

EDMONDS CITY COUNCIL APPROVED MINUTES

December 3, 2013

The Edmonds City Council meeting was called to order at 6:15 p.m. by Mayor Earling in the Council Chambers, 250 5th Avenue North, Edmonds.

ELECTED OFFICIALS PRESENT

Dave Earling, Mayor
Lora Petso, Council President
Strom Peterson, Councilmember
Frank Yamamoto, Councilmember
Joan Bloom, Councilmember
Kristiana Johnson, Councilmember
Adrienne Fraley-Monillas, Councilmember
Diane Buckshnis, Councilmember

ALSO PRESENT

Thea Ocfemia, Student Representative

STAFF PRESENT

Al Compaan, Police Chief
Jim Lawless, Assistant Police Chief
Stephen Clifton, Community Services/Economic
Development Director
Phil Williams, Public Works Director
Roger Neumaier, Finance Director
Carrie Hite, Parks & Recreation Director
Rob Chave, Acting Development Services Dir.
Rob English, City Engineer
Kernen Lien, Senior Planner
Jeff Taraday, City Attorney
Scott Passey, City Clerk
Jana Spellman, Senior Executive Council Asst.
Jeannie Dines, Recorder

1. ROLL CALL

City Clerk Scott Passey called the roll. All elected officials were present.

2. CONVENE IN EXECUTIVE SESSION REGARDING PROPERTY ACQUISITION PER RCW 42.30.110(1)(b), COLLECTIVE BARGAINING PER RCW 42.30.140(4)(b), AND PENDING/POTENTIAL LITIGATION PER RCW 42.30.110(1)(i)

At 6:17 p.m., Mayor Earling announced that the City Council would meet in executive session regarding property acquisition per RCW 42.30.110(1)(b), collective bargaining per RCW 42.30.140(4)(b), and pending/potential litigation per RCW 42.30.110(1)(i). He stated that the executive session was scheduled to last approximately 45 minutes and would be held in the Jury Meeting Room, located in the Public Safety Complex. No action was anticipated to occur as a result of meeting in executive session. Elected officials present at the executive session were: Mayor Earling, and Councilmembers Yamamoto, Johnson, Fraley-Monillas, Buckshnis, Peterson, Petso and Bloom. Others present were City Attorney Jeff Taraday, Parks & Recreation Director Carrie Hite and City Clerk Scott Passey. The executive session concluded at 6:59 p.m.

Mayor Earling reconvened the regular City Council meeting at 7:03 p.m. and led the flag salute.

3. APPROVAL OF AGENDA

Council President Petso requested the following changes to the agenda:

- Add swearing in of Kristiana Johnson as Item 3a.

- Move Item 6 to Item 3b.

Councilmember Bloom explained she originally intended to pull Items 8 and 9 because they were not properly noticed and did not inform citizens what the Council would be discussing. Staff and Mayor Earling have agreed to take public comment on those items tonight and continue them to a date to be determined when public comment would be taken again.

COUNCIL PRESIDENT PETSO MOVED, SECONDED BY COUNCILMEMBER BUCKSHNIS, TO APPROVE THE AGENDA IN CONTENT AND ORDER AS AMENDED. MOTION CARRIED UNANIMOUSLY.

3A. ADMINISTRATION OF OATH OF OFFICE TO COUNCILMEMBER KRISTIANA JOHNSON

Mayor Earling explained because Councilmember Johnson was appointed, she must be sworn in following the election to serve until December 31, 2013. She will be sworn in again at the first meeting in January. Mayor Earling administered the oath of office to Councilmember Johnson.

6. DISCUSSION AND POTENTIAL ACTION ON THE ENTRY OF FINDINGS AND CONCLUSIONS REGARDING THE APPEALS OF THE ARCHITECTURAL DESIGN BOARD'S DESIGN APPROVAL OF POINT EDWARDS' BUILDING 10 TO BE LOCATED AT 50 PINE STREET UNDER FILE PLN20130022. APPEAL NUMBERS APL20130005 - APL20130008

Mayor Earling reported Special Counsel Carol Morris was unable to attend tonight's meeting; therefore, this item will be continued. Efforts were made to inform the public via My Edmonds News and alerting the attorneys involved.

COUNCIL PRESIDENT PETSO MOVED, SECONDED BY COUNCILMEMBER BLOOM, TO MOVE THIS ITEM TO DECEMBER 17, 2013.

Councilmember Buckshnis suggested rescheduling to the December 10 meeting. Council President Petso explained at least one Councilmember will be absent from the December 10 meeting; she believed all Councilmembers will be present at the December 17 meeting.

MOTION CARRIED UNANIMOUSLY.

4. APPROVAL OF CONSENT AGENDA ITEMS

COUNCIL PRESIDENT PETSO MOVED, SECONDED BY COUNCILMEMBER BUCKSHNIS, TO APPROVE THE CONSENT AGENDA. MOTION CARRIED UNANIMOUSLY. The agenda items approved are as follows:

- A. APPROVAL OF CLAIM CHECKS #205647 THROUGH #205765 DATED NOVEMBER 27, 2013 FOR \$308,695.33**
- B. ACKNOWLEDGE RECEIPT OF A CLAIM FOR DAMAGES FROM MATHEW JAMES MIGHELL (AMOUNT UNDETERMINED)**
- C. REAPPOINTMENT AND RETIREMENT OF BOARD AND COMMISSION MEMBERS**
- D. AUTHORIZATION FOR MAYOR TO SIGN AMENDMENT TO THE INTERLOCAL AGREEMENT BETWEEN THE CITY OF EDMONDS AND THE CITY OF LYNNWOOD FOR THE 76TH AVE W SEWERLINE & WATERLINE INSTALLATION PROJECT**

5. AUDIENCE COMMENTS

Natalie Shippen, Edmonds, suggested Edmonds return to the sign code that kept the City tidy for many years; the first step would be to prohibit sandwich-board signs in the public right-of-way which was the rule in Edmonds for many years and still is in many cities. Exceptions to that rule would be a one-time 60 day period for new businesses to display a sandwich-board sign and possibly for special events. She suggested the signs require a permit and when the permit expires, the Planning Department notify the business they have five days to comply and impose a \$50/day fine for each day of non-compliance. She summarized the sign code has a number of problems but this is the most critical.

Ken Reidy, Edmonds, said the code rewrite is the biggest issue facing the City. Establishing a comprehensive, accurate, consistent and easy to administer City code is critical to the City's efforts to provide a high level of government service that invites economic and other beneficial activities. He described the difference between the Edmonds City Code (ECC), also known as the Edmonds Municipal Code, that consists of Title 1-10 that address issues such as health, safety, finance, officials, boards and commissions; and Edmonds Community Development Code (ECDC) that consists of Titles 15-23 that address building, planning, land use, public works, design and natural resources. Both parts of the code require update. He referred to discussion of Chapter 2.10 regarding confirmation and duties of City officers on tonight's agenda, explaining the process began in 2012 and he spent over 100 hours researching this code section. He urged the Council to give the complex code rewrite the attention it deserved. Next, he relayed the State Board for Professional Engineers and Land Surveyors has established a precedent that it will take no corrective action against surveyors who produce preliminary plat maps that violate City of Edmonds standards. Therefore the City has a responsibility to carefully review the accuracy of surveyors work. He offered to meet with Councilmembers to discuss this in more detail.

