

# EDMONDS CITY COUNCIL APPROVED MINUTES

## May 20, 2008

The Edmonds City Council meeting was called to order at 7:00 p.m. by Mayor Haakenson in the Council Chambers, 250 5<sup>th</sup> Avenue North, Edmonds. The meeting was opened with the flag salute.

### ELECTED OFFICIALS PRESENT

Gary Haakenson, Mayor  
Michael Plunkett, Council President  
Peggy Pritchard Olson, Councilmember  
Steve Bernheim, Councilmember  
D. J. Wilson, Councilmember  
Deanna Dawson, Councilmember  
Dave Orvis, Councilmember  
Ron Wambolt, Councilmember

### ALSO PRESENT

Hilary Scheibert, Student Representative

### STAFF PRESENT

Jerry Gannon, Assistant Police Chief  
Duane Bowman, Development Serv. Director  
Stephen Clifton, Community Services Director  
Brian McIntosh, Parks & Recreation Director  
Noel Miller, Public Works Director  
Rob Chave, Planning Manager  
Debi Humann, Human Resources Manager  
Frances Chapin, Cultural Services Manager  
Scott Snyder, City Attorney  
Sandy Chase, City Clerk  
Jana Spellman, Senior Executive Council Asst.  
Jeannie Dines, Recorder

### 1. APPROVAL OF AGENDA

**COUNCILMEMBER WAMBOLT MOVED, SECONDED BY COUNCILMEMBER OLSON, TO APPROVE THE AGENDA IN CONTENT AND ORDER. MOTION CARRIED UNANIMOUSLY.**

### 2. CONSENT AGENDA ITEMS

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

**A. ROLL CALL**

**B. APPROVAL OF CITY COUNCIL MEETING MINUTES OF MAY 6, 2008**

**C. APPROVAL OF CLAIM CHECKS #104035 THROUGH #104233 IN THE AMOUNT OF \$1,167,167.21 ISSUED MAY 8, 2008, AND #104234 THROUGH #104401 IN THE AMOUNT OF \$442,055.06 ISSUED MAY 15, 2008. APPROVAL OF PAYROLL DIRECT DEPOSITS AND CHECKS #46480 THROUGH #46538 FOR THE PERIOD APRIL 16 THROUGH APRIL 30, 2008 IN THE AMOUNT OF \$837,168.15**

**D. PROCLAMATION IN HONOR OF NATIONAL PUBLIC WORKS WEEK, MAY 18 - 24, 2008**

**E. AUTHORIZATION TO CALL FOR BIDS FOR TREATMENT PLANT CHEMICALS**

- F. **AUTHORIZATION FOR MAYOR TO SIGN ADDENDUM NO. 3 TO THE PROFESSIONAL SERVICES AGREEMENT WITH HDR ENGINEERING, INC. FOR THE LIFT STATIONS 7 & 8 INTEGRATION AND REHABILITATION PROJECT**
- G. **AUTHORIZATION FOR MAYOR TO SIGN PROFESSIONAL SERVICES AGREEMENT WITH HWA GEOSCIENCES, INC. FOR TESTING SERVICES FOR THE LIFT STATIONS 7 & 8 INTEGRATION AND REHABILITATION PROJECT**
- H. **AUTHORIZATION FOR MAYOR TO SIGN ADDENDUM NO. 5 TO THE PROFESSIONAL SERVICES AGREEMENT WITH RH2 ENGINEERING, INC. FOR THE 2003 WATER SYSTEM IMPROVEMENTS PROJECT**
- I. **AUTHORIZATION FOR THE MAYOR TO SIGN A PROFESSIONAL SERVICES AGREEMENT WITH SVR DESIGN COMPANY TO DEVELOP THE 4TH AVENUE CULTURAL CORRIDOR IMPLEMENTATION AND FUNDING PLAN**
- J. **SURPLUS ASSETS**

**3. RECOGNITION OF RECIPIENTS OF EDMONDS ARTS COMMISSION 2008 STUDENT SCHOLARSHIPS IN PERFORMING AND LITERARY ARTS**

Edmonds Art Commission Chair Todd Temmcke explained each year the Arts Commission awards scholarships to Edmonds students pursuing a career in the literary or performing arts. This year scholarships were awarded to Elizabeth Nestlerode, an actress/singer who graduated from Edmonds-Woodway in 2007 who plans to attend the University of Miami to study theater; Anna Barton, a Kings High School student who plans to attend Seattle Pacific University to study creative writing; Jennica Bisbee, a Meadowdale High student who plans to attend the University of Puget Sound to study music performance; and Simon Wood, a Meadowdale High School student who plans to study music performance at Indiana University.

