

EDMONDS CITY COUNCIL APPROVED MINUTES

January 22, 2002

Following a Special Meeting at 6:30 p.m. for an Executive Session regarding a legal matter and to meet with the new appointments to the Sister City Commission at 6:45 p.m., the Edmonds City Council meeting was called to order at 7:00 p.m. by Mayor Haakenson in the Council Chambers, 250 5th Avenue North, Edmonds. The meeting was opened with the flag salute.

ELECTED OFFICIALS PRESENT

Gary Haakenson, Mayor

Dave Orvis, Council President Pro Tem

Jeff Wilson, Councilmember

Michael Plunkett, Councilmember

Lora Petso, Councilmember

Richard Marin, Councilmember

Deanna Dawson, Councilmember

ELECTED OFFICIALS ABSENT

Dave Earling, Council President

ALSO PRESENT

Jared Carl, Student Representative

STAFF PRESENT

Duane Bowman, Development Serv. Director

Stephen Clifton, Community Services Director

Peggy Hetzler, Administrative Services Director

Arvilla Ohlde, Parks and Recreation Director

Jim Larson, Assistant Admin. Serv. Director

Dave Gebert, City Engineer

Stephen Koho, Treatment Plant Manager

Brian McIntosh, Assistant Parks & Rec Director

Darrell Smith, Traffic Engineer

Scott Snyder, City Attorney

Sandy Chase, City Clerk

Jana Spellman, Senior Executive Council Asst.

Jeannie Dines, Recorder

1. APPROVAL OF AGENDA

**COUNCIL PRESIDENT PRO TEM ORVIS MOVED, SECONDED BY
COUNCILMEMBER MARIN, TO:**

- **DELETE ITEM 2F FROM THE CONSENT AGENDA (PROPOSED ORDINANCE AMENDING CHAPTER 5.05 OF THE EDMONDS CITY CODE, PROVIDING THAT ALL OWNER-SURRENDERED OR STRAY DOMESTIC ANIMALS SHOULD BE ALTERED PRIOR TO BEING ADOPTED BACK INTO THE COMMUNITY, DESIGNATING VETERINARIAN(S) TO PROVIDE ALTERATION SERVICES, ESTABLISHING AN ANIMAL BENEFIT FUND TO PAY FOR SAID ALTERATION AND TO PROVIDE FINANCIAL ASSISTANCE TO DOMESTIC ANIMAL OWNERS IN PAYING FOR ALTERATION SERVICES);**
- **REMOVE ITEM 11 (EXECUTIVE SESSION REGARDING A REAL ESTATE MATTER. THE EXECUTIVE SESSION WILL BE A JOINT MEETING WITH THE PUBLIC FACILITIES DISTRICT BOARD) FROM THE AGENDA; AND**
- **EXTEND ITEM 12 (CITY COUNCIL EXECUTIVE SESSION REGARDING A REAL ESTATE MATTER) TO 60 MINUTES.**

MOTION CARRIED UNANIMOUSLY.

COUNCILMEMBER MARIN MOVED, SECONDED BY COUNCIL PRESIDENT PRO TEM ORVIS, FOR APPROVAL OF THE AGENDA AS AMENDED. MOTION CARRIED UNANIMOUSLY.

2. CONSENT AGENDA ITEMS

COUNCILMEMBER PLUNKETT MOVED, SECONDED BY COUNCILMEMBER MARIN, FOR APPROVAL OF THE CONSENT AGENDA AS AMENDED. The agenda items approved are as follows:

(A) ROLL CALL

(B) APPROVAL OF CITY COUNCIL MEETING MINUTES OF JANUARY 15, 2002

(C) APPROVAL OF CLAIM CHECKS #52949 THROUGH #53168 FOR THE WEEK OF JANUARY 14, 2002, IN THE AMOUNT OF \$899,853.61. APPROVAL OF PAYROLL DIRECT DEPOSITS AND CHECKS #4037 THROUGH #4120 FOR THE PERIOD JANUARY 1 THROUGH JANUARY 15, 2002, IN THE AMOUNT OF \$818,169.40.

(D) AUTHORIZATION TO CALL FOR BIDS FOR A HEAT EXCHANGER AT THE WASTEWATER TREATMENT PLANT

(E) QUARTERLY REPORT ON GRANTS

3. CONFIRMATION OF MAYOR'S APPOINTMENTS TO THE SISTER CITY COMMISSION OF DUSTIN WILSON AND BRYAN BECHLER

COUNCIL PRESIDENT PRO TEM ORVIS MOVED, SECONDED BY COUNCILMEMBER PLUNKETT, TO CONFIRM THE MAYOR'S APPOINTMENT OF DUSTIN WILSON AND BRYAN BECHLER TO POSITIONS #6 AND #10 RESPECTIVELY ON THE SISTER CITY COMMISSION.