7. PUBLIC COMMENT AND DISCUSSION OF THE SUNSET AVE WALKWAY PROJECT

Public Works Director Phil Williams explained the reasons for this project include view access, safety and accessibility. He displayed several photographs of the view from the west edge of Sunset Avenue, of people walking in the street and a bicycle riding the wrong way on Sunset Avenue to illustrate safety issues, and of the dirt path on the west side of the curb to illustrate accessibility issues.

Mr. Williams described what is included in the project:

- 2,000 foot long multi-use pathway on Sunset
 - For use by wheelchairs, stroller, roller blades, bicycles, Segways, walkers and other non-motorized traffic
- Another 500 feet of improvements will be constructed on Caspers
- 100% ADA accessible
- Benches, art work
- Continued access to parking

Mr. Williams described what is not included in the project:

- Trees
- Tall or unshielded lights
- Fencing (some limited railing will be necessary)

Mr. Williams described the public process/information to date:

- Project placed on City's CIP 2011 – public comment.
- Project also placed on 2012 and 2013 CIP
- Added to TIP in 2011 after public comment and Council approval

- Council resolution adopted to apply for funding – 2011
- Public survey and public meeting – 2011
- Sunset Avenue Overlook project in PROS Plan since 2008
- Press release may have been issued when grant received

Mr. Williams identified issues to be addressed:

- Parking
- Circulation
- Driveway access and turning radii
- Emergency vehicles, refuse trucks and other delivery vehicles
- Options/geometry on Caspers Street
- Adequate public outreach and involvement, next meeting December 18
- Specific design features ie: artwork benches railing crosswalks, etc.
- BNSF coordination

Councilmember Buckshnis referred to the photograph of the proposed sidewalk connecting to an existing sidewalk, relaying it was her understanding the dirt path would not be disturbed. Mr. Williams explained the City owns the property west of the curb on both the northern end and the southern ends of the project; the property the City owns narrows to the north where it encounter the BNSF right-of-way. BNSF has offered a lease to allow use of the property on the railroad's right-of-way that the City has already been using. The multi-use pathway would be in the location of the dirt path for some distance and then would move to the east.

Councilmember Buckshnis asked whether it was a 10-foot or 12-foot walkway, noting a 2-foot difference was a lot in a 30 foot street. Mr. Williams answered none of the decisions are cast in concrete but typically a multi-use pathway is approximately 12 feet. The consultant believes state regulations would allow it to be signed as a multi-use pathway down to 10 feet. There may be locations where the pathway would be 10 feet due to the geometry. He summarized it makes sense to have a 12-foot pathway where there is room to do so.

Councilmember Buckshnis assumed a 12-foot pathway would eliminate the angle parking. Mr. Williams responded the hope is to duplicate what currently exists. Councilmember Buckshnis asked whether the roadway would be changed to one-way. Mr. Williams answered the same two-way and one-way areas would be maintained. Councilmember Buckshnis recalled a fence was installed at the dog park after two dogs were killed. She asked whether staff planned to ask BNSF for a statement that they will not install a fence. Mr. Williams answered staff would try but it was difficulty to get BNSF to commit to anything long term. BNSF has a long term plan for a third track which would require cutting the bank and part of the street and building a wall. BNSF has been satisfied for the past 20 years with the plantings in this area and the ability of the plants to discourage access to the railroad tracks from Sunset Avenue.

Councilmember Buckshnis asked how much has been spent to date on this walkway project. Mr. Williams responded the City received a \$159,000 grant from Congestion Mitigation and Air Quality (CMAQ); the City signed a contract with MacLeod Reckord, an architectural design firm, for \$62,000 to develop preliminary concepts that could inform the public process. Approximately \$55,000 of the \$62,000 pre-design contract has been expended to develop 2D drawings that can be displayed and commented on at public meetings and adjusted as necessary. Staff has heard the City will soon be offered an additional \$90,000 grant that can be added to the \$159,000 to complete a full design process on whatever project is eventually scoped. Councilmember Buckshnis asked whether the design in the PROS Plan would be used. Mr. Williams answered that version was tailored to the funding source at the time, Recreation and Conservation Office (RCO), and the project needed to look and function like a trail. The

Federal Highway Administration (FHWA), the source of these two grant opportunities, are not concerned that the project looks like an expanded sidewalk.

Councilmember Buckshnis observed this was not a Complete Streets project but was designed to increase tourism. Mr. Williams answered it definitely was a Complete Streets themed project. It greatly enhances access to this corridor for non-motorized users and keeps users safer while maintaining vehicular functions.

Councilmember Fraley-Monillas asked whether a long-term lease of the property would prevent BNSF from installing a fence if they found the walkway increased their liability. Mr. Williams answered no, explaining BNSF was not offering a long term lease; they have offered a one-year revocable lease. He assumed they also retained the right to install a fence. Staff has been clear with BNSF that the reason for the lease is to develop this multi-use pathway. If BNSF saw the pathway as inconsistent with the operation of the railroad, he was certain they would not offer a lease. He anticipated discussions with BNSF regarding ways to reduce the temptation to access the water from the bank via softscaping. He recalled 20 years ago, the fence was related to increased speeds on the railroad tracks.

Councilmember Fraley-Monillas pointed out even if the City did not install the walkway, BNSF could still install a fence. Mr. Williams agreed, anticipating the same public outcry as occurred 20 years ago. He summarized he doubted BNSF would sign a document giving away any future rights regardless of how unlikely it was they would avail themselves of those rights.

Council President Petso asked whether the original request for a fence was initiated by the City and referred to documents she found that indicate that may have been the case. Mr. Williams answered he did not study all the documents; the idea of a fence was related to the Utility and Transportation Commission's (UTC) evaluation of BNSF's request to increase speeds. Council President Petso offered to provide the documents to Mr. Williams. Mr. Williams explained staff has talked with and walked the alignment with BNSF representatives; he did not sense any alarm on their part about the proposal. BNSF was not aware the street was partially in their right-of-way until the recent survey.

Mayor Earling opened the opportunity for public comment.

Bruce Jones, Edmonds, commented a 12-foot wide sidewalk will not work with the geography of the street. He anticipated the FHWA has seen many 5-foot sidewalks and questioned why the design started with fitting everything around a 12-foot wide sidewalk.

Marilyn Lindberg, Edmonds, a resident on Sunset, expressed her strong opposition to the proposed sidewalk for Sunset Avenue. She anticipated a 10-12 foot sidewalk, 7-foot parking, 3-foot bike lane in the existing 30 feet would prevent her from backing out of her driveway. She foresaw chaos on a sidewalk on the west side with walkers, runners, skateboarders, strollers, wheelchairs, bicyclist and dogs on leashes. She recommended the grant either be cancelled or rescinded as the project is not desirable for this street.

Sally Wassall, Edmonds, a resident on Sunset, said Sunset is 32'10" wide in front of their house. She questioned how parking and access for cars and trucks could be provided if the width was reduced by 12 feet for a sidewalk. She feared BNSF or WUTC would request a fence which was successfully prevented in the past. A fence would also be detrimental due to the sandy loom soil that is prone to slides. She summarized the walkway was a bad idea and they would like it to go away.