Ms. Bisbee performed a piece on the flute and Mr. Wood performed a piece on the trombone.

**4. UPDATE FROM WASHINGTON STATE FERRIES**

Community Services/Economic Development Director Stephen Clifton introduced David Moseley, Washington State Department of Transportation (WSDOT) Ferries Division Assistant Secretary, John White, Director of Terminal Engineering, Washington State Ferries (WSF), and Rob Berman, KPFF, explaining they would provide an update on the activities including the 2007 State legislation related to the ferry financing study and how it may impact the Edmonds Crossing project.

Mr. Moseley explained the challenge facing the ferry system was to restore public trust and confidence in the ferry system. He anticipated accomplishing this by, 1) providing steady and strong leadership on the issues/challenges they face, 2) focusing on the basics such as ensuring the reliability of vessels and schedules, and 3) prioritizing activities. Their short and long term priorities over the next 1-2 years include, 1) completing the Ferry Financing Study, 2) building new boats, 3) maintaining and preserving vessels, and 4) talking to communities impacted by the ferry service. He advised Mr. White and he walked the existing terminal and the proposed Edmonds Crossing site today. A passing train during offloading of the ferry illustrated the impact the railroad has on the ferry schedule as well as on the City. He acknowledged one of the challenges facing WSF was the Edmonds Crossing project.

Mr. White recalled when he last spoke to the Council, he described the capital budget shortfall. He explained the legislature had provided some clear priorities, 1) addressing safety and preservation, 2)

maximizing the efficiency of the existing system, and 3) improvements related to the outcome of the Legislative studies that provide increased efficiency or address critical deficiencies within the system. He explained there were 6-7 terminals including Edmonds with major improvements efforts. During the interim period before the Financing Study was finalized, they have been reassessing previous plans. The Edmonds and Mukilteo terminals were in a unique category as they were deemed to have significant enough deficiencies to warrant relocating the terminal due to conflicts with local traffic along congested waterfront areas and in Edmonds, conflicts with the railroad. Via this reassessment, they are reassessing at the deficiencies at the existing terminals and ways they could be addressed.

He noted the Environmental Impact Statement for Edmonds had a phased approach; in light of the serious financial issues and vessel replacement/preservation, terminals will be secondary. In Edmonds, the assessment includes ways to scale back the Pt. Edwards terminal to the bare basics/essentials, a functional terminal that addresses the multimodal functionality and postpones other aspects depending on growth and ridership. The assessment of Edmonds also includes looking at the existing terminal to ensure there was valid engineering solution was not overlooked that is less costly than the Pt. Edwards terminal. He commented they recently concluded a similar exercise in Mukilteo and were successful in identifying ways to scale back the initial implementation and reach a more reasonable target.

Mr. White explained there were a variety of studies related to the ferry legislation that would be combined into the long range plan including a co-development study of public/private partnerships with regard to all ferry terminals. He noted the Public/Private Partnership Office in Olympia who are tasked with all public/private partnership opportunities within the WSDOT, have been asked to review all ferry terminals to identify those with the highest degree of opportunity and it appears Edmonds would warrant further assessment. He anticipated identification of a more affordable project would occur this summer/fall and consideration of public/private partnership opportunities would be completed this fall with all information presented to the Governor and State Legislature at the 2009 session. He concluded to get the Edmonds Crossing project back on track would require showing the Legislature that the project was within reach.

Mr. Berman reviewed the Ferry Finance Legislation work program 2006-2009, explaining Legislative direction in 2007 was provided via ESHB 2358 (ferry bill) and ESHB 1094 (budget bill). Those bills provided directives to:

- Washington State Transportation Commission (WSTC) - market surveys and long term financing study,
- Washington State Legislature Joint Transportation Committee (JTC) - Ferry financing phase 2 that includes vessel studies and non-fuel operating costs.
- WSDOT - operational strategies, pricing strategies, vehicle level of service strategies, terminal design standards, ridership forecasts and co-development plan.

He explained this information would culminate in the Revised WSF Long Range Plan and Draft 16-Year Capital Budget that would be presented to the legislature in the 2009 session.

