

EDMONDS CITY COUNCIL APPROVED MINUTES

April 23, 2002

Following a Special Meeting at 6:15 p.m. for an Executive Session regarding a real estate matter, the Edmonds City Council meeting was called to order at 7:05 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 Earling, Council President
Jeff Wilson, Councilmember
Michael Plunkett, Councilmember
Lora Petso, Councilmember
Dave Orvis, Councilmember
Deanna Dawson, Councilmember

ELECTED OFFICIALS PRESENT

Richard Marin, Councilmember

ALSO PRESENT

Jared Carl, Student Representative

STAFF PRESENT

David Stern, Chief of Police
Gerry Gannon, Assistant Police Chief
Duane Bowman, Development Serv. Director
Stephen Clifton, Community Services Director
Peggy Hetzler, Administrative Services Director
Arvilla Ohlde, Parks and Recreation Director
Stephen Koho, Treatment Plant Manager
Dave Gebert, City Engineer
Don Fiene, Assistant City Engineer
Scott Snyder, City Attorney
Sandy Chase, City Clerk
Jana Spellman, Senior Executive Council Asst.
Jeannie Dines, Recorder

Council President Earling announced negotiation had been successfully completed regarding the loss on the public safety building. He explained the agreed upon settlement of \$524,000 was considerably below the amount he was authorized to negotiate. He congratulated the negotiating team comprised of City Engineer Dave Gebert, Administrative Services Director Peggy Hetzler, and Attorney Karen Sutherland (Ogden Murphy Wallace). Mayor Haakenson commented the negotiated settlement was far less than if the matter had proceeded to court.

1. APPROVAL OF AGENDA

COUNCIL PRESIDENT EARLING MOVED, SECONDED BY COUNCILMEMBER WILSON , FOR APPROVAL OF THE AGENDA WITH THE FOLLOWING CHANGES:

- **THE ADDITION OF CONSENT AGENDA ITEM M (LIFT STATION #1 RENOVATION).**
- **DELETE AGENDA ITEM 4 (CONFIRMATION OF MAYOR’S APPOINTMENT TO THE SISTER CITY COMMISSION OF DR. CONSUELO KINAHAN) AND REPLACE IT WITH CURRENT AGENDA ITEM 11.**
- **ADD A NEW ITEM 11 (LETTER TO GARY NELSON, CHAIR OF THE SNOHOMISH COUNTY COUNCIL, REQUESTING THE EDMONDS CROSSING MULTIMODAL PROJECT BE INCLUDED IN A REGIONAL TRANSPORTATION BALLOT MEASURE).**

MOTION CARRIED UNANIMOUSLY.

2. CONSENT AGENDA ITEMS

COUNCILMEMBER ORVIS MOVED, SECONDED BY COUNCILMEMBER DAWSON , FOR APPROVAL OF THE CONSENT AGENDA AS PRESENTED. MOTION CARRIED UNANIMOUSLY. The agenda items approved are as follows:

- (A) **ROLL CALL**
- (B) **APPROVAL OF CITY COUNCIL MEETING MINUTES OF APRIL 16, 2002**
- (C) **APPROVAL OF CLAIM CHECKS #54933 THROUGH #55045 FOR THE WEEK OF APRIL 15, 2002 , IN THE AMOUNT OF \$696,462.67. APPROVAL OF PAYROLL DIRECT DEPOSITS AND CHECKS #32457 THROUGH #32565 FOR THE PERIOD APRIL 1 THROUGH APRIL 15, 2002 , IN THE AMOUNT OF \$833,138.27.**
- (D) **QUARTERLY REPORT ON GRANTS**
- (E) **COMMUNITY SERVICES DEPARTMENT QUARTERLY REPORT**

- (F) **REPORT ON BIDS OPENED APRIL 9, 2002 FOR THE WOODWAY ELEMENTARY SCHOOL WALKWAY AND AWARD OF CONTRACT TO GMT, INC (\$327,606.79, Including Sales Tax)**
- (G) **AUTHORIZATION TO ADVERTISE FOR BIDS FOR A TRACTOR/FLAIL MOWER COMBO FOR THE STREET DIVISION**
- (H) **AUTHORIZATION TO ADVERTISE FOR BIDS FOR A GENERAL PURPOSE DIESEL TRACTOR FOR THE PARKS DIVISION**
- (I) **AUTHORIZATION TO CONTRACT WITH JAMES MURPHY AUCTIONEERS TO SELL SURPLUS CITY VEHICLE**
- (J) **RESOLUTION NO. 1023 COMMENDING JARED CARL, STUDENT REPRESENTATIVE**
- (K) **RESOLUTION NO. 1024 DEDICATING MARINA BEACH PARK**
- (L) **REPORT ON THE GENERAL FUND AND OTHER SELECTED FUNDS FINANCIAL POSITION**

3. **PRESENTATION OF RESOLUTION AND PLAQUE TO JARED CARL, STUDENT REPRESENTATIVE**

Council President Earling described the Student Representative program, explaining students were selected on alternate terms from Edmonds-Woodway High School and Meadowdale High School . He read Resolution No. 1023 commending Jared Carl for his service as Student Representative from January through April 2002.

Student Representative Carl thanked the Council and City for providing him the opportunity to serve as Student Representative. He indicated he had learned a lot and was better prepared for a career in politics.

4. **REAFFIRMATION OF RESOLUTION NO. 1009 OPPOSING THE CONTINUED INVESTIGATION OF THE EDMONDS UNOCAL PROPERTY BY KING COUNTY AS A CANDIDATE SITE FOR THE BRIGHTWATER TREATMENT FACILITY**

Mayor Haakenson explained he requested Council President Earling schedule this item to bring the matter back into public focus.

Council President Earling commented that because the Council may be required to make land use decisions related to Brightwater should the Unocal site be selected, Councilmembers must be careful in how they describe their feelings about the wastewater treatment plant.