Thalia Moutsanides, Edmonds, a resident on Sunset, referred to photographs she provided the Council that illustrate an oil truck making a delivery and the limited space for a car to go around. If a 10-12 foot wide sidewalk were construction on the west side, a vehicle could not pass. Sunset is 30 feet wide in front of her house, 10-12 feet for a sidewalk, 2 foot buffer zone, 8'5" parallel parking equals more than 20-22

feet, leaving less than 8-10 feet for vehicular traffic; oil trucks and emergency vehicles are 8 feet wide. Her photographs also illustrate an area where construction vehicles parked on both sides, making the road nearly impassible. Most people who walk on Sunset are opposed to the walkway. She was concerned with altering the fragile embankment, traffic, water problems, etc. She was strongly opposed to the project.

Rick Hedges, Edmonds, a resident on Sunset, requested the Council rethink the walkway. Although he was opposed to the walkway project, if it proceeded he preferred a 5-foot wide sidewalk rather than 12-feet. He questioned how a pathway on the bank side of Sunset that combined bicycles, children, dogs on leash, etc. would work and feared it would encourage access to the railroad tracks. Northbound vehicular access would be negatively impacted by a narrowed roadway shared with bicycles, garbage trucks, etc. The current configuration is calm and enjoyable; he estimated a gravel trail to replace the dirt trail would be much less expensive.

Jim Wassall, Edmonds, a resident on Sunset, explained in the past neither BNSF nor the City wanted the fence, it was proposed by WUTC due to BNSF's request to increase train speeds. The requirement for a fence along Sunset was rescinded following a public outcry. He asked the cost of the one-year, renewable lease BNSF has offered the City. He relayed a car drives the wrong way on Sunset once a day on average; that would create a dangerous situation if the roadway is narrowed 12-feet. He was opposed to the proposed walkway.

Carol Nickisher, Edmonds, a resident on Sunset, explained she moved to Sunset from Magnolia 2½ years ago due to the natural embankment that is part of the historic character of Edmonds. She has three large west-facing windows in her house and walks with her dog on the west side of Sunset daily and could not fathom a multi-use pathway that combined dogs, bicycles, roller blades, Segway and children. If there are safety concerns, it would be less expensive to install speed bumps although in her experience vehicles do not speed on Sunset. She doubted a promenade would attract more tourists, anticipating tourists would come anyway for the view. She estimated 80% of the people who visit Sunset will oppose this improvement. She relayed the remark of one person who said it's beautiful as it is, leave it alone. She opposed the walkway.

Jim Wilkinson, Edmonds, owner of multiple properties on Sunset, felt the proposal was trying to do too much in the available space. He has heard of car doors hitting cars where the roadway was narrowed on Main between 5th and 6th and did not want that to occur on Sunset. If improvements were made, he preferred a pedestrian-friendly, no parking area. The pathway will not go anywhere and will increase congestion. He asked that the City address a van with a handicap permit that parks and performs household tasks on Sunset for 6-10 hours every day. Edmonds allows vehicles with handicapped permits unlimited parking; federal law allows a 4-hour limits. He pointed out a 12-foot walkway on the west side would move parking to the crown of the street, further reducing views from one-story houses on Sunset as well as creating a sloped driving lane.

Mike Echelbarger, Edmonds, a resident on Sunset, agreed with his neighbor's concerns regarding parking, fencing, lighting, etc. He was not opposed to the proposal, noting there was only a plan to develop a proposal. He commented there are thousands of people walking on Sunset on a sunny weekend day. Of the thousands, only a small minority walk on the sidewalk; most walk in the bike path, the west side of the curb or the east side of the parked cars. The City needs to develop a plan to address the serious safety issue posed by people walking in the street. Although the speed limit is only 20 mph, drivers are looking at the view, not the roadway. He was not opposed to developing a plan to determine whether all the concerns could be addressed. He encouraged the City to seek input on this project from all users of Sunset, anticipating the use of Sunset will increase as the population increases.

John Segelbaum, Edmonds, a resident on Sunset, said the question for the Council is to analyze the pros and cons of the proposal. Increasing pedestrian, bicycle, rollerblade, etc. traffic on Sunset is both a pro

and a con as it will create congestion, increase risk of accidents between bicycles and motorists and create a traffic nightmare by decreasing the width of the roadway. Safety has never been a significant issue on Sunset; narrowing the roadway will increase conflicts between pedestrians, bicycles and vehicles. Moving the parking 13 feet east will either destroy or significantly restrict residents' ability to back onto Sunset Avenue as well as restrict access by service vehicles. The walkway will likely result in the elimination of the on-street parking that residents depend on. Over 100 years Sunset and Front Street have served three purposes, moving vehicular and pedestrian traffic from Main to Caspers and ingress and egress for residents without impacting views. He concluded the proposed walkway would undo the character of Sunset Avenue.

Jerry Tays, Edmonds, a former federal land manager, said he would have been unable to carry out such a project because a yearly lease would not be sufficient to spend federal funds on improvements. He questioned how city or state funds could be spent on property that the City does not own either in fee or a long term lease or how the City's investment would be protected in the future.

Jen Antilla, Edmonds, a regular user of Sunset, said Sunset's natural environment is what appeals to people using the area. She suggested allowing only local access on Sunset, explaining many who park on Sunset leave their engines running which is disruptive to the environment, residents and pedestrians.

Lisa Barern, Edmonds, relayed her family moved to Edmonds from the mid-west and they often visit waterfront parks. She did not anticipate a walkway would attract more visitors; people enjoy it now. She supported a gravel path or small sidewalk to provide ADA accessibility. She feared increasing activity on the west side would create a need for a fence to protect users from the bluff.

Ken Reidy, Edmonds, said he has enjoyed Sunset in its current configuration since the mid-70s and it will be a sad day for Edmonds if the current situation changes. He suggested involving the public earlier in the process such as notification before projects are added to the CIP, CFP or TIP; notice mailed to residents within a certain radius of a project; or notification before the City seeks a grant.

8. PUBLIC COMMENT AND DISCUSSION ON THE SR-104/RAILROAD CROSSING ALTERNATIVES ANALYSIS

Public Works Director Phil Williams relayed staff is recommending the City seek funding to analyze alternatives that could resolve the current conflicts caused by at-grade railroad crossings located at Main and Dayton Streets on the waterfront. BNSF is projecting a very significant increase in train traffic over the next 8-18 years, increasing from the current 35-40 trains per day to 70 days per day in 2020 and 104 trains per day by 2030. These trains cross the two rail crossings, often blocking them both at the same time. These numbers do not include the near-term potential addition of up to 18 trains per day hauling coal for export from the proposed expanded terminal near Bellingham. Rail traffic already presents significant conflicts, delays and safety hazards that will become debilitating as train numbers increase rapidly over the next decade:

- Passing trains prevent the timely delivery of emergency services to the water side of the BNSF tracking where there is a busy senior center, 700 slip marina, nationally significant saltwater dive park, three City parks, several office buildings, two 2-5 story condominium buildings, several single family homes, a popular dog park, 3 restaurants and the ferry dock, all frequent users of emergency services. Delayed responses of several minutes or more are not uncommon and will be more frequent in the future.
- Each train passing through Edmonds sounds its whistle at approximately 115 decibels, 8 times in a quarter mile distance as it passes the above developments. These blasts are deafening and disruptive to the enjoyment of the Edmonds waterfront. This will likely limit the desirability of future development on the Antique Mall and Harbor Square properties, significant keys to Edmonds' economic future.

- Train passage completely halts ferry loading and unloading which affects both vehicle traffic and walk-on passengers, decreases rider satisfaction, increases average trip duration and reduces schedule reliability.