Councilmember Marin commented both Mr. Wilson and Mr. Bechler were well qualified to serve on the Sister City Commission, one speaks Japanese fluently and the other served on a Sister City Commission in another community.

MOTION CARRIED UNANIMOUSLY.

Mayor Haakenson introduced Mr. Wilson and Mr. Bechler.

4. 76TH AVENUE WEST ROCKERY REPAIR PROJECT

City Engineer Dave Gebert advised the recommended action was to authorize staff to proceed with finalizing the design and negotiating easements for the rockery project. He explained the Capital Improvement Projects (CIP) include a project to repair the deteriorated rockery on 76th Avenue West near Dellwood Drive. In February 2002, the Council approved award of a contract to Reid Middleton, Inc. to design the project to repair the rockery.

In June 2002, staff held a neighborhood meeting to review the project, the design alternatives, and the easement process and to solicit input from residents in the vicinity of the rockery. Approximately eight people attended the neighborhood meeting where a "soil nail" wall was presented as the preferred alternative. A majority of the attendees agreed with the soil nail alternative but there were a number of questions raised regarding easements. Therefore, a second neighborhood meeting was held in July specifically to address questions/concerns regarding easements. The seven effected property owners were provided written notice of the meeting and three attended. The City Engineer, City Attorney, and the City's consultant Reid Middleton, also attended the meeting. Subsequent to the meeting, the City Attorney prepared draft easement language, which attempted to incorporate the concerns that the property owners expressed at the meeting.

In September 2001, a letter was sent to the seven residents that included a draft of the easement language and requesting they provide written comments and/or concurrence with the easement language. Staff has received written response from six of the seven property owners indicating

they would agree in principle to granting an easement subject to their approval of the final language. He acknowledged there were comments/concerns raised by residents that will be addressed via either revisions in the easement language, minor revisions to the design, or further discussion.

The property owner at 19109 Dellwood Drive (Lot 23) did not provide a written response. Mr. Gebert explained he spoke with this property owner in November who indicated he was not comfortable with granting the City an easement on his property and was not prepared to grant the City an easement at that time. The property owner indicated he would be out of town until January. As the property owner indicated resistance to an easement on his property, staff and the consultant considered whether a technical solution could be identified that would enable the City to make repairs to the rockery without requiring an easement from the property owner. He noted this property is located at the south end of the rockery where the rockery is in better condition than the remainder and is not as high. Mr. Gebert explained their goal was to determine an alternative solution that could be used if staff was unable to reach agreement with the property owner regarding an easement and to avoid a condemnation process to obtain an easement.

Bryce Falkin, Reid Middleton Inc., explained the rockery is located midway between 196th and Olympic View Drive. The rockery is approximately 670 feet long with an average height of 16 feet, reaching a maximum height of 20 feet. The rockery has a total square footage of exposed face of 11,000 square feet.

Existing Conditions

Dennis Stettler, Landau & Associates, explained the maximum height of the rockery of 18-20 feet is unusually high for a rockery wall; rockery walls are more commonly in the 8-foot range. He explained several years ago, Landau & Associates evaluated the condition and relative stability of ten rockery walls in the City. Of the ten rockeries, this rockery was determined to be in the worst condition and potentially the most problematic due to its length, height, and deterioration. He displayed photographs illustrating the deterioration including rocks with cracks, pieces out of the rocks, etc. He explained as the rockery continues to weather and age, cracks and deterioration also continues, which could lead to rocks falling off the face or large rocks shifting.

Repair Alternatives

Mr. Falkin reviewed the repair alternatives:

1. *Chain Link Fence covering the face of the rockery* – inexpensive solution, which would restrict falling hazards from landing on the sidewalk below. Minimal easements would be required for this alternative. With this alternative, portions of wall can still fall due to weathering. The chain link fence is not deemed to be as architecturally pleasing.

Significant maintenance would be required for a chain link fence and it may create an attractive nuisance for climbing.

