



Minutes of the Arlington Zoom City Council Workshop

Council Chambers
110 East Third Street
May 11, 2020

Councilmembers Present Remotely: Mike Hopson, Marilyn Oertle, Debora Nelson, Jan Schuette, Jessica Stickles and Michele Blythe.

Council Members Absent: Don Vanney, excused.

Staff Present Remotely: Mayor Barb Tolbert, Paul Ellis, James Trefry, Kristin Garcia, Bryan Terry, Tony Orr, Jonathan Ventura, Dave Kraski, Sarah Lopez, Jim Kelly, City Attorney Steve Peiffle, and Ashleigh Scott.

Also Known to be Present Remotely: Terrie Battuello and Lisa Lefeber from the Port of Everett, and 24 YouTube viewers.

Mayor Barb Tolbert called the meeting to order at 7:00 pm, and the Pledge of Allegiance and roll call followed.

APPROVAL OF THE AGENDA

Mayor Pro Tem Jessica Stickles moved to approve the agenda as presented. Councilmember Marilyn Oertle seconded the motion, which passed with a unanimous vote.

INTRODUCTION OF SPECIAL GUESTS AND PRESENTATIONS

CEO Lisa Lefeber gave a Port of Everett update.

WORKSHOP ITEMS – NO ACTION WAS TAKEN

Appointments to Parks, Arts and Recreation Commission (PARC)

Community Revitalization Project Manager Sarah Lopez discussed two positions that had termed. Both had reapplied for the new terms which run from April 1, 2020 through April 1, 2024. The interview committee also met and deliberated three applicants on April 30, 2020, and are recommending Jennifer Harrington, due to a vacancy from a Commission Member who moved outside of Arlington city limits.

The Parks, Arts, and Recreation Committee (PARC) serves as an advisory commission to the Mayor and City Council with respect to Parks, Arts and Recreation facilities and programs within the City, as well as changes, expansions or new acquisitions of both facilities and programs. The Commission also serves as the Tree Board. Terms for the seven members are four years (staggered).

Discussion followed with Councilmembers agreeing with the recommendations presented by Sarah Lopez.

Haller Splash Pad Project Close Out

Public Works Director Jim Kelly reviewed the project close out for Haller Park's Splash Pad that was completed by Reece Construction Company, Inc.

Following a competitive bid, Reece Construction Company was awarded the Haller Splash Pad Project. The City entered into a contract with Reece in August of 2018 and the project was deemed fully complete in November of 2019.

Project Breakdown:

Base Big Price:	\$ 705,496.50
Change Orders:	\$ 56,312.57
Unbilled Portion:	\$ 0.00
<u>Sales Tax:</u>	<u>\$ 69,415.17</u>
Final Contract Cost:	\$ 831,224.24

Discussion followed with further questions regarding the sales tax and how it was calculated, along with more clarification on the close out process.

2019 Utility & Pavement Preservation (UPP) Project Close Out

Public Works Director Jim Kelly reviewed the project close out for the 2019 UPP Project that was completed by Reece Construction Company, Inc.

Following a competitive big, Reece Construction Company was awarded the 2019 Utility & Pavement Preservation Project. The City entered into a contract with Reece in May of 2019 and the project was deemed fully complete in December of 2019.

Project Breakdown:

Base Big Price:	\$ 1,742,831.50
Change Orders:	\$ 84,186.56
Unbilled Portion:	\$ (56,793.36)
<u>Sales Tax:</u>	<u>\$ 71,389.88</u>
Final Contract Cost:	\$ 1,841,614.58

Discussion followed with further questions regarding the difference between the change orders and the unbilled portion of the breakdown.

Waste Management Northwest Rate Adjustment Due to Business and Occupation Tax Increase

Public Works Director Jim Kelly reviewed the proposed rate adjustment to the Arlington - Waste Management Franchise Agreement due to the recent Business and Occupation (B&O) Tax increases passed by the Washington State Legislature.