He commented on the intensive planning process that culminated in a plan to move the ferry terminal to Point Edwards via the Edmonds Crossing project. The project enjoyed widespread popular and political support at the local, state and national levels. This project is listed in the City's Comprehensive Plan. Fundraising for the project was successful in obtaining commitments for \$80 million by 2007; cost estimates for the project were 3 times that amount and likely have increased substantially since then. With the subsequent economic downturn and reduced revenues and grant opportunities at the state and federal levels, the project became infeasible and grant commitments have since been withdrawn. The project is not included in the State's Long Range Transportation Financial Forecast that extends to 2030 and there is no guarantee funding will be available after that date.

A new plan needs to be developed that can address the identified problems listed above much sooner. The request for \$2 million is designed to provide the resources to thoroughly analyze all available options for resolving the problems listed above or at least as many as practicable. The first step would be a public process to identify all the alternatives that could be evaluated. These would likely include a scaled down version of Edmonds Crossing, and various versions of over and underpasses in different locations and capacities including dedicated facilities for emergency vehicle access. It is important to the credibility of the study not to narrow the list too early in the public scoping process. Once an initial list has been produced and publicly vetted, a screening analysis would begin to compare costs, efficacy in addressing the identified problems and/or creating opportunities, constructability, and compatibility with ongoing operations of the State ferry, railroad and other stakeholders. After screening available alternatives, a short list of projects or combination of projects that pass screening level feasibility would be further analyzed and scoped. Cost estimates can then be developed and compared. A preferred project or combination of smaller projects could then be selected and pre-design work completed.

In addition to site specific work at the at-grade intersections, it is important to recognize that the entire SR104 corridor from I-5 and Highway 99 to the ferry terminal is a state highway and a major transportation corridor that must efficiently move traffic to and from downtown Edmonds to provide a reliable long term connection. The corridor must also balance efficient movement of vehicles with both pedestrian and bicycle facilities. This corridor is facing significant development pressure throughout its length, specifically in the Westgate area. Consequently, the City is also requesting funding to conduct a multimodal transportation analysis along the corridor that can complement the City's ongoing land use planning efforts without impacting the ferry system or other downtown attractions.

Conducting an alternatives analysis does not mean the City has given up on Edmonds Crossing. Staff recommends keeping that project in the Comprehensive Plan. It is time to acknowledge that in light of the funding constrains, the community needs to begin looking at all possible options to address access conflicts and safety issues presented by the at-grade BNSF crossings at Dayton and Main Streets. The problem will get more acute with each passing year.

Councilmember Bloom advised she requested this be scheduled on the agenda. As mentioned earlier, public comment will be taken at a future meeting because the item was not properly identified on the agenda. She asked Community Services/Economic Development Director Stephen Clifton to state the proposed title of the analysis. Mr. Clifton explained Councilmember Bloom and Council President Petso met with Mayor Earling, Mr. Williams, Mr. English and him today to discuss concerns with the title. He offered the proposed amendment project title: Alternatives Analysis to Study Waterfront Access Issues Including But Not Limited to 1) Emergency Vehicle Access, 2) At-Grade Conflicts Where Main and Dayton Streets Intersect BNSF Rail Lines, 3) Pedestrian And Bicycle Access, and 4) Options to the Edmonds Crossing Multimodal Terminal Project (Identified as Modified Alternative #2 within the 2004

Final Environmental Impact Statement). Councilmember Bloom requested the next opportunity for public comment identify the item by that title.

Councilmember Bloom relayed citizens' questions regarding why the City is trying to resolve the railroad's and ferry's issues when the need is an emergency vehicle access. She asked whether the study could be narrowed to only emergency vehicle access. Mr. Clifton answered that could be done but that was not staff's recommendation. The recommendation is a multi-pronged approach to address vehicular emergency access, pedestrian/bicycle access, and at-grade conflicts at Main and Dayton Streets. He noted a study of minimum build alternatives of Edmonds Crossing was not a new concept; he recalled emailing the Council in 2008 about the City and WSF's discussion of minimum build alternatives to Edmonds Crossing due to the lack of a funding mechanism to construct Edmonds Crossing by the target date by 2017. WSF's long range plan 2009-2013 does not identify any funding for the Edmonds Crossing project and Puget Sound Regional Council's 2040 plan references the WSF long range plan and acknowledges there is no funding for Edmonds Crossing. Considering that WSF has not identified a funding source for at least the next 17 years for Edmonds Crossing, the question was whether the community was willing to accept the ferry terminal and the related conflicts in its existing location; many people are interested in discussing options to the Edmonds Crossing project. He summarized it is up to the Council to decide whether to narrow the scope.

Councilmember Bloom asked whether a study could be prioritized that focused on emergency vehicle and pedestrian access and a separate study done in the future to address other issues. Mr. Clifton answered that was a decision of the Council. The title as provided above is the administration's recommendation; if the Council chooses to narrow the scope, staff will implement Council's request.

Councilmember Peterson asked whether narrowing the scope would reduce the City's chances of obtaining a grant for the study and the pool of grant sources. Mr. Clifton answered it could. Including the four issues highlighted in the recommended title increases the possibility of an appropriation from the legislature. Councilmember Peterson envisioned a local project would be supported by representatives in the 21st and 32nd District; a study that addressed regional transportation issues would have wider support. Mr. Clifton agreed, anticipating that analyzing options to Edmonds Crossing would broaden the appeal of an appropriation.

Councilmember Buckshnis expressed interest in addressing both short term and long term issues. She supported having the Reid Middleton study updated, recalling it included two ferry slips, Edmonds Crossing, a mid-waterfront alternative, etc. She agreed with Councilmember Bloom that emergency access also needed to be addressed. Mr. Clifton summarized the amended title addresses the concerns expressed by Councilmembers Buckshnis, Peterson, and Bloom and Council President Petso.

Councilmember Fraley-Monillas estimated it would be 20 years before a study was completed and enough funding was identified for a project to relieve all the problems. She was interested in studying emergency access, noting there are several emergency accesses over the railroad tracks including Carkeek Park, Richmond Beach, Mukilteo and downtown Seattle. She relayed her understanding a study would investigate all options. Mr. Clifton advised emergency vehicle access was the first item in the proposed title. The alternatives analysis would study where an emergency vehicle overpass could be located if at all. Many assume an emergency vehicle overpass could be constructed over the lower yard owned by Unocal; it is unknown whether Unocal would allow emergency access over that property.

Mayor Earling opened the opportunity for public comment.

Phil Lovell, Edmonds, displayed a photograph of the train that blocked the entire Edmonds waterfront on November 15, 2013 including a loaded ferry arrival. As tragic as the accident was, further losses of life or property could have occurred from a concurrent accident or fire on the west side of the tracks in the same

timeframe. He recalled a public and media event hosted by Mayor Earling's in July 2012 to highlight the ongoing challenges the City faces due to increasing railroad traffic through the downtown waterfront. In comparison, this issue makes the Five Corners roundabout and long range vision for Westgate look like chickenfeed. The most significant action the City has taken to date to address the matter is placeholder funding in the 2014-2019 CIP/CFP to complete a study. This placeholder project is necessary to allow the City to pursue grant funds to undertake an alternatives study. He urged the Council to approve the draft CIP/CFP that include the proposed study.

Mike Schindler, Edmonds, encouraged the Council to move smartly with regard to resolving the railroad crossing issue and approve the proposal to request \$2 million. He referred to the train accident that blocked access for over four hours, a situation that impacted the ferry, the flow of commerce and traffic, local business, and left a segment of citizens vulnerable. Humans are motivated to make decisions when something needs to be fixed, accomplished or avoided; for economic, transportation and safety reasons this situation needs to be fixed. He supported anchoring a decision in expert analysis, anticipating separate decisions would increase the cost. The four-pronged strategy is the right strategy and he encouraged the Council to move forward with it.