2. *Conventional Concrete Cantilever Retaining Wall* – long term solution and one of the most common type retaining walls. This alternative requires the least amount of maintenance but is expensive, ranging from \$40-\$60/square foot for a total construction cost of \$440,000 - \$660,000. With this alternative, the existing rockery as well as a significant amount of soil behind the wall would have to be removed. Easements would be required and construction would be invasive on the adjacent property owners.
3. *Soldier Pile Wall with Tie Backs* – long-term solution but allows the rockery to be left in place by placing piles on the front face of the rockery. This retaining wall requires larger tie back lengths which results in larger easements. This alternative is one of the most expensive, ranging in cost from \$100-\$150/square foot for an estimated construction cost of \$1.1 - \$1.6 million. As there is limited room for construction due to the rockery's proximity to the sidewalk and roadway, the tie backs may encroach into the sidewalk and over time the steel piles may show signs of corrosion.
4. *Soil Nail Wall* – allows the rockery to be left in place. This alternative entails installing soil nails in a grid pattern throughout the rockery and applying a shotcrete fascia to anchor the soil nail heads and tie the system together. This solution is cost effective, ranging from \$30-\$40/square foot for a total estimated construction cost of \$330,000 - \$440,000. The shotcrete fascia allows for a hand troweled, architecturally pleasing finish. This alternative also requires easements but not as large as the tie backs in the soldier pile wall.

Mr. Falkin explained that throughout the public meetings, a majority of property owners agreed the soil nail wall was an acceptable alternative. He displayed examples of the shotcrete fascia wall finish alternatives, explaining the intent was to identify a finish that was easily applied, similar to a rock face, and that blended well with the surroundings. He displayed an example of a shotcrete finish they anticipated using on this project.

Recommended Design Solution

Mr. Falkin summarized the recommended design solution was the soil nail wall option with a hand troweled finish because it would provide a cost effective, permanent solution that was architecturally pleasing.

Technical Design Alternatives for Lot 23

Mr. Falkin explained technical design alternatives were considered for Lot 23 to avoid the requirement for an easement or minimize the easement requirement. He explained consideration was also given to doing nothing to the rockery; however, this option was deemed a high risk as the rockery would continue to weather and aesthetically would not match the soil nail wall to the north.

Next, consideration was given to a soldier pile wall without tiebacks. This was viewed as a low risk alternative that would address the property owner's concerns due to the minimal easement requirement as tiebacks would not be required due to the lower wall height. This alternative is more expensive, ranging from \$60 - \$80/square foot, a total of \$18,000 - \$24,000 more than the soil nail wall option along the Lot 23 footage. The soldier pile wall would aesthetically appear different than the soil nail wall to the north.

The third alternative was condemnation. This would allow for the recommended design solution and allow this portion to match the retaining wall to the north. However, as this is an expensive and painful process, an effort is made to avoid this alternative.

The last alternative considered was a shotcrete fascia over the existing rockery. This alternative was considered because from a geotechnical standpoint, this section of rockery was considered low risk. Mr. Stettler explained this section of wall along Lot 23 tapers from 12 feet at one end to 1 foot at the other end and the rock is more stable than in other sections. A shotcrete fascia was viewed as a potential compromise that would improve the existing condition, retard weathering, and help keep rocks in place. The disadvantage was that this alternative was not as much an engineering solution as the other alternatives and carried somewhat more risk but was seen as a reasonable compromise. Mr. Falkin estimated the cost of the shotcrete fascia at \$10-\$20/square foot. He noted the shotcrete fascia would match the soil nail treatment to the north. Mr. Falkin summarized their recommendation for the rockery frontage on Lot 23 was a shotcrete fascia without a soil nail wall.

Council President Pro Tem Orvis inquired why the wall was the City's responsibility. Mr. Gebert answered the wall was constructed with public funds in the 1970's when the road was constructed. Although the rockery is located on private property, the City is responsible for it.

Council President Pro Tem Orvis asked whether this would entail extending the existing easements. Mr. Gebert answered staff has been unable to locate any formal documented easements. City Attorney Scott Snyder explained the City acquired the right to maintain the wall in its current position by adverse possession and with that right came the obligation to maintain lateral and subjacent support.

Mr. Gebert clarified the easements would be subsurface easements and would not restrict the use of the surface of the property. Therefore, the shotcrete fascia alternative for Lot 23 would not require any additional easement other than the wall location. Mr. Snyder explained the subsurface area is primarily in the setback area where building is limited by the City's zoning code. He said the goal would be to tailor the easements so that they did not interfere with development rights. Mr. Gebert advised the setback on 76th Avenue West were 25 feet and the easement would be 25-30 feet.

Councilmember Dawson inquired about the cost to obtain the easements. Mr. Gebert answered the cost of the easements has not yet been determined. He explained there was some rationale for there not to be a cost as the repair would benefit both parties, but the easements would be negotiated. Councilmember Dawson clarified the proposed cost was only for construction/repair of the wall. Mr. Gebert agreed. Mr. Snyder suggested that the estimated cost of the easements be discussed in Executive Session.

Councilmember Wilson inquired whether the shotcrete option for Lot 23 would require any easement onto the property. Mr. Gebert answered it would depend on the design, possibly only an easement of 1-2 feet would be required behind the wall for a drainage swale on the top. He explained typically on a soil nail wall there is a drainage swale and fence at the top. Councilmember Wilson asked whether a construction easement would be required along Lot 23. Mr. Gebert answered he did not anticipate the need for a construction easement as the shotcrete was applied from the outside.