Council President Earling read Resolution 1009:

WHEREAS King County intends to develop a new wastewater treatment plant to be known as the “Brightwater Wastewater Treatment Plant” and has designated said plant as an Essential Public Facility; and,
 WHEREAS, King County has identified the Edmonds Unocal property, located within the municipal boundaries of the City of Edmonds, as one of the six candidate sites for the BrightWater facility; and

WHEREAS, King County is currently conducting a feasibility analysis of the six candidate sites to determine which, if any, should proceed through the Environmental Impact Statement process in preparation for development of the BrightWater facility; and

WHEREAS, the King County Executive is scheduled to recommend designation of two to five “final candidate” sites to the King County Council during the week of September 10, 2001; and

WHEREAS, the Edmonds City Council has received testimony from residents, neighbors, City staff, and other groups and individuals regarding the potential siting of the BrightWater facility on the Edmonds Unocal property; and

WHEREAS, multiple large scale Essential Public Facilities already exist within or immediately adjacent to the City of Edmonds, including two wastewater facilities, high volume ferry terminal facilities and an adjacent railroad depot; and

WHEREAS, the Edmonds Wastewater Treatment Plant located at 200 Avenue S. within the City of Edmonds is a regional secondary wastewater treatment facility currently treating approximately 11.8 million gallons of wastewater per day, including wastewater flows from Edmonds, King County, Mountlake Terrace, Woodway, Lynnwood, and Olympic View Water & Sewer District; and

WHEREAS, the City of Lynnwood Wastewater Treatment Plant located immediately adjacent to the Meadowdale neighborhood within the City of Edmonds is a regional secondary wastewater treatment facility currently treating approximately 7.4 million gallons of wastewater per day, including wastewater flows from Lynnwood and Edmonds; and

WHEREAS, the City of Edmonds has since 1993 worked with the Washington State Department of Transportation to plan for the eventual relocation of the Edmonds Ferry Terminal to the Unocal property site, and has planned for the relocated ferry terminal to be developed as part of a new regional, multimodal transportation facility designed as “Edmonds Crossing;” and

WHEREAS, siting the BrightWater facility on the Edmonds Unocal property could severely jeopardize the successful development of the Edmonds Crossing project; and

WHEREAS, due to the location, size and topography of the Edmonds Unocal property, development of the proposed BrightWater treatment facility thereon could leave an insufficient buffer area between the treatment plant and neighboring residential areas and impair the ability to mitigate environmental impacts from the Edmonds Crossing Project; and

WHEREAS, the City of Edmonds has very limited developable land within its City limits; and

WHEREAS, the addition of the BrightWater sewer facility could impact existing public development of the site for the Edmonds Crossing Multimodal Facility as well as impair the long term, ongoing efforts of the City to correct an existing transportation snarl of bus, train, car and ferry traffic that limits public access to the natural features and public facilities previously described; and

WHEREAS, the Unocal site is unique to its beautiful setting, its proximity to commercial areas and to a range of recreational facilities and natural habitat areas, including but not limited to Deer Creek Hatchery, Union Oil Marsh, the Port of Edmonds, numerous public beaches, tidelands and an underwater dive park; and

WHEREAS, King County has been unable to demonstrate that the Edmonds Crossing Project and the BrightWater Treatment Facility could effectively co-exist on the Unocal property; and

WHEREAS, the City of Edmonds routinely receives complaints from citizens residing near the Lynnwood Treatment Plant regarding odors emanating therefrom; and

WHEREAS, while the language contained in King County Resolution 13680 regarding potential mitigation measures to the City Council proposes to mitigate environmental impacts to a limit of ten percent (10%) of plant costs or Ten Million Dollars, whichever is greater; and

WHEREAS, the City has expended approximately \$3.5 million in federal and state grant monies planning for the Multimodal Facility; and

WHEREAS, if the City prematurely terminates the Multimodal Project, the City could be obligated to repay said grants, creating a severe economic impact on the City; and

WHEREAS, repayment of such grant monies is a socio-economic impact that King County does not appear willing to assume due to the limited scope of its mitigation resolution; NOW THEREFORE,

THE CITY COUNCIL OF THE CITY OF EDMONDS, WASHINGTON, HEREBY RESOLVES AS FOLLOWS:

Section 1. The Edmonds City Council finds that the Edmonds Unocal property is an inappropriate site for King County’s proposed BrightWater treatment facility because:

- A. It would impair the City’s ability to maximize the potential of the site for the benefit of the citizens of Edmonds;
- B. Would impose upon the City an unfair share of the region’s sewage treatment facilities; and

C. Would impair the City's ongoing efforts to coordinate a variety of public transportation and recreational uses as well as a preservation of natural features, open space and service views, on or near the Unocal site.

Section 2. The Edmonds City Council finds that the continued investigation of the Edmonds Unocal property as a candidate site for the potential location of the proposed BrightWater treatment facility would represent a waste of public resources and would create a costly and unnecessary intergovernmental conflict.

Section 3. The Edmonds City Council urges the King County Executive to exclude the Edmonds Unocal property from the list of Final Candidates that will be submitted to the King County Council in September 2001

Section 4. It shall be the policy of the City of Edmonds to oppose the continued investigation and potential selection of the Edmonds Unocal property as a candidate site for the King County BrightWater treatment facility.

Section 5. The Mayor is requested to convey this resolution to the King County Executive.

COUNCILMEMBER PLUNKETT MOVED, SECONDED BY COUNCILMEMBER WILSON, THAT THE COUNCIL REAFFIRM RESOLUTION NO. 1009. MOTION CARRIED UNANIMOUSLY.

Mayor Haakenson encouraged the public to attend the Town Hall meeting regarding Brightwater on April 29 at 7:00 p.m. in the Library Plaza Room.

5. ANNUAL REPORT OF THE EDMONDS SISTER CITY COMMISSION

Lawrence Cretin, Sister City Commission Chair, provided the annual report of the Edmonds Sister City Commission. He reported on the Hekinan Delegation/CRANE Sculpture Dedication, explaining an Edmonds delegation traveled to Hekinan in March to help celebrate the unveiling/installation of the 11-foot sculpture, the Crane, created by artist Steve Jensen. Mr. Cretin reported on the mask project, where artist Steven Jensen lead a "Wall of Masks" project with 11 Hekinan junior high students in Hekinan and 13 junior high students in Edmonds. The masks created by Hekinan and Edmonds students were exhibited in Edmonds in November and will be sent to Hekinan for exhibit in 2002.

Mr. Cretin explained for the past several years, two full-time teachers have been assisting in the junior high schools in Hekinan teaching English. The teachers are selected by the Sister City Commission to fill a two-year term. Following a process to fill a 2-year assignment the Commission selected Caryn Fisher. In September candidates were interviewed again to fill another incomplete 2-year term and Eric Anderson was selected.

Mr. Cretin reported on efforts to recruit new members and volunteers and on the preparation for Hekinan delegations. In 2001, seventeen students and two teachers came to Edmonds from Hekinan in August and ten students, two teachers, and one chaperone went to Hekinan in July. Also during the summer, the annual delegation of medical professionals from Hekinan Municipal Hospital were hosted by staff and physicians at Stevens Healthcare. A thirty-person delegation celebrating the 75th anniversary of Hekinan High School visited Edmonds in late August as part of a west coast tour. Visits from a delegation from Hekinan's Aquarium and as well as an adult delegation were rescheduled for 2002 due to the September 11 terrorist attacks.