Mr. Berman reviewed the workplan and draft evaluative framework, explaining this was a timeline for completing the Revised Long Range Plan and description of the tasks the WSTC, JTC and WSDOT would undertake. He highlighted activities completed to date including vehicle level of service (boat wait/capacity level of service standard) upon which levels of service would be based and recalculating demand/ridership forecasts which determined ridership forecasts were lower than project in 2006.

He explained their current efforts were focused on pricing and operations. He noted the ferry systems problems could be summarized as a supply and demand problem - too much vehicle demand and not enough terminal or vessel supply. Therefore, they were considering both pricing and operational

strategies to manage the demand. He explained several pricing and operational strategy options would be developed and used to determine how to best manage demand via these strategies. He noted strategies need not be system wide and could be implemented route by route, travel shed by travel shed or terminal by terminal. He highlighted the public comment period on the Revised Long Range Plan anticipated to occur in late 2008.

Councilmember Bernheim urged the ferry system to be conscious of integrating itself into the local community, particularly with new facilities. He recalled when serving as a citizen member of the Transportation Committee and WSF made presentations to the Committee, there was little concern with the impact of ferry operations on the local community versus the effective operation of the ferry system. Next, he referred to the parking lot owned by WSF on the east side of the railroad tracks, recalling at one of the development meetings that parking lot was incorporated into the adjacent property owner's development plans. He relayed the Council's interest in working proactively and hyper-creatively with WSF to produce a government to government solution for development in the waterfront area and did not want it complicated by private interests. He expressed his support for the proposed refashioning of the Edmonds Crossing project, envisioning that project as a huge expenditure of taxpayer funds for a moderate return. He was personally able to tolerate the traffic/train conflicts and did not see the necessity for a multi-million dollar solution. He was interested in a low impact, sustainable, low cost, creative solution such as moving the holding lanes. He supported living with the current situation and developing creative solutions to the multimodal functionality at the existing location.

Councilmember Wambolt thanked Mr. Moseley for his excellent communication including the weekly email updates. He asked whether they were evaluating a price increase to reduce demand. Mr. Moseley answered the Legislature charged them with considering ways to manage peak demand for vehicle space on ferries to spread out the availability of usage of the limited resource (deck space) throughout the day. Peak demand was their primary constraint and caused the most problems both on the vessels and in communities. He acknowledged pricing may be one of the strategies but was not the focus of their effort.

Councilmember Olson commented Councilmember Bernheim may not take the ferry often. As a frequent rider on the Bainbridge Island route, she noted it was much more difficult to catch the Edmonds-Kingston ferry than the Seattle-Bainbridge Island. She found the train conflicts to be a problem. She inquired whether demand was decreasing on the Edmonds-Kingston run. Mr. Moseley answered over time, the demand would increase on all runs; Edmonds was the second highest travel corridor, second only to Bainbridge-Seattle and was the highest vehicle corridor. He noted tonight's discussion illustrated the challenge throughout the system - different points of view; they were tasked with listening and understanding different points of view and to develop options rather than solutions.

Councilmember Dawson expressed her appreciation for the presentation and for the public outreach. She noted everyone wanted a cost effective solution to a ferry terminal in Edmonds. She emphasized Edmonds had not given up on the concept of a long term solution that was truly a multimodal facility that would get people out of their cars and address the traffic conflicts that create havoc in the City particularly on summer weekends. She noted the current location of the terminal and the traffic backups create a barrier between the downtown and waterfront areas that has presented tremendous development challenges and hampered development. She supported the lowest cost solution that addressed these issues, noting the City had been promised a solution for decades.

Mayor Haakenson commented despite Councilmember Bernheim's comments regarding the existing ferry terminal, he (Mayor Haakenson) was not happy with the current location and was unhappy with traffic backups on SR 104. He emphasized the need to allow traffic patterns in neighborhoods to reestablish and to eliminate the traffic lines that extend to Westgate. As the route with the highest vehicle traffic in the

ferry system, he pointed out the only way the traffic problem would be solved would be to move the terminal or via some other temporary solution.

As a person who crosses at SR 104 & Pine Street twice daily, Councilmember Wambolt pointed out the dangers at this intersection would be improved by a traffic signal. He invited Mr. Moseley to visit Edmonds any afternoon, particularly on a Friday, to view the backups and this dangerous intersection.

Mr. Moseley commented he was very cognizant of the need for a government to government solution and they will continue working with City administration and staff.