Ron Wambolt, Edmonds, expressed support for the administration's proposal for an alternative access analysis. He agreed emergency access to the waterfront was needed; as resident of Dayton Street, he sees numerous emergency vehicles accessing the waterfront area daily. Miraculously there was not an emergency during the time access was blocked in early November. With regard to concerns with the amount of the requested allocation, he pointed out the \$1 million request in 2014 and \$1 million in 2015 would be only a small percentage of a project that would ultimately cost tens of millions. This is an ideal time to ask for funding from the legislature as they consider a \$0.10 increase in the gas tax. He urged the Council to support this project.

Bob Rinehart, Edmonds, expressed support for the proposed study, pointing out the study was critical to determining the question before seeking answers. Even with the economic downturn, multimodal challenges still remain. A good, broad, solid look at the issue was needed to ensure that when steps were taken, they were the right steps. As growth occurs and ferry and traffic volumes increase, it is important for citizens to be able to make full, consistent use of the waterfront area. He supported the study in order to address the issue in a thorough and comprehensive manner.

David Jones, Edmonds, referred to Councilmember Fraley-Monillas' comment that it would likely be 20 years before a project was designed and funded, expressing concern with accomplishing only a bandaid to this complicated issue in 20 years. He recognized the scope and scale were large but urged the Council to take a comprehensive look at the challenges rather than one at a time. He commented some of the challenges may seem more important now but in 20 years they will all need to be addressed.

Jen Antilla, Edmonds, suggested the study be presented in a way that the state will fund it; Edmonds cannot afford the analysis or a preferred project. She anticipated 4-5 hour blockages of the waterfront will be the norm with the number of trains that are projected in the future. Ferry access including emergency vehicle access is WSF's problem and they should provide funding. Noise from train traffic will become increasingly objectionable as the frequency of trains increases.

Greg Toy, Edmonds, recognized this is a complex issue and there may not be a silver bullet. Although many have suggested a comprehensive solution, it appears emergency access is the principal concern. He suggested finding a solution to that problem now rather than a comprehensive solution that may take 20 years to implement.

Bruce Witenberg, Edmonds, pointed out the City has a highly capable and competent staff and he accepted the reasons advanced by Mr. Williams and Mr. Clifton supporting this alternatives analysis. He

expressed support for the \$2 million in the CIP to fund this analysis, pointing out that unless it is included in the CIP, the City has little chance of securing funding for a meaningful alternatives analysis. He supported exploring all available alternatives, including an emergency vehicle access and resolving conflicts between users of the railroad crossing, noting the study could prioritize some projects. He recommended broad based community input to ensure transparency and diversity of ideas and opinions to ensure community buy-in for the ultimate project. He urged the Council to support inclusion of the \$2 million alternatives study in the CIP.

Ken Reidy, Edmonds, agreed many times a comprehensive, bigger plan makes more sense; in this case the most pressing issue is emergency vehicle access to the waterfront. He wondered how residences, businesses, parks, etc. were permitted on the other side of the railroad tracks without emergency access. He supported looking at the overall situation but urged the Council not to delay the critical, urgent need for emergency access by grouping it with a bigger project.

9. PUBLIC COMMENT AND POTENTIAL ACTION ON THE 2014-2019 CAPITAL IMPROVEMENT PROGRAM

Mayor Earling opened the opportunity for public comment. There was no one present who wished to provide comment.

Councilmember Bloom requested public comment and potential action be continued to a future meeting as the agenda item was not clear to the public and no information was included in the packet. When the item is scheduled on a future agenda, she requested it include a presentation from staff and information in the packet regarding the alternatives study.

After asking Councilmembers who will be in attendance at the December 10 and 17 meetings, Council President Petso rescheduled this item for the December 17 meeting. There was no interest expressed by the Council in a special meeting on December 19 or 20. She asked whether the CIP has budget implications. Finance Director Roger Neumaier advised there are potential budget ramifications if material changes are made to the CIP. The Council could delay adoption of the budget or, if the 2014 budget is adopted tonight, it could be amended in two weeks.

10. PUBLIC COMMENT AND POTENTIAL ACTION ON PROPOSED ORDINANCE ADOPTING AMENDMENTS TO THE CAPITAL FACILITIES PLAN ELEMENT OF THE COMPREHENSIVE PLAN

Mayor Earling opened the opportunity for public comment. There was no one present who wished to provide comment.

For Council President Petso, Public Works Director Phil Williams said the Sunset Walkway project is included in the Capital Facilities Plan (CFP) and a public meeting is scheduled on December 18. If the Council approved the CFP tonight, Council President Petso asked whether the CFP could be amended in the future to delete the Sunset Walkway project. Mr. Williams responded it is staff's opinion the CFP can be modified as long as it is accompanied by a budget amendment.

Councilmember Buckshnis asked whether the grant funds would need to be repaid if the project was removed from the CFP. Mr. Williams answered he did not know how the funding agencies would react. If the Council's decision was to cease work on the project, it would need to be presented in a way that it was once a good project but no longer was and not that the Council changed its mind. Councilmember Buckshnis looked forward to the community input at the December 18 meeting.

Councilmember Johnson expressed concern with the practice of a placeholder in the CFP for specific projects. For example, the \$5 million placeholder in 2018 for a public market in the downtown waterfront. She did not recall any discussion at the Council regarding that project. Mr. Williams answered in that case Council directed staff to include the public market in the CFP; 2018 was selected because later years are not financially constrained. Councilmember Bloom asked whether the year-round market was included in the Comprehensive Plan. Acting Development Services Director Rob Chave answered it was included as a placeholder but there were no specifics. He also recalled the Council requested it be included in the CFP.

Councilmember Johnson observed the current Wednesday market is located in a parking lot which seems to be sufficient. Noting \$5 million was more than the purchase price of the Salish property, she was concerned with including this large expense in the CFP.

Since the Council could change the CFP to exclude the Sunset Walkway project and because she did not provide Councilmembers the information on Sunset Avenue's history until tonight, Council President Petso suggested approving the CFP with the understanding the Council may make a change following the public meeting.

COUNCIL PRESIDENT PETSO MOVED, SECONDED BY COUNCILMEMBER BUCKSHNIS, TO APPROVE ORDINANCE NO. 3947, ADOPTING AMENDMENTS TO THE CAPITAL FACILITIES ELEMENT OF THE COMPREHENSIVE PLAN.

Councilmember Johnson asked whether the Dayton Street & SR104 drainage improvement project, estimated cost \$3,248,000, included funds for construction. Mr. Williams answered it includes a significant amount of engineering and planning. Studies regarding flooding and daylighting are already funded. Councilmember Johnson asked how that project relates to the Edmonds Marsh Shellabarger Creek that has an estimated cost of \$8,931,000. Mr. Williams answered they are closely related.

Councilmember Johnson asked how the projects would relate to an underpass at Dayton. Mr. Williams answered he did not know; no efforts have been given to an underpass or overpass at Dayton. He surmised a corridor under the railroad tracks at Dayton could provide an opportunity for something like a force main to pump excess water along that alignment. Councilmember Johnson asked whether the drainage problems at Dayton will be mitigated by projects associated with the marsh. Mr. Williams answered yes, explaining the marsh serves many environmental functions including benefitting the management of stormwater. He envisioned a pump station would be required to solve the issue at SR104 and Dayton.

