



Minutes of the Arlington City Council Zoom Workshop

Council Chambers
110 East Third Street
July 27, 2020

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

Council Members Absent: None.

Staff Present: Mayor Barb Tolbert, Paul Ellis, Tony Orr, James Trefry, Dave Ryan, Marc Hayes, Jim Kelly, Kristin Garcia, Dave Kraski, City Attorney Steve Peiffle, and Ashleigh Scott.

Also Known to be Present: Twenty-Six (26) YouTube Viewers, Josh Wills, David Toyer, Thane Smith and Patrick McCourt.

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

Mayor Tolbert introduced the NorthPoint Development Team, Josh Wills, Thane Smith and David Toyer, who provided an overview of the NorthPoint Cascade Industrial Center – the first developer to be working multi-jurisdictional with Marysville and Arlington.

WORKSHOP ITEMS – NO ACTION WAS TAKEN

Memorandum of Understanding with Washington Military Department

Airport Director Dave Ryan reviewed a Memorandum of Understanding (MOU) between the City of Arlington and the Washington Military Department regarding the use of the airport as a staging area in the event of a natural disaster or another catastrophic event. Discussion followed with My Ryan answering Council questions.

Personal Services Agreement with Liz Loomis Public Affairs

City Administrator Paul Ellis reviewed the Personal Services Agreement (PSA) with Liz Loomis Public Affairs. Staff support for the annexation committee issued a Request for Proposal (RFP) for Public Affairs Services for the proposed annexation. Two proposals were received. Both were evaluated with scoring criteria within the RFP and interviewed by staff. Liz Loomis Public Affairs was selected as the firm to assist the committee with public education.

A committee has been formed between the City of Arlington and North County Regional Fire Authority to study the feasibility of Arlington's annexation into the Fire Authority. The committee includes two Arlington City Councilmembers, two Fire Authority commissioners, with a facilitator and staff support. The committee began meeting January of 2020, and reports back to the full governing body with regular updates on progress. The consideration of annexation is expected to be brought before voters at the February 2021 election. Discussion followed with Mr. Ellis answering Council questions.

Ordinance Establishing LEOFF 1 Disability Board

Administrative Services Director James Trefry reviewed an Ordinance to establish a new City LEOFF Disability Board.

With the official April 2020 population estimate from the Office of Financial Management released in late June of 2020, putting Arlington's official estimate population at 20,600, the City is required by RCW 41.26.110 to establish its own Law Enforcement Officers and Fire Fighters Disability Board with jurisdiction over the City's Law Enforcement Officers' and Fire Fighters' retirement system Plan 1 members, who are defined by the Department of Retirement Systems as employees who became members of the plan prior to October 1, 1977.

The Snohomish County LEOFF Disability Board had been the body to approve such claims for reimbursement prior to July 1, 2020 when the City officially surpassed the 20,000 population threshold requiring it to establish its own Disability Board.

There are currently budgeted amounts to pay insurance premiums for LEOFF 1 retirees to offset expenses as well as a separate budget item for reimbursement of qualifying expenses, and as such, there is no expected budget impact for 2020. Council had no questions.

Resolution Authorizing Temporary Payment of LEOFF 1 Medical Claims

Administrative Services Director James Trefry reviewed a Resolution of the City of Arlington authorizing payment of reimbursement claims of LEOFF Plan 1 Retirees until such time as the City's new LEOFF Disability Board is established.

With the official April 2020 population estimate from the Office of Financial management (released June 29, 2020) putting Arlington's official estimated population at 20,600, the City is required by RCW 41.26.110 to establish its own Law Enforcement Officers and Fire Fighters Disability Board (hereinafter Disability Board) with jurisdiction over the City's Law Enforcement Officers' and Fire Fighters' retirement system "Plan 1" members, who are defined by the Department of Retirement Systems as employees who became members of the plan prior to October 1, 1977 (hereafter LEOFF 1 members). The County LEOFF Disability Board had been the body to approve such claims for reimbursement prior to July 1, 2020. A proposed ordinance has been drafted for presentation to the City Council amending the Arlington Municipal Code to establish the required Disability Board, however, it will be several weeks or months before appointments and adoption of policies to review and approve ongoing claims of retired LEOFF Plan 1 members. This resolution provides a temporary mechanism to continue ongoing payment of reimbursement claims, still ultimately subject to review and approval of the to be established Disability Board to avoid

financial hardship that could result from a delay in claims reimbursement. Discussion followed with Mr. Trefry answering Council questions.