5. **2008 RECOMMENDATION FROM THE CITIZENS COMMISSION ON COMPENSATION OF ELECTED OFFICIALS**

Human Resources Manager Debi Humann explained the Citizens Commission on Compensation of Elected Officials met every even-numbered year. They began their work in January and per City Code presented their recommendation to the City Clerk on May 5.

**Lisa Speer, Chair, Citizens Commission on Compensation of Elected Officials**, recognized Ms. Humann and Maryann Hardy for providing staff support to the Committee. She introduced members of the Committee: Janice Flaagan, Tony Baron, Deb Anderson, Anne Ball and Rick Bader. She explained the Commission meets very even year and will convene again in 2010. The task of the Commission is to review compensation of elected officials and recommend market rate adjustments so that citizens of the highest quality may be attracted to public service.

She explained the Commission compared 16 cities located in King, Pierce and Snohomish Counties, eight cities larger and eight cities smaller than Edmonds, cities historically utilized for compensation comparison for all union and non-union City employees. The statutory and State constitution prohibits increasing benefits during terms; therefore, any approved compensation changes would become effective with new Council terms beginning January 1, 2010.

She identified data the Commission used in its review of Mayor and Council salaries: population, form of government, position responsibilities, past compensation increases and current compensation and benefits. In comparing Edmonds to the 16 other cities, she explained Edmonds' ranked in the 42<sup>nd</sup> percentile in population and 43<sup>rd</sup> percentile in staff. In comparing the Council and Mayor/City Manager salaries in the other 16 cities, it was determined the Council's salary ranked in the 52<sup>nd</sup> percentile and the Mayor's salary in the 39<sup>th</sup> percentile. She reviewed the Council's base pay salary history 1988 to 2008, noting the last increase was in 2002.

She reviewed the Commission's recommendations for Councilmembers' salary:

- No salary increase - after review of the 16 comparable cities, it was determined the Council was currently at the 52<sup>nd</sup> percentile for salary. Given the current percentile standing, no increase was recommended at this time.
- Eliminate City-paid spouse and dependent health insurance coverage - after review of the 16 comparable cities, it was determined 10 of the 16 either do not offer health insurance benefits to their Councilmembers or pay a cash replacement that was far less than the true amount of the health premium. The only other city that offered a richer health benefit than Edmonds was Puyallup through a self-insured program. The Commission reviewed the recommendations of the 2006 Commission and agreed fully with the need to restructure the health insurance benefit package to bring it more in line with comparable jurisdictions. To achieve the needed restructure,

the Commission recommends continued City paid coverage (90/10) for the Councilmember only and allowing the continuation of spouse and dependents on a self-pay basis.

Councilmember Dawson commented the 52<sup>nd</sup> percentile for Council salaries was for salaries alone; she anticipated with salaries and benefits the Council's salary was significantly higher than comparable cities. She noted the benefits for Councilmembers in some instances would double the Council salary. Ms. Speer agreed the amount varied depending on whether a Councilmember chose health insurance for a spouse and/or dependents.

Ms. Speer reviewed the Mayor's salary history and the Commission's recommendations for the Mayor's salary:

- Increase the Mayor's salary by 3.5% effective July 1, 2008
- Effective July 1, 2009, either the 2009 non-union COLA or a minimum of 3.5% increase
- Add a monthly \$400 deferred compensation comparable with other City Manager/Mayor positions
- No change to the current health insurance package

She explained the proposed increase recognized the Mayor's current compensation was significantly below similar jurisdictions in both salary and benefits. In addition to more generous salary structures, many comparable cities also provide either a deferred compensation benefit or car allowance, in some cases both. The Mayor's salary was currently at the 39<sup>th</sup> percentile as weighted against comparable cities; with the City's practice of paying at the median, the Commission believes their recommendation was warranted.

Councilmember Wambolt observed the Mayor's salary was at the 39<sup>th</sup> percentile, yet the Commission's recommendation was only a 3.5% increase. He noted a more significant increase would be required to bring the Mayor's salary close to the median. Ms. Speer advised consideration was given to a car allowance or deferred compensation and the Commission agreed on deferred compensation to increase the Mayor's salary.

In addition to the Commission's recommendations with regard to Council and Mayor salaries, Ms. Speer relayed the Commission's recommendation that the Council establish a study group for the purpose of investigating means and methods to correlate pay and performance measures of elected officials.