Councilmember Buckshnis advised the amount in the placeholder projects can be changed; the \$5 million was a guestimate. She relayed questions from citizens about traffic calming in neighborhoods and asked how they could be moved forward faster. Mr. Williams responded it would require additional resources; in recent years traffic calming has primarily been the installation of speed signs. Consideration has been given to installing wiring in a pedestal and moving the sign around to different locations; drivers often ignore the sign if it is displayed too long in one location. There are other traffic calming opportunities via Complete Streets such as narrowing streets.

Council President Petso asked whether the Council would have an opportunity to remove the Sunset Walkway project from the CFP after a design is proposed. Mr. Williams said his answer would be the same whether the project was removed during pre-design or during the design phase. Any time a project is proceeding with the use of federal transportation funds and the Council changes its mind, the City could be asked to repay the funds. A discovery such as substantially increased costs or other unknowns would be more defensible than the community changing its mind. He has never been asked to repay funds but is aware some communities have been.

Councilmember Bloom recalled a citizen who expressed safety concerns on 216th between Highway 99 and 76th Place SW. Mr. Williams requested the Council inform staff if they wanted time spent looking at that issue and a report provided to Council. The Council could then add a project to the CIP if they wished. Councilmember Bloom referred to Mr. English's email that indicated perhaps Swedish-Edmonds, who owns some of the property and could be involved in making improvements. Mr. Williams clarified the citizen's concerns were the lack of pedestrian facilities on the north side of 216th between Highway 99 and 72nd where Value Village is located; Swedish owns the Value Village property. Value Village has angle parking in that location; if a sidewalk were constructed, vehicles would have to back across it. There are no plans at this time to redevelop the Value Village property.

Councilmember Fraley-Monillas reported she has observed that corner twice and agrees there are some issues. Mr. Williams advised staff will analyze the situation and provide information if the Council directs. He was hesitant to add a project on the CIP at the request of one citizen without any analysis.

MOTION CARRIED UNANIMOUSLY.

11. PROPOSED ORDINANCE ADOPTING THE 2013 COMPREHENSIVE SEWER PLAN AS AN ELEMENT OF THE CITY OF EDMONDS COMPREHENSIVE PLAN

COUNCIL PRESIDENT PETSO MOVED, SECONDED BY COUNCILMEMBER JOHNSON, TO ADOPT ORDINANCE NO. 3948, ADOPTING THE 2013 COMPREHENSIVE SEWER PLAN AS AN ELEMENT OF THE CITY OF EDMONDS COMPREHENSIVE PLAN.

Council President Petso asked if there were any changes to the plan since it was last presented to the Council. Mr. Williams answered no.

MOTION CARRIED UNANIMOUSLY.

12. ADOPTION OF THE CITY OF EDMONDS 2014 BUDGET

Finance Director Roger Neumaier summarized the process to date:

- Mayor presented budget to Council on October 1
- Public comment and departments budget presentations to Council on October 22 and 29
- Public hearing on November 4
- Public comment and Council proposal and discussion of amendments on November 19
- Public comment, property tax ordinance vote, budget ordinance introduction and Council vote on amendments to ordinance on November 26

Tonight, Mr. Neumaier recommended the Council:

- Review current amended budget
- Review the amended budget analysis
- Make an amendment to reduce 2014 property tax budget by \$98 thousand to reflect adopted banked property tax ordinance.
- Make any other Council amendments.
- Act on the amended 2014 budget ordinance

Mr. Neumaier displayed a list of approved budget amendments, commending the Council on their discussion and the process of making budget amendments last week. The budget amendments and the \$98,000 resulting from the Council's decision on the property tax ordinance are included in the amended budget. He displayed a list of proposed revenue, proposed expenditures, Council amendments and difference by fund. He provided a response to questions that have been asked:

- Is it a problem if a fund uses more resources than they provide in a given year?
 - Not if this is done for capital projects or as a part of a plan which spans into future years.
 - Utilities: Bonds and Planned Construction
 - Construction Funds: Programs often save for years to fund big projects.
 - General Fund: 2013 has projected surplus. 2014 will expend a portion of that surplus on one-time expenditures and Contingency and Risk Management Reserves are buffered.
 - Most fund balance uses in this budget are caused by capital projects. We are going to look a little bit closer at the General Fund to better understand its budget.
- How do 2014 revenues compare to 2013 projected revenues?
 - Amended General Fund revenues are up by 6.7% or about \$2.3 million over projected year end revenues for 2013.
 - Of that \$2.3 million or 6.7%:
 - Over \$725,000 or 2% results from treating conservatively anticipated under-expenditures as a resource.
 - Increased permit fees revenues account for over \$200,000 or 0.6%
 - Reimbursements for engineering services positions from the street and utility funds account for almost \$200,000 or 0.6%.
 - Increases in Emergency Medical Services property (which is still 77% of 2009 levels was about \$300,000 or another 0.9%.
 - Thus the increases for all other areas amount to about \$1.0 million or 2.6% increase over projected 2013 levels.
 - This growth appears to be in line with modest historical trends.
- How do 2014 expenditures compare to 2013 projected expenditures?
 - The 2014 amended General Fund expenditure budget is 15.9% or about \$5.2 million greater than 2013's estimated year end expenditure.
 - The 2013 estimated expenditure is net of under-expenditures. The 2014 includes approximately \$725,000 which will be under-expended.
 - It includes \$1.1 million to increase 2014 year end risk management and contingency reserve fund balances to their required levels.
 - And the General Fund budget includes about \$1.4 million in one-time projects.
 - It includes almost \$370,000 to fund engineering and Development Services positions which is funded by new revenues from permit fees and engineering charges to construction related funds.
 - Without the increases referenced above, the projected increase for the General Fund expenditures over 2013 projected year end would be almost \$1.1 million or 3.3%.
 - This also appears to be a modest baseline for growth.

He displayed a spreadsheet illustrating the impact of General Fund amendments on the General Fund in 2014 and 2015, explaining there was a \$196,000 use of fund balance in 2014 and \$67,100 in 2015. The \$67,100 consists of the elimination of the longevity program, the annual volunteer picnic and \$98,000 decrease in property taxes revenue, items that will have an ongoing impact on future years' budgets. If the Council banked the property tax increase in 2014 and chose to impose it in 2015, Council President Petso observed no long term use of fund balance would occur. Mr. Neumaier agreed, explaining if the banked property tax was imposed next year, the result of the Council's amendments would be positive to the General Fund.

Mr. Neumaier displayed a Strategic Outlook Total Revenues and Expenditures 2011-2019 analysis for the General Operations Fund, highlighting the Ending General Operations Fund Balance is \$4.6 million in 2012, \$5.8 million in 2013, \$4.2 million in 2014, \$4.7 million in 2015, and \$4.9 million in 2016; the balance begins to reduce 2017 and beyond. He acknowledged there were conservative assumptions in the projection that hopefully will be too conservative.

Mr. Neumaier displayed a Strategic Outlook Total Revenues and Expenditures for the General Fund 2011-2019. He pointed out between 2013 and 2014 there is a decrease in the overall General Fund fund balance but it grows in future years and there is only a drop of about \$450,000 aggregate for the entire General Fund at year end.