Mayor Haakenson opened the public participation portion of this item.

Paul Rootvik, 19109 Dellwood Drive, Edmonds, explained he has been discussing this wall with the City for the past eight years, noting it has been a problem since it was constructed due to the material used, cracks in the rocks, and rocks falling out of the face. He explained this summer staff requested a 35 foot easement and did not provide any good options other than the soil nail. He suggested consideration be given to a license (rather than an easement) but staff chose not to pursue that option.

Mr. Rootvik indicated he did not receive the letter with the draft of the easement, only a letter asking whether he agreed with the proposed easement language. He noted in previous meetings, earthquakes and Acts of God were used as justification for replacing the wall. However, the easement he was provided excluded Acts of God. He objected to the request for a 35-foot easement with no compensation. He pointed out the City owned the land that was being discussed but could not find the paperwork. He displayed a map of the property illustrating this.

Mr. Rootvik agreed the wall needed to be replaced but did not agree with the verbiage in the easement. He indicated his wife received a letter regarding the shotcrete alternative on Thursday, January 17, he returned to town on Friday, January 18, and Mr. Gebert left a message on January 18 regarding the shotcrete option for the wall along his property. Mr. Rootvik indicated he was not necessarily opposed to the alternative but before he agreed to it, he wanted assurance his property was adequately protected. He did not believe a 35-foot easement was necessary.

Hearing no further comment, Mayor Haakenson closed the public participation portion of this item.

Councilmember Petso asked whether the Council was provided a copy of the easement. Mr. Gebert answered no. Councilmember Petso asked if staff had discussed Mr. Rootvik's concerns with him. Mr. Gebert explained Mr. Rootvik attended the second meeting that addressed the easements as well as alternatives. The approved approach among all attendees of that meeting was that staff would proceed with preparation of an easement for the residents' review. The draft easement was then forwarded to the residents.

Councilmember Petso observed it appeared the issue may only be communication and it may be resolved via further review of the easement document. Mayor Haakenson explained the recommended action included negotiating necessary easements with property owners whose property abuts the rockery. Mr. Gebert advised staff was more than willing to negotiate easement language with Mr. Rootvik. He explained a copy of the draft easement was sent to property owners in September and another letter was sent to the abutting property owners in October with another copy of the easement. Mr. Gebert indicated Mr. Rootvik contacted him in November, indicated he would be out of town and did not have sufficient time to review the easement. Anticipating the City would not be able to reach agreement with Mr. Rootvik regarding the easement, staff developed an alternative in the event the City was unable to reach agreement with Mr. Rootvik.

Referring to Mr. Rootvik's comment that he wanted assurance his property was adequately protected and did not believe a 35 foot easement was necessary, Councilmember Petso asked what amount of easement would be necessary. Mr. Gebert explained staff evaluated the four alternatives prepared by Reid Middleton and all except the chain link fence provided an adequate solution. The soil nail alternative was selected because it provides a good level of protection at a reasonable price. All options require significant easement. The soil nail and the soldier pile with tie backs requires approximately a 30 foot easement. The retaining wall would require an 8-10 foot easement and a significant construction easement. He acknowledged the soil nails could be shorter in the area of Mr. Rootvik's property. Mr. Gebert explained each easement would include a drawing identifying the depth of the easement. He noted the easements would average 30 feet.

Councilmember Petso asked whether this would be a permanent easement or only the right to put a nail in the ground. Mr. Gebert explained the City was requesting a subsurface easement – a strip along the frontage where the rockery is and at a depth of approximately 30 feet. He noted in areas where the rockery is shorter and soil nails do not need to be 28 feet deep, a smaller easement may be required.

Councilmember Petso recalled Mr. Rootvik's reference to a map of the lots and showing some type of City ownership. Mr. Gebert said he was not aware of the map to which Mr. Rootvik referred. At the time of the first meeting, staff was unable to locate easement documents on property records. He explained Mr. Rootvik had a copy of an easement with a handwritten note indicating there was some easement on his property. Staff has obtained a copy of the easement

with the handwritten note but has been unable to find records indicating easements were obtained. He offered to review the map Mr. Rootvik referred to.

Councilmember Petso assumed if the Council approved the recommended action and later it was determined the City already had the necessary easements, staff would return to the Council with any change. Mr. Gebert assured if the City already had the easements, they would certainly not execute new easements.

Councilmember Marin advised he has noticed the deteriorating condition of this wall when walking. He was agreeable to the proposed alternative if the City was unable to reach agreement regarding an easement with the property owner of Lot 23. He was also agreeable to taking more time to conduct the necessary negotiations with Mr. Rootvik.