The City of Arlington has a franchise agreement with Waste Management (WM) for refuse collection and residential recycling/composting within the city limits. Effective April 1, 2020, the Washington State Legislature pass SB 6492-201-20, increasing the B&O Tax rate from 1.5% to 1.75% assessed on businesses operating in the State of Washington. The franchise agreement allows WM to request an adjustment due to increased expenses

associated with any change in state law. WM is requesting the City approve the attached rate adjustment effective June 1, 2020, due to the recent B&O Tax increase.

Proposed Revisions to Arlington Municipal Code Title 15.16 Regarding Fireworks

City Administrator Paul Ellis reviewed a proposed amendment to the Arlington Municipal Code (AMC) banning consumer fireworks. State law requires a 365 day period prior to the proposed ban's effective date.

A Resolution was approved by the City Council on August 5, 2019, requesting an advisory vote be added on the November 5, 2019 ballot seeking citizen input regarding the banning of the possession, sale and discharge of fireworks except for state regulated public displays of fireworks within the City of Arlington. The advisory measure passed 50.70%. This would not take effect until after July 4, 2020.

Discussion followed with Councilmembers sharing conversations they have had with Arlington residents regarding discharging of fireworks before the 4th of July holiday and lasting until after the holiday is over, the garbage not being cleaned up, illegal fireworks being discharged, safety of community pets, and the fear of property damage.

Resolution Establishing a Moratorium on Evictions

City Administrator Paul Ellis reviewed a proposed Resolution establishing a moratorium on small business and nonprofit organization evictions in Arlington due to nonpayment of rent or the expiration of existing leases during the Washington State COVID-10 Emergency Orders and one hundred twenty (120) days thereafter.

Through a series of actions taken by WA State to help slow the spread of the COVID-19 virus throughout the state, most notably the order to close all non-essential businesses and projects, numerous businesses and residents of Arlington have suffered and will continue to suffer significant financial damages. Such damages include loss of business income, layoffs, and reduced hours for a significant percentage of the workforce. As a result of this, many Arlington business owners and working families are enduring constant worry and even fear that are increasingly difficult to bear.

Because the City Council is charged with promoting the common good, it is right and proper for it to take appropriate measures to do what it can to ease this burden. Therefore in accordance with the lead set by Governor Inslee, this moratorium on evictions is intended to provide small businesses and nonprofit organizations some relief during this unprecedented public health and economic emergency.

Discussion followed, but Councilmembers chose not to bring this forward at the May 18 meeting.

Resolution Authorizing the City Administrator to Allocate Emergency Funds

City Administrator Paul Ellis, reviewed a proposed Resolution authorizing the City Administrator to allocate emergency End of Balance Funds to the Arlington Community Resource Center, the Arlington Food Bank, and the Social Services Flex Fund, as required.

Among those most hurt by the COVID-19 pandemic emergency in Arlington are those individuals who need food and shelter, behavioral health and domestic violence services, and other critical human services. The Resolution will help to address those needs. The Resolution authorizes the City Administrator to provide grant amounts upon request from each such agency to help with budget challenges and increased caseload faced by the agencies.

Discussion followed, but Councilmembers chose not to bring this forward at the May 18 meeting. Instead, it will be discussed at the upcoming budget retreat.

ADMINISTRATOR AND STAFF REPORTS

None.

MAYOR'S REPORT

None.

COMMENTS FROM COUNCILMEMBERS

None.

COUNCILMEMBER REPORTS

Nothing to report this evening.

PUBLIC COMMENT

None.

REVIEW OF CONSENT AGENDA ITEMS FOR NEXT MEETING

Council discussed and agreed to place the following items on the Consent Agenda for the May 18, 2020 Council meeting:

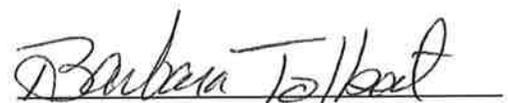
2. Haller Splash Pad Project Close Out
3. 2019 Utility & Pavement Preservation (UPP) Project Close Out

EXECUTIVE SESSION

None.

ADJOURNMENT

With no further business to come before the Council, the meeting was adjourned at 8:32 p.m.


Barbara Tolbert, Mayor