Council President Plunkett asked who would review Councilmembers' performance. Ms. Speer answered the Commission had not determined who would review performance; their recommendation was to establish a group to study implementation. Council President Plunkett asked what type of measurements had been discussed. Ms. Speer answered the reason for performance measures was the Council could allocate resources to desired programs and services and clearly demonstrate the services provided by tax dollars paid. By publishing outcomes, elected officials kept constituents informed and provided an open transparent government. Performance measures institute accountability, provide planning and budgeting tools, evaluate programs and create direction for strategic focus. She concluded the Commission had not discussed the details as it was intended those would be considered by the study group.

Councilmember Dawson commented she was familiar with performance based budgeting and measuring for results but there was no correlation to salaries in Washington State and it was her understand it was illegal to pay government employees based on performance. She questioned whether any jurisdictions paid elected officials based on performance. Ms. Speer was uncertain; their recommendation was for the study group to research that information. Councilmember Dawson commented performance-based

budgeting was an excellent idea but she was uncertain whether it was lawful to tie an elected official's salary to that measurement and she questioned how it would be accomplished.

City Attorney Scott Snyder commented it would be unconstitutional to pay a bonus to a public employee for work performed. He noted compensation schemes that had been held constitutional in other states were based on pre-set performance goals and standards. Councilmember Dawson acknowledged goals could be identified for a department head; she was uncertain how the same could be done for an elected official. She acknowledged it was an interesting concept.

Councilmember Wilson asked for the Commission's perspective on what Councilmembers do and what aspect of their job performance led to Commission's recommendation to establish a study group to investigate means and methods to correlate pay and performance measures of elected officials. Ms. Speer advised they considered the Council as a whole and the basis was the budget and Councilmembers' performance with regard to revenue generation. Ms. Speer advised they considered many aspects including revenue.

Mayor Haakenson announced the Edmonds School District levy was passing with 63% positive vote and the EMS levy was passing with 75% of the vote.

Councilmember Wilson pointed out a number of Councilmembers worked toward the passage of the EMS levy. He emphasized bringing in revenue was not part of a Councilmember's job description. He referred to the Commission's comment regarding attracting citizens of the highest quality to public service. Ms. Speer noted Edmonds City Code 10.80 states the Commission's mandate is to review compensation for elected officials to insure that the citizens of the highest quality are attracted to public service.

Councilmember Wilson commented citizens got what they paid for and if this was an under-performing Council, which as a member of the Council he felt the Council was under-performing, it should not be a surprise to the citizens that the \$600/month compensation provided to Councilmembers did not attract the best and brightest. If there were concerns with the Council, one of the ways to address them was via better compensation.

Councilmember Wambolt asked whether the Commission interviewed any Councilmembers, recalling two years ago the Commission interviewed Councilmembers to gain a better understanding of their responsibilities. Ms. Speer answered she did not believe Councilmembers were interviewed by the Commission. The Commission reviewed information on the website such as committee assignments but that information was not used as a basis for their recommendation. Councilmember Wambolt advised he planned to propose a larger increase for the Mayor.

For Councilmember Dawson, Mayor Haakenson advised the Commission was tasked with making a recommendation; the Council would need to take action on each of the Commission's recommendations.

With regard to whether citizens felt they were getting their money's worth from elected officials, Councilmember Dawson commented citizens had the opportunity every four years to determine whether Councilmembers were paid the existing salary or nothing at all by voting them out of office. She did not share Councilmember Wilson's feeling about the Council's performance, noting she often heard from other Councils and others in the region that Edmonds had a fine City Council that was doing a good job for its citizens. She thought highly of her fellow Councilmembers and the Mayor, finding they were all doing an excellent job.

Councilmember Orvis thanked the Commission for their work, noting it was a thankless job. Ms. Speer agreed it was a difficult job, assuring the Commission focused on the fact that the salaries for incoming/re-elected Councilmembers.

Mr. Snyder explained in 2001 the Legislature amended the State statutes for cities to establish salary commissions; prior to that time, it was a budgetary function of the Council. He pointed out the City's ordinance had one difference from the State statute, under the peer commission format, the Commission files its recommendations with the City Clerk and their recommendations are effective automatically but subject to referendum. When the process was enacted by the Edmonds City Council, they decided the Council would consider and act on the Commission's recommendations. He explained constitutionally the Council could not raise its salary during Councilmembers' term of office, therefore, the Council was voting on the salary of Councilmembers not yet elected. Because the Mayor may not vote on budget appropriations, his salary may be amended at any time during his term of office.