For Councilmember Dawson, Mr. Snyder explained the easement was drafted following the meeting with the residents with the goal of resolving issues as well as identifying an engineering solution where there was not a legal solution. He referred to Mr. Rootvik's comments regarding earthquake and licensing, noting a promise that the City would indemnify and hold harmless the property owners from damages that arose from construction activities but excluding any damage caused by large scale earth movement or Act of God. Regarding a license, Mr. Snyder explained a license was revocable and was not typically recorded. He did not recommend spending public funds on improvements that a property owner could ask to have removed, particularly if the design of the wall was predicated on the tie backs or soil nails.

Councilmember Dawson inquired whether the City would be liable if the wall collapsed due to the City's negligence. Mr. Snyder agreed if there were negligence design issues.

Councilmember Wilson asked whether an existing easement would be deep enough to cover the proposed work or only the existing rockery. Mr. Gebert answered he has not seen the map Mr. Rootvik referred to. The only map/drawings he has seen did not show an easement, City property or right-of-way in the area of the rockery.

Councilmember Wilson asked what specific activities the subsurface easement would preclude. Mr. Snyder answered development on the surface would be limited by the zoning classification and setback; the property owner would have full and unencumbered use of the surface of the property.

Councilmember Wilson asked whether the wall design would have to meet engineering design standards. Mr. Gebert answered the wall would be designed to meet the appropriate standards.

Mayor Haakenson remanded the matter to Council for action.

COUNCILMEMBER MARIN MOVED, SECONDED BY COUNCILMEMBER WILSON, THAT THE COUNCIL AUTHORIZE STAFF TO PROCEED WITH, 1) FINALIZING THE DESIGN FOR THE REPAIRS TO THE 76TH AVENUE WEST ROCKERY USING A SOIL NAIL DESIGN, 2) NEGOTIATE NECESSARY EASEMENTS WITH PROPERTY OWNERS WHOSE PROPERTY ABUTS THE ROCKERY, AND 3) IF NEGOTIATIONS FAIL TO PROCEED WITH THE PROPERTY OWNER AT 19109 DELLWOOD DRIVE, STAFF IS AUTHORIZED TO PROCEED WITH THE SHOTCRETE FINISH WITHOUT SOIL NAILS.

Councilmember Petso emphasized "necessary easements" and encouraged staff to review the map Mr. Rootvik indicated he had as well as to work with Mr. Rootvik to negotiate an easement.

MOTION CARRIED UNANIMOUSLY.

5. AUDIENCE COMMENTS

Carol Hahn, 1031 2nd Avenue S, Edmonds, referred to continued public hearings that addressed either different or the same aspects of an issue. She recommended the new Councilmembers read the minutes and/or watch the videos of previous Council meetings to avoid having to answer questions that have been previously addressed. Regarding last week's continued public hearing (Edmonds Crossing – Pine Street Ferry Traffic Study), she explained the notice listed the recommendations presented on October 16 and suggested alternatives to Item #3. She noted the inference was that was all that would be discussed, only alternatives to Item #3 and that Items #1, 2, 4, 5, and 6 had been resolved. However, at the conclusion of the January 15 public hearing, the Council again discussed closing Pine Street. She emphasized the notice of the public hearing did not refer to the option to close Pine Street and if that was to be considered, those who spoke at previous public hearings should be notified.

Al Rutledge, 7101 Lake Ballinger, Edmonds, objected to how Board and Commission members were selected and recommended the Council select Board and Commission members.

6. OLYMPIC VIEW DRIVE SAFETY IMPROVEMENTS

Traffic Engineer Darrell Smith introduced **Dale Lyden, City of Lynnwood, Project Manager for Olympic View Drive Project**, and **Bill Frans, City of Lynnwood, Engineering Manager**. Mr. Lyden displayed a map of Olympic View Drive, noting this was an important project both for the residents of Lynnwood as well as the residents of Edmonds.

Mr. Lyden described existing conditions on Olympic View Drive, which was an early route from Edmonds to the Meadowdale area that followed the natural contours of the area. Sight distances are poor in some places and drainage problems have degraded the pavement in many areas. The existing roadway has 10-foot lanes with a widened shoulder walkway on the Edmonds side from Perrinville to 72nd. From there, the walkway is on the Lynnwood side and there is no walkway on the Edmonds side the remainder of the way to Meadowdale. He explained the asphalt walkway was approximately 4-feet wide and was separated by curbs in some areas but there was no separation from the travel lanes in many areas. There are seven bus stops in each direction and approximately 10,000 vehicles per day travel the roadway (by comparison, 30,000 vehicles travel Hwy. 99). Other features of the project area include 39 resident driveways that access Olympic View Drive between Perrinville and Meadowdale, several sections that have homes and intersecting streets on both sides, and treed slopes between 176th and 170th (upward slope on the west and downward slope on the east).