Ordinance Adopting Chapter 12.50 of the Arlington Municipal Code Relating to Temporary Right of Way Use Permits

Community and Economic Development Director Marc Hayes reviewed an Ordinance of the City of Arlington that would adopt Chapter 12.50 for temporary right-of-way use permits, non-construction, to Title 12 of the Arlington Municipal Code.

The proposed AMC Chapter 12.50 will allow for the permitting of uses within the public right of way that are not construction related. This is to address requests from merchants or organizations to allow the use of the public way for private use on a temporary basis. A fee for the right of way use will be established, per square foot, in the City's annual fee schedule.

There has been an ongoing need to address certain uses within the right of way, specifically sidewalks, for private use by business owners wishing to display merchandise or have areas established for outdoor seating and/or dining. This need has become even more prevalent during the current pandemic where businesses cannot provide safe "social distancing" for their customers within their place of business. This new chapter allows for the application, review, inspection, and permitting processes to occur, ensuring that such uses are conducted in a safe, efficient manner that does not interfere with the pedestrian or vehicular uses within the public rights of way. Discussion followed with Mr. Hayes answering Council questions.

Ordinance Amending Chapter 12.24 of the Arlington Municipal Code and Revisions to the City's Fee Resolution

Community and Economic Development Director Marc Hayes reviewed an Ordinance Amendment to Chapter 12.24, Obstruction of Sidewalks and Rights of Way, and Revised Fee Schedule to reflect the permitting process for Right of Way Permits within the new proposed Chapter 12.50.

Amending the existing Chapter 12.24 AMC – Obstructions of Sidewalks and Rights of Way, reflects the provisions within the proposed new Chapter 12.50. It allows permitted uses within the public Right of Way in relation to sidewalk seating, dining and merchandise display. Revisions to the Fee Schedule were also required to address permitting, lease rates and appeals processes. This is in conjunction with the newly created chapter 12.50 AMC which provides a process to allow for the private use of public right of way on a temporary basis. Council had no questions.

204th/77th Roundabout Right of Way (ROW) Property Purchase

Public Works Director Jim Kelly reviewed the Right of Way property purchase for 204th St. NE and 77th Ave. NE.

Council was asked to approve the acceptance of a Fee Simple Purchase for the noted property as part of the 204th/77th Roundabout project, and authorize payment for the same. The installation of the 204th/77th Roundabout requires procurement of Right of Way (ROW) and temporary construction easements (TCE) from six abutting parcel owners.

Agreements have been finalized with three of the property owners in accordance with WSDOT ROW procurement policies.

Property: Arlington Retail Center (Kafe Neo, Subway, Etc.)
Owner: KeyTrust Company
Amount: \$56,650.00

Total ROW Acquisition to Date: \$131,773.00
ROW Project Budget: \$310,948.00
Remaining Budget: \$179,175.00

Discussion followed with Mr. Kelly answering Council questions.

June 2020 Financial Report

Finance Director Kristin Garcia reviewed the June 2020 Financial Report. Discussion followed with Mrs. Garcia answering Council questions.

ADMINISTRATOR AND STAFF REPORTS

Reminder of the Zoom Council Budget Retreat on Thursday, July 30, 2020.

MAYOR'S REPORT

The PSRC Executive Board meeting last week viewed a presentation based on the FAA Air Capacity Study for the Region.

COMMENTS FROM COUNCILMEMBERS

None.

COUNCILMEMBER REPORTS

Councilmembers Jesica Stickles and Don Vanney provided brief updates, while Councilmembers Debora Nelson, Michele Blythe, Marilyn Oertle, Mike Hopson and Jan Schuette had nothing to report this evening.

PUBLIC COMMENT

None.

REVIEW OF CONSENT AGENDA ITEMS FOR NEXT MEETING

City Council discussed and agreed to place Item No. 1, 3 and 4 on the Consent Agenda for the August 3, 2020 Council meeting.

EXECUTIVE SESSION

None.

ADJOURNMENT

With no further business to come before the Council, the meeting was adjourned at 8:11 p.m.


Barbara Tolbert, Mayor