Mr. Cretin reported the Hekinan Aquarium project would feature the natural history of the Pacific Northwest with an emphasis on Edmonds as well as a large component on the early people history of Edmonds. He noted the Edmonds Sister City informational brochure was updated and reprinted and the Commission was considering other promotional pieces and activities to increase Edmonds awareness at home as well as in Hekinan. Teachers Brenda Leider and Greg Phillips were selected for the July 2002 delegation to Hekinan (15 students for 15 days), who will begin recruiting students and preplanning orientations for the students.

Mayor Haakenson expressed his appreciation to Mr. Cretin as well as other Commissioners for everything they do for the Sister City Commission and for Edmonds.

6. **PROPOSED ORDINANCE PROVIDING FOR THE ACQUISITION OF CERTAIN PROPERTY WITHIN THE CITY OF EDMONDS FOR THE PURPOSE OF INSTALLING IMPROVEMENTS ALONG SR99 AND VICINITY; PROVIDING FOR THE CONDEMNATION, APPROPRIATION, TAKING AND DAMAGE OF LAND OR OTHER PROPERTY NECESSARY THEREFORE; AUTHORIZING AN INTERLOCAL AGREEMENT WITH THE CITY OF LYNNWOOD AUTHORIZING LYNNWOOD TO PROSECUTE SUCH ACT ON BEHALF OF THE CITY OF EDMONDS IN ACCORDANCE WITH THE MANNER PROVIDED BY LAW FOR SAID CONDEMNATION; ESTABLISHING AN EFFECTIVE DATE; AND PROVIDING FOR SUMMARY PUBLICATION**

City Engineer Dave Gebert introduced Larry Waters, Project Manager for the Hwy 99 project, City of Lynnwood. Mr. Gebert explained that in August 1999, Edmonds entered into an interlocal agreement with Lynnwood, Mountlake Terrace, Snohomish County, and Community Transit for the purpose of constructing improvements on Hwy. 99 from 244th Street SW to 148th Street SW. The interlocal agreement designated Lynnwood as the project lead and provided, in the event condemnation was needed to acquire right-of-way, that general purpose governments would exercise their authority to provide for condemnation within their jurisdictions. Later in August 1999, Edmonds and Lynnwood executed an interlocal agreement that identified a parcel of property located at the southwest corner of the Burlington Coat Factory site as a parcel where a construction easement or permanent easement would be required. The agreement authorized Lynnwood to acquire the necessary temporary or permanent easement. It was later determined Lynnwood would need to acquire fee title for right-of-way rather than a temporary or construction easement. Pursuant to state and federal procedures for acquiring right-of-way, Lynnwood entered into an immediate use and possession agreement with the owners of the property. However, the property owners disputed the amount of compensation offered for the property.

Mr. Gebert displayed a map identifying the location of the 9-foot wide by 130-foot long property adjacent to Burlington Coat Factory. He displayed another map identifying the existing right-of-way and new sidewalk constructed along the front of the Burlington Coat Factory site.

Mr. Gebert explained construction on the project within Edmonds was virtually complete and construction on the Burlington Coat Factory site (24001 Hwy. 99) was complete. He noted the impact of the additional right-of-way on the Burlington Coat Factory property owner was minimal, slightly shortening a few parking spaces but they were still usable parking spaces. The project provided a sidewalk along the property as well as a merge lane.

Mr. Gebert stated Lynnwood, as the lead on the project, must acquire the additional right-of-way, and to do so, the City must adopt an ordinance authorizing them to acquire the property as well as an interlocal agreement authorizing them to acquire the property via condemnation. He noted this was the last parcel within the City that must be acquired for the project. Lynnwood indicated there would be no additional cost to Edmonds for acquisition of this property as the cost impact had been identified in the original project costs for which Edmonds provided funding early in the project.

Councilmember Plunkett asked whether condemnation was necessary because the owners did not want to sell the property. Mr. Gebert explained the process for acquiring the property includes a number of steps. An immediate use and possession agreement was agreed to, an offer was made, and payment was made in an amount set by appraisal, however, the property owner disputed that amount, requiring the City pursue condemnation.

Larry Waters explained Lynnwood negotiated with the property owner in several meetings but was unable to reach agreement regarding how to proceed outside the condemnation process. He advised notice was provided to the property owner that if they were unwilling to negotiate future, condemnation would follow.

Councilmember Orvis asked whether the property owner indicated any reasons for their refusal to negotiate other than price. Mr. Waters answered the only reasons Lynnwood was aware of was the property owner was interested in having a traffic signal installed at 238th and believed by not proceeding to resolve this issue, they would have leverage for the installation of a signal at 238th.

Councilmember Wilson inquired about the process to establish property value during negotiations and whether that would be the same process used to establish the value under condemnation. Mr. Waters answered since this was a federally funded project, federal and state guidelines must be followed which require a full appraisal on the property, noting this was done on the property. He explained the appraisal considered the impact of the take on the use of the property and compared it to other properties in the area to determine a square footage cost.

Councilmember Wilson asked if that same process would be followed in a condemnation procedure. Mr. Waters answered yes, explaining the value that was determined via appraisal was the value that would continue during the use and possession process to preclude a property owner from delaying the process to claim a higher value in future years.

Councilmember Wilson asked whether the property owner consented prior to construction. Mr. Waters answered the property owner signed a use and possession agreement giving full use and possession of the property which did not waive their right to contest the amount offered to acquire the property.

COUNCIL PRESIDENT EARLING MOVED, SECONDED BY COUNCILMEMBER WILSON, FOR APPROVAL OF ORDINANCE NO. 3396, AN ORDINANCE PROVIDING FOR THE ACQUISITION OF CERTAIN PROPERTY WITHIN THE CITY OF EDMONDS THROUGH CONDEMNATION FOR THE PURPOSE OF INSTALLING IMPROVEMENTS ALONG SR 99 AND AUTHORIZING THE MAYOR TO SIGN THE PROPOSED INTERLOCAL AGREEMENT WITH THE CITY OF LYNNWOOD AUTHORIZING LYNNWOOD TO PROSECUTE AN ACT ON BEHALF OF THE CITY OF EDMONDS.

Councilmember Petso asked who had the ultimate authority regarding placement of a signal at 238th. Mr. Gebert answered Edmonds and Washington State Department of Transportation as it was on a State Route. Councilmember Petso asked whether taking this action would influence that process. Mr. Gebert answered it was a separate issue. Councilmember Petso summarized the property owner erroneously concluded the two issues were related and that they would have some leverage. Mr. Gebert agreed.

Councilmember Orvis indicated he would not support the motion as he preferred to hear the other side before proceeding further.

MOTION CARRIED (5-1), COUNCILMEMBER ORVIS OPPOSED.