Mr. Lyden explained the proposed improvements would include 14-foot lanes in each direction, which would accommodate vehicle traffic and provide some room for bicycles, 5-foot wide sidewalks with a 6-inch curb on both sides, and short retaining walls in some areas. Mr. Lyden concluded Lynnwood is committed to this project but needs Edmonds' assistance.

Mr. Smith explained this portion of Olympic View and the proposed improvements were solely within the Lynnwood's right-of-way. However, the City receives frequent comments from Meadowdale and Perrinville residents expressing concern with automobile and pedestrian safety on Olympic View Drive. A survey conducted in 2000 confirmed that pedestrian facilities were a desired facility in this area. He explained this project would provide pedestrian improvements that would benefit both Edmonds and Lynnwood residents. The project would also make Olympic View Drive a viable bicycle route. The added capacity would benefit Edmonds citizens. He noted turning pockets at key intersections would assist with passing and increasing the roadway width added to driver comfort thereby increasing capacity.

Mr. Smith summarized this was a regionally significant project that would have a positive impact on the community. Lynnwood has informally requested Edmonds participate by providing \$730,000 based on a sidewalk estimate they prepared. This estimate includes the sidewalks that would be constructed adjacent to Edmonds (on the west side) and prorated construction items such as stormwater treatment facilities and traffic control. The Transportation Improvement Board (TIB) hoped Edmonds could participate at a level of \$400,000. Mr. Smith noted TIB is also a funding partner for this project.

Mr. Smith advised Edmonds conducted a sidewalk estimate that totaled \$250,000. The primary difference between Edmonds' estimate and Lynnwood's is it focused on the sidewalk improvements and directly related issues such as fill material, etc. and Lynnwood's estimate included traffic control, stormwater improvements, etc. He summarized \$250,000 was warranted as the other improvements would need to be constructed regardless of whether a sidewalk was constructed on the Edmonds side.

Mr. Smith noted a CIP budget for each funding alternative was included in the Council packet. Engineering recommends Edmonds commit a total of \$250,000 over a two-year construction period, an amount Engineering believes the City can afford. He explained the CIP worksheet included a \$250,000 budget item for Olympic View Drive that is the same as presented with the 220th Street improvement. He noted the CIP worksheet illustrated Edmonds ability to support the Olympic View Drive project without endangering other projects in the City.

Councilmember Petso questioned how this project would improve bicycle access on Olympic View Drive, as no bike lane would be constructed nor would a shoulder be available to bicyclists. Mr. Smith explained there were several bicycle facility classifications, Class I is a totally separated trail system, Class II is a dedicated, striped bicycle lane, and Class III is a widened roadway lane.

Councilmember Petso asked whether the Bicycle Path identified any improvements to the Lynnwood portion of Olympic View Drive. Mr. Smith answered the plan referred to generic pedestrian and bicycle improvements. Councilmember Petso inquired whether the improvements identified in Edmonds Bicycle Plan would match the improvements proposed by Lynnwood. Mr. Smith answered the improvements were not well enough defined in the Bicycle Plan.

Councilmember Petso asked whether the intersection in Perrinville had the potential for a European-style roundabout and, if so, why would the City install a sidewalk there and remove portions of it when a roundabout was constructed. Mr. Smith answered this intersection (and Five Corners) were identified in the Transportation Plan Update as possible locations for roundabouts. He encouraged Lynnwood to stop the sidewalk 100-200 feet short of the intersection. Councilmember Petso clarified Mr. Smith's proposal was not to bring the sidewalk to the stop sign and complete pedestrian and bicycle improvements at the time a roundabout is constructed.

Mayor Haakenson disagreed with Mr. Smith's suggestion, emphasizing the need for sidewalks to extend to the stop sign at 76th due to the number of youth using this area to reach the skate park. He recommended the sidewalk be extended to the stop sign. Mr. Smith explained the last 100 feet of sidewalk could be asphalt, which was less expensive and easier to reconstruct in the future. Mayor Haakenson commented if residents in that area were polled, the most important aspect of this project was sidewalks.

Councilmember Plunkett encouraged staff to provide the minutes from the Council Committee meeting where this issue was discussed.

For Councilmember Plunkett, Mr. Gebert explained approximately \$1.2 million was budgeted for overlays which includes the \$750,000 in bonds and a small amount for waterline overlay and \$400,000 for 76th Avenue West restoration. Mr. Gebert explained with the \$250,000 contribution to the Olympic View Drive project, there would be \$575,000 for citywide overlay plus \$180,000 in waterline overlay. In 2004, there would be \$250,000 in the citywide overlay and \$190,000 in the waterline overlay.