Councilmember Buckshnis commented these presentations are different than what has been provided in previous years. She asked Mr. Neumaier to review transfer to other General Fund subfunds. Mr. Neumaier explained in 2013 there were \$1.4 million in transfers out of the General Fund. In 2014 there were \$3.8 million in transfers out of the General Fund. The funds primarily went to:

- \$500,000 to the General Operations Contingency Fund (saving account)
- \$600,000 to the Risk Management Fund
- Building Maintenance Fund

Councilmember Buckshnis explained although the chart of accounts is different, they reconcile and tie to the CAFR. Mr. Neumaier agreed Council President Petso, Councilmember Buckshnis, Accountant Deb Sharp and he reconciled year-by-year to the CAFR.

COUNCIL PRESIDENT PETSO MOVED, SECONDED BY COUNCILMEMBER BUCKSHNIS, TO REDUCE THE 2014 BUDGET BY \$98,000 TO REFLECT THE ADOPTED BANKED 1% PROPERTY TAX ORDINANCE. MOTION CARRIED (6-1), COUNCILMEMBER PETERSON VOTING NO.

Councilmember Buckshnis referred to DP 35, New Capital Projects Manager to General Fund from Utilities, suggesting a contract person rather than hiring staff. She assumed that would not impact the budget. Mr. Neumaier reviewed the accounting entries to accomplish that, noting a contract person may be more expensive. Councilmember Buckshnis acknowledged it may be more expensive but the contract could be ended after one year. Public Works Director Phil Williams acknowledged the impulse to avoid staffing up if staff would need to be decreased when project activity declined. He recalled presenting a graph of capital spending to the Council at a past meeting that outlined capital expenditures 2008 through 2016.

Mr. Williams explained 2013 capital projects, managed by the Engineering Division, are projected to total \$9.5 million. The typical annual amount between 2008 and 2012 was \$6 – 8 million. The total in 2014 is \$20 million, \$17.5 in 2015 and \$13-14 million in 2016. He acknowledged a consultant could be hired to manage projects; however it costs more to hire a consultant. Over a three year period hiring a consultant versus a City employee would cost the projects an additional \$300,000+. The amount of project work is doubling and that cannot be done with existing staff. It will require a project manager in addition to other consultants. He explained staff and consultant costs are funded by the project budget.

Mayor Earling explained there was considerable discussion regarding this issue when the budget was prepared. He understood it was difficult to hire someone and later have to downsize. The budget was prepared with the realization that when capital projects returned to the \$8-9 million level in 3-4 years staffing changes may be required. Mr. Williams commented staff has been very successful in obtaining grant funds during the past few year and granting agencies are also experiencing a rebound in their revenues.

Councilmember Buckshnis commented this is a very aggressive budget; last year the City laid off staff and offered early retirement buyouts. She relayed citizens' concerns with adding staff and said she wanted to avoid laying off staff if revenues are over-estimated and/or expenses under-estimated. Mr. Williams explained staff needs to be right-sized and mirror the capital program. The least expensive way is to hire staff.

Councilmember Bloom recalled a lot of money was spent last year on an incentive program to get employees to leave. She recalled no cuts were made in Public Works and a project manager was hired in Public Works last year although cuts were made in other departments. She questioned whether the project manager proposed in DP 35 was really needed and whether a contract person could be used instead. Mr. Williams answered this person will work with consultants and staff to manage a variety of projects including utility and transportation projects as well as possibly General Fund projects funded with grant sources. He reiterated it could be done via a consultant but it would cost more. He commented the capital project manager would be the junior person in that department; if the workload does not support that many staff, that person will be the first to go. It is not a union issue because it would be a management position. He assured the project manager was needed in order to deliver the approved capital plan.

Mr. Neumaier explained the Utility Funds, the primary source of funding for this position, have a separate funding streams. Reductions were not necessary last year due to the stability of the funding source. The decision to make major system repairs is the basis of the need for this position.

COUNCIL PRESIDENT PETSO MOVED, SECONDED BY COUNCILMEMBER BUCKSHNIS, TO EXTEND THE MEETING FOR ½ HOUR.

Council President Petso proposed the following:

- Removing agenda items 19 and 20 as they are not needed
- Reschedule agenda item 16 to the December 10 meeting
- Reschedule agenda item 15 to next year
- Reschedule agenda item 14 to the December 10 meeting

MOTION CARRIED (5-2), COUNCILMEMBERS JOHNSON AND FRALEY-MONILLAS VOTING NO.

Parks & Recreation Director Carrie Hite advised there are two large parks projects next year, the fishing pier and the play area and spray park in City Park; Parks relies on engineering to manage those projects. As the Human Resources Reporting Director, Ms. Hite explained the project manager is not a union position, it is a management position and the person can be laid off at any time. Project managers are aware their jobs are contingent on projects and that the position will be eliminated if there are no projects.

Mayor Earling declared a brief recess.

Mr. Neumaier referred to a series of communications he sent during the budget process from which Councilmember Johnson was inadvertently excluded. He asked for an opportunity to respond to her questions. Councilmember Johnson inquired about DP 4, Human Resources part-time employee for support of programs. The description includes maintain website applicant tracking database for 2014, continue efficiency of L&I claims management and new wellness program administrator. It was her understanding applicant tracking would save time and efficiency, the L&I claims management was funded via a consultant (DP 3) and she questioned whether it would be better to have a contract employee to administer the wellness program. Ms. Hite explained over the past 1½-2 years the Human Resources department has delivered savings to the City of over \$450,000 via implementation of 3-4 initiatives. Those initiatives have created a tremendous amount of paperwork; this position will assist with the paperwork.

Ms. Hite explained costs for LEOFF insurance were decreased by \$250,000/year; staff now processes 25-50 co-payments and insurance payments per month for the 30 employees on that insurance plan. The change in the medical insurance to United Healthcare saved \$300,000/year but added a tremendous amount of staff work. Human Resources Manager MaryAnn Hardie, and Human Resources Analyst Yvonne Chan each do at least 4 hours/day of administrative work. It would be more cost effective to hire

a person at a lower salary to do the paperwork to free them to initiate the wellness program, safety program, L&I claims management, etc. If the position is not funded, Ms. Hardie and Ms. Chan will handle the day-to-day HR work but there will not be a wellness program, safety program, or accident prevention program. The City's current HR is a very reactive model; without this position the department will continue to be reactive rather than initiating proactive wellness, accident prevention, safety programs.

Councilmember Johnson recalled there was one HR person in 2012 and two in 2013. She suggested what was really needed was assistance with the wellness and safety programs. Rather than adding a part-time person, she preferred to ask for what was needed on a minimal basis. Ms. Hite answered the decision package was the minimum; the accident prevention, wellness and safety programs are programs WCIA wants the City to have or insurance premiums will increase. L&I claims management will save the City over \$100,000; the contractor follows up on claims but there is still paperwork for staff related to that program. Mayor Earling advised all the positions have been approved by him following debate with staff regarding their necessity. He was convinced this position and the program manager positions were necessary; if the positions needed to be eliminated in the future, that could be done.

Councilmember Johnson explained she had much of this discussion previously but was not satisfied with all the answers. She thought the Council would be discussing the decision packages and although she was uncomfortable bringing them up individually, that was the only way she could move forward with the budget. She referred to DP 14, intern working on providing documentation, expressing concern that an intern would require a great deal of effort by Finance staff and questioning whether he/she would be able to provide the necessary information. Mr. Neumaier answered there is a great deal that is not written down in the Finance and IT Departments. He has hired interns in the past and someone who is excited about the opportunity can do an enormous amount of work and it is a growth opportunity for the intern. Councilmember Johnson asked whether the intent was a person with an IT finance background. Mr. Neumaier said he will seek a person with accounting and business skills as well as writing ability, a bright mind and strong organization skills.