Mayor Haakenson declared a brief recess.

7. PUBLIC HEARING ON ADOPTION OF 2002 – 2007 SIX-YEAR CAPITAL IMPROVEMENT PROGRAM (CIP) AS PART OF THE CITY OF EDMONDS COMPREHENSIVE PLAN

Assistant City Engineer Don Fiene explained the Six-Year CIP was compiled with input from the Parks and Recreation Department, Public Works Department, Community Services Department, and Wastewater Treatment Plant Division, and Finance Department. He indicated the Council packet contained spreadsheets detailing project costs for the twelve funds. He listed the twelve funds and their funding sources:

Fund	Description/Purpose	Source of Funds
112	Transportation Projects	Motor Vehicle Tax, Vehicle Registration Fees, Federal and State Grants
113	Multimodal Transportation	Federal & State Grants, City share from various funds
116	Building Maintenance	General Fund

125	Park Acquisition/Improvement	Real Estate Excise Tax, State Grants, Contributions from Developers
126	Park Acquisition/Improvement (Special Projects)	Real Estate Excise Tax
130	Cemetery Improvements	Grave Sales, General Fund
326	Public Safety Building Construction	Property Tax per Voter-Approved Bond
330	Limited Tax General Obligation Bond Projects	Electric Utility Tax
412-100	Combined Utility Construction Improvement – Water Projects	Combined Utility
412-200	Combined Utility Construction Improvement – Drainage Projects	Combined Utility
412-300	Combined Utility Construction Improvement – Sewer Projects	Combined Utility
414	Wastewater Treatment Plant	Combined Utility (approximately 50% from other municipalities)

Mr. Fiene explained the Capital Improvement Program Project description booklet detailed the capital projects for the twelve funds for 2002-2004. He explained the booklet was originated last year with one year's projects and the goal this year was to have three years of projects and next year's goal was to have project descriptions for all projects throughout the six years.

Mr. Fiene explained the booklet identified the name of the project, estimated cost, description, benefit rationale for the project, schedule, and cost breakdown. Projects funded from Fund 112 included street overlays, road improvements, widening projects, traffic signals, road stabilization, traffic calming, bikeways and walkways. Projects within the Fund 112 include the widening of 220th Street to a 3-lane road with bikeways and sidewalks on both sides. He explained this project was near two schools, and was the highest prioritized project in the bikeway plan and as it met the goals of the walkway plan, it would be the highest priority walkway project. Although annual overlays were usually funded from Fund 112, there was \$750,000 budgeted for overlays in Fund 330. Another project funded by Fund 112 was pedestrian improvements on Olympic View Drive in the Perrinville/Meadowdale area.

Mr. Fiene explained Fund 116 was used to fund building maintenance for several City buildings including Frances Anderson Center, City Hall, fire stations, library, Meadowdale Clubhouse, the museum, park maintenance building, Public Safety building, Public Works building, Wade James theater and Yost pool buildings. Projects include improved heating for the library and several projects at the Frances Anderson center.

Mr. Fiene explained Fund 125 funded improvements to existing parks, developing new parks, beautification and streetscapes, public art, environmental protection and education, pool improvements at Yost, sportsfield improvements, and waterfront improvements. Projects identified in the CIP include civic center complex improvements, waterfront bulkhead repair and construction of a waterfront bulkhead and walkway, interurban bike trail, and improvements at many parks.

Mr. Fiene explained Fund 126 funded parks and recreation related acquisitions including environmental protection acquisitions, park acquisitions, cultural arts acquisition, and tideland acquisitions. A potential project funded via Fund 126 would be acquisition of the Edmonds Marsh and Deer Creek Hatchery.

Mr. Fiene explained the project funded via Fund 326 was Fire Station 16 on 196th Street. A consultant was in the process of designing the station and construction was scheduled for 2002-2003. Fund 330 will fund several projects at the Frances Anderson Center including the seismic study and reinforcement, windows, electrical system renovation, and \$750,000 in street overlays.

Mr. Fiene explained the projects in Fund 412-100 were identified in the Water Comprehensive Plan where priorities were improved water flow, replace deteriorated pipes, replacing 1% of City pipes (1.38 miles) per year, and storage and control improvements. In 2002, waterline replacements will be done in the Perrinville area abutting Olympic View Drive as well as replacements in the Seaview area to improve water flow. Projects for 2003 include Five Corner pump station control improvements.

Projects funded via Fund 412-200 are primarily to address capacity problems, maintenance problems, and environmental concerns. This fund will be used for projects identified via basin planning for southwest Edmonds (an area that annexed 5-6 years ago). Further, a new Stormwater Comprehensive Plan will be developed in accordance with State mandates. Fund 412-200 will also fund the Talbot Road culvert project as well as the design of the Willow Creek outfall extension project.

Mr. Fiene explained projects in Fund 412-300 were identified in the Comprehensive Plan; priorities include maintenance issues, environmental issues, and capacity problems. Upcoming projects funded via Fund 412-300 will include replacement and enlargement of Lift Station #1 and replacement of the force main as well as replacement of the control panel in several lift stations.

Mr. Fiene explained projects funded via Fund 414 included replacing worn machinery, equipment and controls in the treatment plant, improving/replacing flow metering, repairing outfall lines and repairing influent trunk lines. A project currently in the design process is the 24-inch sewer main rehabilitation project on SR 104.

Councilmember Petso referred to the source of revenue for the funds, noting for some funds it was clear which department was responsible for the fund. She inquired who was responsible for Fund 116, for example, who would pursue grants for the museum. Mr. Fiene answered Public Works Director Noel Miller was responsible for this fund. Councilmember Petso inquired who would be responsible for seeking grants for parks projects such as Frances Anderson Center improvements or Meadowdale Clubhouse improvements. Mr. Fiene answered the Frances Anderson Center and the Meadowdale Clubhouse were City buildings and thus were the responsibility of Mr. Miller. Mayor Haakenson commented projects in Fund 116 traditionally were not funded via grants and had traditionally been under-funded due to the lack of cash flow from the General Fund.

Councilmember Dawson commented the booklet included a projected cost for development of Puget Sound Christian College of \$18 million. Parks and Recreation Director Arvilla Ohlde explained this was only a placeholder in Fund 126. The \$18 million estimate was included in the Comprehensive Plan as that was the original Public Facilities District (PFD) estimate. Ms. Dawson noted that amount differed significantly from the amount indicated on the spreadsheet that was proposed to be allocated to the PFD. Mr. Fiene commented the spreadsheets were more up-to-date than the booklet.