Mr. Gebert explained the CIP shown is the scenario for funding the City's portion for the 220th Street with a Public Works Trust Fund Loan or Bond. Councilmember Plunkett clarified the City was "stretching just about to the limit" to get this done. Mr. Gebert agreed. Mr. Smith noted there may be federal funds available. He agreed the 220th project was dependent on the City receiving grant funding.

Mayor Haakenson remanded the matter to Council for action.

Councilmember Marin (a member of the Community Services/Development Services Committee) said when Lynnwood presented this proposal to the Committee, he was excited about the opportunity for Edmonds to partner with Lynnwood.

COUNCILMEMBER MARIN MOVED, SECONDED BY COUNCIL PRESIDENT PRO TEM ORVIS, FOR THE CITY OF EDMONDS TO GIVE SUPPORT TO THE CITY OF LYNNWOOD AND THE TIB FOR CONSTRUCTION OF THIS REGIONALLY IMPORTANT OLYMPIC VIEW DRIVE ROADWAY IMPROVEMENT PROJECT. IT IS RECOMMENDED THAT THE CITY OF EDMONDS COMMIT \$250,000 OVER A TWO-YEAR CONSTRUCTION PERIOD.

Council President Pro Tem Orvis commented Edmonds residents use this roadway on a frequent basis. The project is necessary for the safety of Edmonds residents as well as Lynnwood residents.

Councilmember Wilson expressed his support for the project. He noted this was a major connector to the north end of the City and it was important to provide the necessary

improvements. He supported the construction of a hard surface walkway all the way to the intersection at 76th.

Councilmember Dawson expressed her support, noting the \$250,000 was approximately equivalent to the cost of the sidewalks on the west side which would primarily be used by Edmonds residents.

MOTION CARRIED UNANIMOUSLY.

7. COMMUNITY SERVICES DEPARTMENT QUARTERLY REPORT

Community Services Director Stephen Clifton provided a quarterly report on major projects currently being worked on by the Community Services Department staff.

Edmonds Crossing

Mr. Clifton explained Edmonds Crossing was a regional project intended to provide a long-term solution to the current operational and safety conflicts between rail, buses, cars, pedestrians, and ferries. The project includes the relocation of the existing ferry terminal to another location on the waterfront. He referred to significant activities that have occurred since September 2001 such as staff and the consultants' continued work on responses to comments from the Signatory Agency Committee. Mr. Clifton explained in October 2001 he attended meetings with the Washington State Office of Financial Management staff and Washington State Senate and House representatives to discuss future financing of the Edmonds Crossing project.

Mr. Clifton explained he learned recently that Governor Locke included \$2.2 million in the budget he is proposing to the Legislature to provide matching funds for the approximately \$8.1 million in federal funds. In November, Washington State Department of Transportation (WSDOT), Washington State Ferries (WSF), CH2M Hill consultants and City staff met to discuss the processing of the Edmonds Crossing EIS and to discuss the prioritization of Edmonds Crossing project with WSF, specifically to request they take over the Edmonds Crossing project and champion it throughout the region rather than the City being the lead on the project.

In January 2002, City consultants, WSDOT, Federal Highway Administration and City staff met to discuss outstanding issues related to this project including tribal issues. Efforts to resolve this issue continue and WSDOT is scheduling formal meetings with the tribes.

Sound Transit

Mr. Clifton explained the proposed Sound Transit station would be located between Dayton and Main Street in downtown Edmonds, including the double tracking of the BNSF railroad tracks. Unfortunately, Sound Transit recently informed the City of a delay in the overall construction timeline in addition to the operation of the Sounder Train. Sound Transit originally planned to begin construction of the Edmonds station in spring 2002, with operation of Sounder to begin in 2003. Due to negotiation issues with BNSF, construction of the second railroad track may not begin until 2005. Sound Transit is negotiating with BNSF regarding the operation of the north Sounder line and Sound Transit is attempting to provide Sounder service on one track to Everett. It now appears that under the best case scenario, Sound Transit will not begin operating the north line until fall 2003.

Fire Station #16

Mr. Clifton explained this was a new fire station (approximately 9,700 square feet) to be constructed on 196th near 84th. TCA Architecture has completed task 1 (conceptual drawings and program development) within budget. He noted five Fire Department staff members have participated in bi-weekly meetings with TCA Architecture. The next phase will include development of schematic drawings, floor elevations, sections, and a site plan as well as taking conceptual plans to the City Council and to the neighborhood for citizen input. Construction is anticipated to begin August 2002.