Councilmember Johnson referred to DP 28, parks ballfield irrigation, and 33, City Spray Park water costs, and asked why they were separate line items rather than included in the Parks' operation and maintenance budget. Mr. Neumaier explained he requested anything that deviated from this year's budget be broken out. He agreed DP 28 and 33 could have been included in the base budget.

Councilmember Johnson referred to DP 30, replace downtown trash receptacles. She understood trash receptacles was one of the items the BID could include in their scope of work although it was not included in the 2014 work program. She questioned why the City would spend \$16,000 for trash receptacles when it was something the BID could do. Mr. Clifton responded the BID can pay for physical appearance items, etc. but it was not included in their 2014 work program that the Council recently adopted. Councilmember Johnson pointed out the BID has a carryover from last year and will be preparing a 2015 work program. Ms. Hite explained the Parks Department has always been charged with the responsibility of replacing infrastructure items in the parks and streets such as garbage cans, benches, etc. For example the garbage cans on Main Street and in Hazel Miller Plaza were recently replaced. The new garbage cans look beautiful; the other downtown garbage cans do not. She agreed trash receptacles were an allowable expense for the BID but they would need to be included in the BID's work plan.

Mr. Taraday advised the ordinance was attachment #1 to agenda item 9 in the November 4, 2013 packet; exhibit A to the ordinance is attachment 1 to agenda item 12 in tonight's packet. He advised exhibit A was revised in response to Council amendments.

COUNCIL PRESIDENT PETSŐ ADDED THE ORDINANCE NUMBER, 3949, TO THE EXISTING MOTION TO ADOPT THE 2014 BUDGET AS AMENDED, USING THE

ATTACHMENTS AS SPECIFIED BY THE CITY ATTORNEY. MOTION CARRIED UNANIMOUSLY.

Council President Petso excused herself from discussion of the next item due to a perception of a conflict of interest. If the Council chose to continue that item, she recommended it not be rescheduled to the December 10 meeting as she will be one of only 4 Councilmember present at that meeting and she will excuse herself from the discussion. Council President Petso left the meeting at 10:30 p.m.

COUNCILMEMBER PETERSON MOVED, SECONDED BY COUNCILMEMBER BLOOM, TO EXTEND THE MEETING 15 MINUTES. MOTION CARRIED (5-0-1), COUNCILMEMBER FRALEY-MONILLAS VOTING NO. (Council President Petso was not present for the vote.)

13. APPROVAL OF WOODVALE FINAL PLAT AND PLANNED RESIDENTIAL DEVELOPMENT 27-LOT PLAT/PRD PROPOSED BY BURNSTEAD CONSTRUCTION LLC LOCATED AT 23700 104TH PL W (P-2007-17 AND PRD-2007-18)

COUNCILMEMBER FRALEY-MONILLAS MOVED, SECONDED BY COUNCILMEMBER PETERSON, TO APPROVE RESOLUTION 1305, APPROVAL OF THE WOODVALE FINAL PLAT AND PLANNED RESIDENTIAL DEVELOPMENT OF 27 LOTS.

Senior Planner Kernen Lien explained this is a 27-lot plat/PRD on property west of Hickman Park that includes dedication of 105th Place West. Final reviews of plats/PRDs are Type IV-A decisions made by the Council. If the Council finds public use and interest will be served by the proposed subdivision and that all the requirements of preliminary approval have been met, the final plat shall be approved. If the plans submitted for final approval of the PRD are in substantial compliance with the plat and preliminary approval, the Council can approve it. Staff has reviewed the final application; the applicants have completed all the requirements and/or bonded for some of the remaining requirements. A maintenance bond will be retained once all the improvements are completed. The Public Works Director and Development Services Director have signed the plat.

Councilmember Bloom asked whether dedication of a road meant the City assumes maintenance of the road. Mr. Lien answered yes, it becomes a City road. Councilmember Bloom pointed out the road is not complete; she was concerned with approving something that was not complete, fearing the City would be required to complete the road. City Engineer Rob English agreed the final lift of the roadway had not been paved or striped. The performance bond would be reduced to cover the cost of paving and striping which is allowed by the code. Council approval of the plat can proceed and the bond would be withheld for that work.

Councilmember Bloom inquired about the remaining work and the cost to complete it. Mr. English estimated the total amount at \$142,000 for paving, signs, filter socks, sidewalk, striping and street signage. Councilmember Bloom observed the road is 2½ inches lower where it connects to the adjoining street and asked whether the paving would level that. Mr. English answered yes. Councilmember Bloom asked whether paving would bring the street to the level of the drains. Mr. English answered yes and the height of manholes will be adjusted. The cost of all those items is included in the final paving cost. Councilmember Bloom relayed a citizen's concern with a puddle at the base of the mailboxes and asked whether the remaining work would address that. Councilmember Fraley-Monillas clarified a portion of the road is lower and the water flows into one area. She asked whether that will be leveled during paving. Mr. English answered the final roadway surface will be sloped to drain to the catch basins.

Councilmember Bloom suggested waiting until the developer has completed he work before the Council approves the plat rather than proceeding with approval and the City completing the work. Mr. English responded the City will not do the work; the developer will complete the final lift of paving and other

items. Mr. Lien added it is preferable to wait to do the final lift until construction on the 27 lots is completed.

Councilmember Bloom asked why this will be a City road when it is only accessed by the property owners in the plat, rather than the residents being responsible for maintenance of the road. Mr. Williams answered there are many public streets in the City that end in cul-de-sacs; this neighborhood has a number of them. It was never proposed as a private road. Councilmember Bloom observed as soon as the road was dedicated, the City would be responsible for maintenance. Mr. Williams agreed, advising there will be a maintenance bond for defects in the workmanship of improvements in the public right-of-way.

Councilmember Buckshnis commented on the dry wells/private storm drainage for each lot that are the responsibility of each homeowner.

MOTION CARRIED (5-1), COUNCILMEMBER BLOOM VOTING NO. (Council President Petso was not present for the vote.)

14. DISCUSSION AND POTENTIAL ACTION FOR A CODE OF CONDUCT

This item was rescheduled to the December 10 meeting.

15. DISCUSSION AND POTENTIAL ACTION ON ECC CHAPTER 2.10 REGARDING CONFIRMATION AND DUTIES OF CITY OFFICERS

This item was postponed to 2014.

16. DISCUSSION AND POTENTIAL ACTION ON RESOLUTION ADOPTING POLICY REGARDING COUNCILMEMBER PARTICIPATION BY SPEAKER PHONE OR OTHER TECHNOLOGY

This item was rescheduled to the December 10 meeting.

17. MAYOR'S COMMENTS

Mayor Earling had no report.

18. COUNCIL COMMENTS

Councilmembers had no reports.

19. CONVENE IN EXECUTIVE SESSION REGARDING PENDING OR POTENTIAL LITIGATION PER RCW 42.30.110(1)(i)

This item was not needed.

20. RECONVENE IN OPEN SESSION. POTENTIAL ACTION AS A RESULT OF MEETING IN EXECUTIVE SESSION

This item was not needed.

21. ADJOURN

With no further business, the Council meeting was adjourned at 10:41 p.m.