Councilmember Dawson questioned whether the \$26,000 included in Fund 126 for debt service on the library roof was an appropriate use of a fund that was dedicated to purchase of park facilities. Mr. Fiene answered that was an error. Administrative Services Director Peggy Hetzler clarified the debt service for the library roof was paid from the General Fund.

Councilmember Dawson inquired about the use of Fund 126 for the City Hall debt service. Ms. Hetzler answered acquisitions other than parks was an allowable use for the first ¼ Real Estate Excise Tax (REET). She explained it was a Council policy adopted approximately 1½ years ago to use the first ¼ REET for park purchases.

Councilmember Dawson asked whether there had been any Council discussion regarding whether those funds should be used to pay debt service on City Hall. Mayor Haakenson explained that was how the Council decided to purchase the building.

Councilmember Dawson referred to Fund 116 and questioned why the City was responsible for updating the heating system at the library when the library was operated by Sno-Isle. Mayor Haakenson responded the City owned the building. Councilmember Dawson questioned whether the conversion to gas heat was necessary or would only make the cost of heating less for Sno-Isle who doesn't pay the City rent for the building. Mayor Haakenson responded improvements were made to a building because it needed to be done not to benefit someone else.

Councilmember Petso inquired about the threshold for projects to return to the Council for approval. City Engineer Dave Gebert answered projects that would come back to the City would be approval of a consultant or construction contract in an amount that exceeded \$30,000. Projects done by Public Works in-house or a small project done via the small works roster did not require Council approval.

Mayor Haakenson opened the public testimony portion of the public hearing.

Roger Hertrich, 1020 Puget Drive, Edmonds, commented there was no mention of a contribution from Sno-Isle for the library roof although he had understood they would assist with funding the roof. He urged the Council to read the CIP well now because the Council lost control if the project was under a certain amount. He suggested delaying any Council action so that Councilmembers could review the projects further. He complimented engineering for the clear, well laid out information.

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

Mr. Fiene explained the library funding in Fund 330 was 50% of the cost; Sno-Isle would fund the other 50%.

COUNCIL PRESIDENT EARLING MOVED, SECONDED BY COUNCILMEMBER ORVIS, TO DIRECT THE CITY ATTORNEY TO DRAFT AN ORDINANCE FOR COUNCIL CONSENT APPROVAL ADOPTING THE ANNUAL UPDATE TO THE CAPITAL FACILITIES PLAN AS PART OF THE CAPITAL FACILITIES ELEMENT OF THE COMPREHENSIVE PLAN.

Due to lingering questions such as the propriety of City expending funds to benefit Sno-Isle, particularly since as the cost of the library was twice what it was before the City annexed into the library district, Councilmember Dawson indicated she would not support the motion.

Councilmember Petso recalled early in her Council tenure, the Council took action to change the threshold to \$30,000 for projects to return to the Council for approval (an action she did not support at that time). She noted the composition of the Council was considerably different now than it was at the time that action was taken. She noted if the Council was not seriously interested in gas heat for the library, the only opportunity to eliminate that project, other than tonight, was if the cost was more than \$30,000. She indicated she would support the CIP as she understood its usefulness as a planning document and in applying for grants but she encouraged the Council to reconsider the threshold amount for projects to be returned to the Council for approval.

MOTION CARRIED (5-1), COUNCILMEMBER DAWSON OPPOSED.

8. AUDIENCE COMMENTS

Al Rutledge, 7101 Lake Ballinger Way, Edmonds, pointed out that due to the recent redistricting, portions of Edmonds are now in District 1. He encouraged District Representatives to speak to the Council regarding Brightwater. He noted District 1 was also adjacent to the Grace site.

Harry Speiser, 200 Beach Place, Edmonds, asked to be allowed to speak longer than three minutes as he represented the Ebb Tide Homeowners Association and citizens who signed a petition opposing the walkway.

COUNCIL PRESIDENT EARLING MOVED, SECONDED BY COUNCILMEMBER ORVIS, TO SUSPEND THE RULES AND EXTEND THE TIME LIMIT FOR MR. SPEISER FROM THREE MINUTES TO FIVE MINUTES. MOTION CARRIED UNANIMOUSLY.

Mr. Speiser spoke against the walkway on behalf of the Ebb Tide Homeowners Association and indicated he had a petition with approximately 300 citizens who did not support the walkway. He stated the plan was an improvement over previous plans and expressed thanks to the committee, community volunteers McGibbon and Morrison, and the Parks Director for their efforts. The group he represents supports the bulkhead replacement but suggest, 1) the north stairwell at Olympic Beach be eliminated as there was access to Olympic Beach at the south and in the center, 2) the City bulkhead be designed to tie into the Ebb Tide bulkhead to eliminate the possible underwash of Ebb Tide property, and 3) landscape or structural barriers be designed to prevent trespass from the City bulkhead to the Ebb Tide bulkhead. He indicated they opposed the walkway because: (1) Beaches are a natural walkway. (2) There are six points of access to City beaches and the walkway does not increase access. (3) The walkway is an unnecessary use of public funds. It is claimed the walkway is required by ADA, however, requests for specific notations from the Act have not been provided. The walkway was included in the Comprehensive Plan when the economy was great; now that the economy is poor is not the time to spend funds unnecessarily. Seattle is considering the closure of 20 parks due to lack of maintenance funds and he questioned whether Edmonds would be in a similar position in future years. (4) The walkway will be an attractive nuisance for skateboarders and rollerbladers. Improved skateboard technology would enable skateboarders to navigate over rough surfaces. Signs would not deter skateboarders and policing seems ineffective. (5) The bulkhead can be constructed without the walkway.

Mr. Speiser pointed out that although Rob Morrison endorsed the plan, he questioned whether the 462 petitioners against the walkway (as reported to the Planning Board on October 25, 1999) have changed their minds. He urged the Mayor and Council to consider the following suggestions as a better approach to handicapped access: (1) expand the number of handicapped parking spaces in the public parking lot at Olympic Beach from two to four, (2) mark three handicapped parking spaces at the end of Beach Place, (3) convert the unusable space in the northwest corner of the parking barge and one parking space to provide a space of approximately 500 square feet for access and use by the elderly and handicapped for picnic and observation area, and (4) convert the unusable space in the southwest corner of the parking barge and one parking space immediately to the north to provide a space of approximately 300 square feet for use by the elderly and handicapped as a picnic and observation area.

Farrell Fleming, Executive Director, South County Senior Center, 220 Railroad Avenue, Edmonds, referred to a letter in the Council packet regarding the bulkhead that indicated the Senior Center Board's support for a new bulkhead. He referred to the Council minutes of February 1, 2000, which indicate the next element that needed repair was the failing timber in front of the Senior Center and that the bulkhead was failing because it had exceeded its initial design life. He noted that was two years ago, and the bulkhead is now further beyond its design life. He noted it was very apparent recently when a great deal of sand was washed away by storms (now replaced), just how desperately the repair was needed. He noted every year the replacement was delayed would cost more money and waiting too long could result in the bulkhead failing entirely in a severe storm. He reiterated the Senior Center Board strongly supported the bulkhead repair and new bulkhead in front of the Senior Center.