Unocal Site Cleanup

Mr. Clifton explained the Department of Ecology (DOE), UNOCAL, City staff, Port of Edmonds, and Edmonds Citizen Awareness Committee have met regularly since February 2001 to develop interim actions. Under the supervision of DOE, UNOCAL has continued cleaning the upper and lower areas of the site. Specific interim clean-up actions include excavation, removal, and offsite disposal of 11,000 tons of contaminated material within the lower yard and removal of 3,000 gallons of oil from the subsurface. The removal of the fuel storage tanks was completed in September 2001. Clean up of soils will take place in 2002.

Subsequent activities related to the lower yard include remedial investigation, preparation of the final action clean-up plan, and implementing final cleanup in 2004.

Edmonds Public Facility District

Mr. Clifton explained the Council packet described the efforts of the Edmonds Public Facilities District (PFD) Board, noting this had been addressed during the January 15 joint meeting with the PFD and the Council.

Councilmember Marin inquired about the progress of WSDOT and WSF taking over the Edmonds Crossing project. Mr. Clifton answered WSF and WSDOT have scheduled meetings internally and with City staff including meetings to address tribal concerns. WSDOT assigned a new project manager to the project and Mayor Haakenson, the City's consultant and he plan to meet with the WSF's new Director of Ferries.

8. REPORT ON CITY COUNCIL COMMITTEE MEETINGS OF JANUARY 8, 2002

Community Services/Development Services Committee

Councilmember Marin reported the Committee discussed the 76th Avenue West retaining wall project and requested it be forwarded to the full Council. The Committee also discussed proposed water utility rates, which have not been increased since 1994. Next, the Committee discussed a sidewalk construction policy. The Committee also discussed the Transportation Element Update and the proposed public involvement process.

Finance Committee

Councilmember Dawson explained the Committee discussed 2002 financial issues including identification of new revenue sources, analysis of water rates, analysis of stormwater rates, Governmental Accounting Standards Board (GASB) 34 implementation, provision of information technology services to Mountlake Terrace, web site policy, and financial policies. A presentation regarding the analysis of water rates and analysis of stormwater rates will be made to the Council in the near future. In addition to identifying new revenue sources, she requested the Committee also address budget reductions.

Public Safety Committee

Councilmember Petso reported the Committee was provided an update on the progress of Medic 7 integration. The Committee was informed the Medic 7 paramedics would be integrated into the Fire Departments by early March. At the time integration is complete, there is a potential for a change in service delivery methods but no change in the level of service. Fire Chief Tomberg will advise the Committee of any further changes in the Medic 7 program. Next, the Committee discussed potential Fire Department revenue provided via a Medic 7 transport fee. Committee members indicated they did not want staff to devote further time to researching implementation of a Medic 7 transport fee and the item was tabled.

9. MAYOR'S COMMENTS

Mayor Haakenson reminded the public of the Washington Tea Party (formerly Citizens Opposed to Brightwater) Town Meeting that would discuss what citizens could do to help stop the spread of projects like Brightwater across Washington State, and particularly the City of Edmonds.

10. INDIVIDUAL COUNCIL REPORTS/UPDATES ON OUTSIDE COMMITTEE/BOARD MEETINGS

Councilmember Plunkett reported the Edmonds Alliance for Economic Development (EAED) is seeking new board members, particularly someone from the banking community. The EAED has one new board member, Chris Guitton, the new Chamber of Commerce Executive Director. Councilmember Plunkett advised at the Council retreat he planned to present the Council with a better way for the Council to track the work of the EAED. This would enable the Council to better understand the projects, the priority of projects, and the progress the EAED has made on projects.

Councilmember Wilson reported on the Port of Edmonds meeting that included election of new officers and adoption of a meeting schedule for the remainder of the year. The meeting also addressed the Edmonds Stakeholders' proposal (funding for organized community marketing). The Stakeholders sought \$25,000 from the Port; the Port authorized up to \$25,000 but required a 20% proportionality to funds provided by others entities.

Councilmember Marin reported the Health Board hired a Director for the new Bioterrorism Unit. At his request, he witnessed the Snohomish County Health Board's participation in a meth lab bust. He commented on the unpleasant affect such an operation can have on people's lives.

11. EXECUTIVE SESSION REGARDING A REAL ESTATE MATTER. THE EXECUTIVE SESSION WILL BE A JOINT MEETING WITH THE PUBLIC FACILITIES DISTRICT BOARD.

This item was removed from the agenda via action taken under Agenda Item 1.

12. CITY COUNCIL EXECUTIVE SESSION REGARDING A REAL ESTATE MATTER.

At 8:54 p.m., Mayor Haakenson recessed the Council to a 60-minute Executive Session regarding a real estate matter. No action would be taken and the Council would adjourn immediately following the Executive Session.