTED:	None
BUDGET CATEGORY:	None
BUDGETED AMOUNT:	None
LEGAL REVIEW:	
DESCRIPTION:	
<p>The Police Department has been beta-testing the feasibility of utilizing unmanned aerial system(s) (UAS) with other public safety agencies over the past year. The Police Department has reached a point where it's ready to implement its own policies and standard operating procedures. Part of the process moving forward will require application to the Federal Aviation Administration (FAA). Said application requires a letter from the City Attorney.</p>	
HISTORY:	
<p>Unmanned Aerial Systems (UAS), commonly referred to as drones, are transforming law enforcement operations and can significantly reduce operational expenses. Common areas for UAS deployment include; Traffic Collision Reconstructions, Search and Rescue, Crime Scene Documentation, and Police K9 Tracking and Security. As the City of Arlington continues to grow, many department struggle to keep pace with the expanded demands for service and the Police Department is no exception. These increased demands on police resources is resulting in the need to find new efficiencies such as taking advantage of emerging technologies like (UAS).</p>	
ALTERNATIVES:	
Take no action.	
RECOMMENDED MOTION:	
<p>I move to approve the Resolution Establishing The City as a Public Aircraft Operator, authorize the Mayor to sign the Resolution, and direct the City Attorney to issue a Public Declaration Letter consistent with the terms of the Resolution.</p>	

RESOLUTION NO. 2020-XXX

A RESOLUTION OF THE CITY OF ARLINGTON ESTABLISHING THE CITY AS A PUBLIC AIRCRAFT OPERATOR

WHEREAS, the City of Arlington is a municipal corporation under the laws of the State of Washington; and

WHEREAS, the City intends to begin using small unmanned remotely controlled aircraft (drones) for the purpose of providing emergency responders a better situational awareness profile when operating at emergency scenes; and

WHEREAS, the City does not intend to operate the drones for compensation or hire; and

WHEREAS, the City Council deems it appropriate to request that the Federal Aviation Administration (FAA) authorize such drone usage;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ARLINGTON, WASHINGTON AS FOLLOWS:

1. The City hereby intends to become a Public Aircraft Operator as such term is defined and regulated by the Federal Aviation Administration; and
2. The City Attorney is directed to issue a Public Declaration Letter consistent with the terms of this Resolution.

ADOPTED by the City Council and APPROVED by the Mayor this _____ day of _____, 2020.

CITY OF ARLINGTON

Barbara Tolbert, Mayor

ATTEST:

Wendy Van Der Meersche, City Clerk

APPROVED AS TO FORM:

Steven J. Peiffle, City Attorney



Bailey, Duskin & Peiffle, P.S.

ATTORNEYS AT LAW

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October 27, 2020

Federal Aviation Administration
Scott J. Gardner, Acting Air Traffic Manager
Unmanned Aircraft Tactical Operations, AJV-115
490 L'Enfant Plaza SW, Suite 7105
Washington DC 20024

Re: Municipal/Public operation of Small Unmanned Aircraft Systems

Dear Acting Manager Gardner:

The City of Arlington, Washington is requesting to operate as a public aircraft operator of small unmanned aircraft systems (SUAS) as defined in 14 CFR § 107.3. The City of Arlington is an independent local government entity in Washington established under the Optional Municipal Code, Revised Code of Washington (RCW) Chapter 35A.

As general counsel for the City of Arlington, I certify that the City is a political subdivision of the State of Washington as defined in 49 U.S.C. § 40102(a) (41)(C). The City will be operating SUAS in support of emergency personnel and understands and will comply with all restrictions and provisions under its Certificate of Authorization (COA).

All aircraft to be used in City operations will be SUAS owned and operated by the City or other authorized municipal agencies. The SUAS will not be used for commercial purposes or to carry any individual in accordance with 49 U.S.C. § 40125(b). The City will not operate the SUAS for compensation or hire in reference to 49 U.S.C. § 40125(b).

If you have any questions or concerns, please call (360) 435-2168.

Very sincerely,

BAILEY, DUSKIN & PEIFFLE, P.S.

Steven J. Peiffle
Arlington City Attorney

SJP/ms