John Quast, 15714 75th Place W, Edmonds, explained the citizens of Edmonds remain steadfast in their opposition to King County's efforts to site a sewage plant in Edmonds. He said the people in Edmonds had the right to decide what the community would be like and local control was at issue. The right to have a vote via representatives was of prime importance, a right supported by the United States Constitution and the laws of Washington. He noted taxes were also an issue as the latest economic analysis indicated that in excess of \$90 million would be added to the tax rolls of the City if homes were built on the site. The additional real estate taxes and sales tax collected would benefit all Edmonds residents; however, King County would pay no

taxes to Edmonds. He urged the City to resist King County's efforts to site a sewage plant in Edmonds. He invited the Council to attend a Town Hall meeting on April 29 at 7:00 p.m. in the Library Plaza Room.

Robert Freeman, 622 7th Avenue S, Edmonds, recalled the officials of King County Metro have cited the Vancouver, Washington treatment plant as the greatest model of a sewage treatment plant. Following a recent visit to the Vancouver treatment plant, he questioned the amount of land necessary for the Brightwater facility which would process 50 million gallons per day when the Vancouver plant required 100 acres to site a treatment plant that processed 16 million gallons per day. He pointed out the amount of land far exceeded the 26 acres available at the Unocal site. He commended the Council for reiterating their opposition to the siting of the Brightwater treatment facility in Edmonds. He also commended the Mayor, Council and staff for their efforts and urged them to continue their strong opposition to siting the Brightwater treatment facility in Edmonds.

Janis Freeman, 622 7th Avenue S, Edmonds, thanked the Council for reiterating their opposition to Brightwater. She urged the Council to send a message to the Port Commission that it was time they "come down from the fence" and join in opposing King County's plan to build a treatment plant on the Unocal site.

Joan Longstaff, a resident, commercial property owner and business owner, indicated she was concerned with anything that affected the quality of life in Edmonds. She noted the specialness of Edmonds was demonstrated by how the community pulled together to oppose something that did not enhance the quality of life. She thanked the Council for reaffirming their position in opposition of Brightwater. She commended the group of citizens, Washington Tea Party, for their efforts to oppose Brightwater. She encouraged viewers watching the Council meeting to get involved and attend the Town Hall meeting on April 29.

Jim Orvis, 23529 93rd Avenue W, Edmonds, pointed out the importance of Mayor Haakenson's leadership efforts as well as staff's efforts to oppose Brightwater. He urged the Council and citizens to acknowledge the importance of their involvement and the good job they are doing for the community.

Roger Hertrich, 1020 Puget Drive, Edmonds, pointed out the State Auditor would be in Edmonds this week and his phone number was 672-1321 if anyone was interested in calling him with regard to the concerns he (Mr. Hertrich) has raised regarding the Alliance. He referred to the contract signed in 1996 and the City Attorney's April 4 response to his questions, requesting the Council look into the role the Alliance and the City played with regard to the contract. He believed an audit was needed and it would be a perfect time since the auditor would be in Edmonds this week. He stated his belief that the Alliances' lobbying activities were possibly illegal as they were paid to do marketing and tourism. He commented there were two ways to get an audit, 1) the Council request an audit in an effort to manage the public's money, or 2) leave it up to citizens to involve the auditor or the State Attorney General. He commented this was likely the last time he would appeal to the Council to take action with regard to the Alliance contract.

9. **REPORT ON ENVIRONMENTAL REVIEW FOR THE MID-WATERFRONT WALKWAY/BULKHEAD REPAIR PROJECT, PRESENTATION OF REVISED SCHEMATIC DESIGN, AND AUTHORIZATION TO SUBMIT PROJECT FOR JARPA PERMITS**

Parks and Recreation Director Arvilla Ohlde explained this item was a presentation of the revised plan following a series of meetings with citizens designated by the Council at the February 1, 2000 meeting who have worked with environmental consultants and regulatory agencies to prepare a revised plan. She introduced citizens Rob Morrison and John McGibbon, as well as representatives from CH2M Hill and Reid Middleton.

Ms. Ohlde provided a history of the bulkhead replacement, explaining a storm in 1996 damaged the aging bulkhead, creating the need to repair the bulkhead at Olympic Beach and at the Senior Center. She explained the Comprehensive Park and Open Space Plan discusses a continuous walkway along the waterfront and providing public access. As the minutes reflect, there was extensive input into the bulkhead project including

a description of the need, the design, and alternatives and the Council then requested she work with the environmental consultant and the two citizens on a revised plan to be presented to Council.

Ms. Ohlde displayed a picture of the existing bulkhead, noting it was in poor shape and needed to be addressed. High winds in March pulled a great deal of sand away from the bulkhead. She displayed a drawing of the previous plan, which included a continuous step down design at Olympic Beach and the Senior Center including a walkway and steps. She explained consideration had been given to how to engineer something within the 10-foot public easement across the front of the Ebb Tide condominium that was barrier free; however, they were unable to develop a design that met the criteria on the easement -- to stay below 17 feet to preserve their views and meet the habitat requirements. During the previous presentation, it was indicated the walkway in this area would be done in Phase 2.

The citizen, staff, and consultant team identified five issues that needed to be addressed: bulkhead repair, walkway and steps, lawn, shoreline impact, and drainage.

Ms. Ohlde displayed a drawing of the preferred alternative, identifying Olympic Beach and explained that although the step down design was still included for access to the public, it was now on the southern end where there was more lawn area, steps in the center where they currently exist, and steps on the north where there are existing steps.

Ms. Ohlde reviewed the proposed bulkhead design, a straight wall with a curvilinear on the northern 2/3 of Olympic Beach that facilitated a backflow of the waves and diminished topever. She explained the bulkhead replacement followed the existing bulkhead line and would preserve the lawn area, which was a concern of the citizens involved in the design.

With regard to the walkway and steps, Ms. Ohlde explained the prior plan had an 8-foot walkway. In the revised plan, the walkway was reduced to a 5-foot 6-inch walkway, 6-inch trench drain, and 4-inch edge for a total walking surface of 6-feet 4-inches. She noted the walkway provided the waterfront walkway that met the Comprehensive Plan and also addressed barrier free access. She displayed a drawing of the steps on the southern 1/3 of Olympic Beach. She reiterated Phase 2 would include a barrier free walkway in front of the Ebb Tide on the 10-foot public easement. In the northern area, where the existing steps would be replaced, the Ebb Tide preferred the steps go north and then make a 90 degree turn west which would address the Ebb Tides' concern that the public would enter their private area if the steps continued north.

With regard to preserving as much lawn area as possible, Ms. Ohlde noted the revised design minimized the loss of lawn, kept the northern 2/3 of the grass and placed the steps in the southern 1/3. The lawn also had some slope to address drainage issues. With regard to shoreline impacts, to avoid the 18-month permitting process that could occur if there were significant habitat impacts, the bulkhead was designed to stay below median high high water (MHHW) of 10.9 feet. This minimizes habitat impact and also facilitates the environmental permitting process.

With regard to drainage and overtopping, Ms. Ohlde explained the curvilinear bulkhead facilitates water rolling back to Puget Sound and the 12-inch cap also helps avoid overtopping. She noted the 5.6-foot walkway and the 6-inch trench drain also collect any overtop and drain it back to Puget Sound. She acknowledged overtopping as a result of huge storms could not be avoided but the design met the criteria and concerns of the citizens.

With regard to the bulkhead at the Senior Center, Ms. Ohlde displayed the bulkhead design for the Senior Center "parking barge" which includes the same walkway, curvilinear wall, and step down that are within the 10.9-foot MHHW. She noted the Senior Center Board submitted a letter in support of the bulkhead and walkway design. She displayed a drawing of the steps on the north end that prevent the wave action that occurs in that area and avoids habitat area.

Ms. Ohlde explained the project would include public art and aesthetic treatment to the pavement such as paver bricks, which were not conducive to skateboarders. Regarding funding, she explained the intent was to continue reserving funds in the second quarter REET to accumulate approximately \$1 million. She noted through the efforts of Senator Paull Shin and Darlene Fairley, \$300,000 was allocated for the project in the State capital budget. She requested Council approval of the revised mid-waterfront walkway/bulkhead design and authorize submittal for JARPA permits.

Councilmember Petso asked whether the sculptures at Olympic Beach would be eliminated by this design. Ms. Ohlde answered the sculptures would be repositioned at the site.

In view of the new comments made tonight, Councilmember Petso asked whether changes could be made to the project such as move a parking space or change a stairway while staff proceeded with permitting. Ms. Ohlde answered yes, except if the request was for a design that did not meet the Comprehensive Plan. She noted many of Mr. Speiser's concerns have been addressed.

Councilmember Petso referred to Mr. Speiser's comment regarding the claim that the walkway was required by ADA and asked whether the walkway was required. Development Services Director Duane Bowman explained there are provisions in the Chapter 11 of the Washington State Barrier Free Code that address maintenance of facilities, accessible routes of travel, surfaces, design elements, etc. As a public agency, the City had an obligation to provide access to all amenities for all residents whether disabled or able-bodied. He summarized that having a walkway element that was accessible to the disabled as well as able-bodied was very important and consistent with the Washington State Barrier Free Act.

Councilmember Petso asked whether there were plans for Phase 2 to make this a continuous walkway. Ms. Ohlde answered it was very difficult to engineer that portion to stay within the 17-foot height requirement, avoid habitat impact from a walkway that was too low, and most importantly, address the wave action that would occur if the walkway was not high or low enough. She preferred not to delay the entire project to develop such a difficult design. She noted there was a continuous walkway via the 10-foot public access although she acknowledged it was not barrier free. As the Ebb Tide bulkhead was not in danger of failing, she recommended proceeding with Phase 1 and developing an engineering design that would address the Ebb Tide portion of the walkway during Phase 2.

Councilmember Wilson observed if the walkway were removed, only a narrow concrete cap would remain and there was an approximately 6-foot drop from the cap to the MHHW. He noted that if the walkway were eliminated, people would likely walk on the top of the bulkhead and asked whether this would satisfy the design or safety criteria for a walkway. Mr. Gebert answered this would not be safe. The purpose of the cap was to avoid people walking off the edge or wheelchair/stroller/bicycle going off the edge.

Councilmember Wilson acknowledged the concern of adjacent property owners regarding trespass but agreed the City had some obligation to provide access to the waterfront for all citizens. If the City did not provide a walkway, all citizens would not be treated in an equal manner. He questioned whether the cap could be designed to include metal ribs such as were used at the library to inhibit use by skateboarders. Ms. Ohlde commented the surface of the walkway as designed was not conducive to skateboarding. She agreed the 90 degree metal caps or a pyramid design could be used on the cap. Councilmember Wilson suggested including some type of rib structure to inhibit skateboard use but that would still allow people to sit on it.

With regard to the parking spaces at Olympic Beach, Councilmember Wilson asked if the three spaces at the north end of Olympic Beach adjacent to Ebb Tide were ADA spaces. Ms. Ohlde answered there was one ADA space in the Olympic Beach parking lot and two at the fishing pier parking lot for a total of three. Councilmember Wilson asked the distance from these parking spaces to the shoreline. Ms. Ohlde answered it was approximately 45 feet from the accessible parking stall to Olympic Beach.

COUNCILMEMBER ORVIS MOVED, SECONDED BY COUNCILMEMBER PLUNKETT, TO EXTEND THIS ITEM FOR TEN MINUTES. MOTION CARRIED UNANIMOUSLY.

Councilmember Plunkett pointed out it was approximately two years ago when Mr. McGibbon and Mr. Morrison began helping with the project. He asked whether the revisions that were made were representative of the citizens' wishes. **Rob Morrison** answered his actions over the past two years represented the thoughts of approximately 1,500 regular users of Olympic Beach. He explained the walkway was added to the City's Comprehensive Plan in the 1990's, and that was the time when any decisions against a walkway should have been made. He acknowledged there were concessions made to meet the requirements and to please as many people as possible. He referred to the comment regarding the northern stairway, noting that stairway was the most used stairway at Olympic Beach and it was important that it meet the requirements of the Ebb Tide as well as accommodate people walking the full length of the beach from Dayton to the north end.

Councilmember Plunkett indicated he would enthusiastically support this plan. He pointed out this beach at one time was not very inviting to the public, residents, or visitors. However, due to the efforts of Ms. Ohlde and Councils over the past thirty years, private beaches have been opened to create an inviting, attractive, public facility that will facilitate people walking from downtown and to the north or south along the beach.

COUNCILMEMBER PLUNKETT MOVED, SECONDED BY COUNCIL PRESIDENT EARLING, TO APPROVE THE REVISED MID-WATERFRONT/BULKHEAD SCHEMATIC DESIGN AND AUTHORIZE SUBMITTAL FOR JARPA PERMITS.

Councilmember Wilson commented this project further reinforced the City's pride in its waterfront as the central focus of the community. This project also allowed the City to provide access for all citizens and allowed them to enjoy the entire waterfront area.

MOTION CARRIED UNANIMOUSLY.

Mayor Haakenson expressed his thanks to Senators Shin and Fairley for including \$300,000 in the State budget for this project.

10. PRESENTATION ON UNOCAL CLEAN-UP

Community Services Director Stephen Clifton explained a Technical Advisory Committee comprised of representatives from Union Oil, Edmonds Citizen Awareness Committee, Department of Ecology, Port of Edmonds, and City staff, have been reviewing what activities could be done to cleanup the Unocal site as well as create development standards. He introduced David South, Department of Ecology (DOE), and Mark Brearley, UNOCAL, explaining they would make a presentation regarding the cleanup activities that have taken place and what cleanup activities the public might expect in the future on this site.

Mark Brearley, UNOCAL, emphasized massive progress had been made in the past 1½ years to get this site partially cleaned up and ready for final cleanup in the next few years. He displayed an aerial photograph of the site taken approximately two years ago with the tanks still in place. He displayed another aerial photograph of the site taken in Fall 2001 with the tanks removed and excavation in the flat portion of the property.

Mr. Brearley displayed a photograph of the tanks being removed and described the process used to demolish the tanks. He displayed a photograph of the tank basin with the tank removed. In addition to the tank removal last year, Unocal embarked on an interim action with DOE's approval to excavate soil in the lower yard, removing a total of 11,000 tons of product-saturated soil close to Willow Creek. This soil was removed due to the determination that there was an imminent threat to Willow Creek. In addition, 3,000 gallons of floating product was removed from the ground water surface.

Mr. Brearley displayed photographs of the excavation process, excavation pit, petroleum product in the excavation, gravel backfill in the excavation, and the membrane over the excavation to prevent soil from

reentering the excavation and being re-contaminated. He described sampling done of Willow Creek for the second time last year that indicated there had been no contamination.

Mr. Brearley described test pits dug in the upper yard to determine what was beneath the tanks as well as in response to local tribes' requests to determine whether there were any archeological artifacts in the upper yard. He displayed photographs of the test pits soil samples taken from the pit walls. He noted there were no archeological artifacts found in the upper yard. He explained the soil under the tanks was a clay material, which appeared to prohibit filtration of petroleum very far into the ground. He noted the amount of soil that must be removed from the upper yard in the coming year would be fairly limited.

Mr. Brearley described current efforts of the five stakeholders (Union Oil, Edmonds Citizen Awareness Committee, Department of Ecology, Port of Edmonds, and City staff), to develop lower yard cleanup alternatives. He noted the upper yard cleanup should be fairly easy as it included soil only and not ground water. He described continuing investigations including setting surface water cleanup levels, terrestrial ecological evaluation, bring the assessment of conditions up-to-date via additional groundwater and surface water data, and developing a remedial investigation report.

Mr. Brearley explained to determine lower yard cleanup alternatives, a feasibility study will be conducted once the cleanup level is established. The feasibility study would consider options such as permanent cleanup as well as maximum extent applicable (determine whether permanent cleanup is cost effective or whether a lesser cleanup for a lesser cost could still be protective of human health and the environment). He explained upper yard cleanup would occur this summer; the City will be notified of that effort. Once the cleanup is completed, the DOE will certify the upper yard cleanup and DOE certify late this year or early next year that the upper yard cleanup is complete. He commented the cleanup of the upper yard, although couched as an interim cleanup, was intended to be permanent cleanup.

Future activities include DOE writing a Cleanup Action Plan for the entire cleanup of the site. He projected that the lower yard clean up would begin in summer 2005, noting a variety of public comment opportunities would occur between now and then. He described milestones where public comment would be sought including after the remedial investigation feasibility study was completed – after the Cleanup Action Plan was written by DOE, and once a cleanup schedule was developed. Mr. Brearley reviewed a schedule of the cleanup process.

Councilmember Petso asked what form of notification the public could expect to receive. **Rebecca Paggen, Public Involvement Coordinator, DOE**, advised a fact sheet would be mailed to anyone on the mailing list and display ads would be run in the newspaper and the Site Register.

David South, Department of Ecology, advised a flier and updated schedule were available. The first public comment opportunity on the lower yard would be in Summer 2003 once the feasibility study was complete. He noted a public meeting would be held prior to certifying the upper yard cleanup was complete. He provided his email address for the Council to submit comments, dsou461@ecy.wa.gov.

Mayor Haakenson commented for a few years cleanup of the Unocal site was stalled; he thanked Unocal and DOE for getting the project back on track. Mr. South indicated Mr. Brearley and he were determined to keep this cleanup on schedule.

11. **LETTER TO GARY NELSON, CHAIR OF THE SNOHOMISH COUNTY COUNCIL, REQUESTING THE EDMONDS CROSSING MULTIMODAL PROJECT BE INCLUDED IN A REGIONAL TRANSPORTATION BALLOT MEASURE**

Council President Earling explained the City had the ability to attract funds via the state and regional transportation packages. He explained the statewide plan included \$2.2 million for the Edmonds Crossing project and there was great optimism that the Edmonds Crossing project could be included in a regional transportation package as SR 104 was designated a highway of statewide significance. He noted the letter

included an opportunity for endorsement by Senators Shin and Fairley and Representatives from the 21st and 32nd District.

COUNCILMEMBER PLUNKETT MOVED, SECONDED BY COUNCILMEMBER ORVIS, TO FORWARD A LETTER TO GARY NELSON, SNOHOMISH COUNTY COUNCIL, REQUESTING THE EDMONDS CROSSING MULTIMODAL PROJECT BE INCLUDED IN A REGIONAL TRANSPORTATION BALLOT MEASURE. MOTION CARRIED UNANIMOUSLY.

12. MAYOR'S COMMENTS

Mayor Haakenson reminded citizens of the dedication of Marina Beach on Friday, April 26 at 10:30 a.m.

Mayor Haakenson referred to the compliment a citizen made of staff members, clarifying he was referring to Development Services Director Duane Bowman and Community Service Director Stephen Clifton, who have done a great deal of work on Brightwater as well as their other responsibilities.

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

Councilmember Plunkett reported the Alliance distributed their quarterly report, which includes an update on the Alliance's activities over the last quarter.

Councilmember Plunkett reported Mayor Haakenson was interviewing candidates for the Historical Preservation Commission and he anticipated the Commission would be underway in the near future.

Councilmember Dawson referred to the SnoCom open house on Friday, April 26.

Councilmember Orvis thanked Student Representative Jared Carl for his service on the Council.

With no further business, the Council meeting was adjourned at 9:50 p.m.