Mr. Snyder explained the current Council benefit process provides for different benefit amounts depending on the Councilmember's marital status and number of dependents. If a Councilmember had a child while in office, their benefit package could increase during their term which was in violation of the State constitutional provision; providing health benefits to a Councilmember would adhere to the State constitutional provision.

**COUNCILMEMBER ORVIS MOVED, SECONDED BY COUNCILMEMBER BERNHEIM, TO CONTINUE CITY PAID HEALTH COVERAGE (90/10) FOR THE COUNCILMEMBER ONLY AND ALLOWING THE CONTINUATION OF SPOUSE AND DEPENDENTS ON A SELF-PAY BASIS.**

Councilmember Orvis commented this matched his personal experience; both of his full-time software positions structured their health benefits in this manner by covering the employee and allowing a pretax deduction for the cost of health benefits for any dependents. His wife's employer, Edmonds School District, provides a dollar amount for every employee and offered various insurance choices. He noted this ensured that benefit dollars were equitably distributed between employees.

Councilmember Wambolt commented in his experience the employer paid the health benefit in full for the employee and a portion of the dependents' health benefit. He commented the current method was equitable as Councilmembers who claim dependents were usually the ones without fulltime jobs and who spent a great deal of time during the day on Council business that Councilmembers who were working did not.

Councilmember Wilson commented he had had a child born while in office. Although the Council's decision would not affect him during this term, as a person employed fulltime with insurance coverage provided by his employer, the ability to transfer his coverage to the City's plan was a financial incentive for him to run for office. He commented if citizens wanted Councilmembers on the Council with children at home, coverage should be provided for their dependents. Since taking office, he had averaged 24.4 hours/week on Council work; the Council's orientation packet anticipated 15-20 hours/week. He summarized a Councilmembers' job was more than attending Council meetings and the salary did not compensate for the number of hours Councilmembers devote to their responsibilities. He anticipated eliminating dependent health benefit coverage would be a disincentive for citizens with families to run for office and had he been on the Council longer, he would view it as a "slap in the face" as a Councilmember with a family. He summarized accepting this recommendation would diminish the voice of young families on the Council.

Councilmember Orvis commented he had a family member covered by the City's plan and if this recommendation passed and he was reelected, he would be unable to cover that family member. He was still in support of the recommendation.

Councilmember Dawson commented Councilmember Orvis would be allowed to cover his son but he would have to pay for it, the taxpayers paid for it now. She supported the motion, pointing out all Councilmembers worked very hard at their Council duties, likely all in excess of 20 hours/week. She supported the recommendation as it made the compensation between Councilmembers equitable. She would also support a dollar amount that could be used for benefits. She concurred with Mr. Snyder's observations regarding the legal uncertainty with the current Council compensation. She noted Edmonds Councilmembers were already paid in the 52<sup>nd</sup> percentile of comparable cities for their salary alone; few cities provided no benefits at all and only one city paid for benefits for dependents. She noted it was rare in any governmental entity or in the private sector that a part-time employee received full medical benefits for their spouse/dependents. She summarized the recommendation regarding health benefits made the system more equitable.

Councilmember Olson commented the Council was paid for four meetings per month in addition to the Council salary, however, many Councilmembers, particularly those with a more flexible schedule, attended more than four meetings per month. She commented the medical benefits compensated for not being paid for the additional meetings.

Councilmember Dawson explained the recommendation was not to take medical benefits away from Councilmembers, spouses or dependents; coverage would be provided for Councilmembers and they would have the ability to purchase medical benefits at the City's rate with pretax dollars for their dependents.

Councilmember Wambolt commented it was his understanding the legal problem was not with covering dependents but with the cost of insurance coverage increasing during a Councilmember's term of office. Mr. Snyder acknowledged there were two problems, he was addressing only one. He explained in addition to a Councilmember that had a child in office, if a Councilmember married or divorced, their compensation fluctuated during their term of office. Constitutionally there were to be no changes in compensation during an elected official's term of office.

Councilmember Wilson preferred to solve this issue in other ways. Mr. Snyder explained his previous concern with compensation for Councilmembers attending outside meetings was addressed previously via a cap on the number of compensated meetings. Similarly, the issue of paid health benefits could be addressed by a cap on the amount of dependent coverage that would be provided during a Councilmember's term of office. Councilmember Wilson commented the cost of covering his wife and two children would be more than his base Council salary.

Councilmember Bernheim supported the taxpayers funding health insurance for Councilmembers but not their spouses or dependents.

Councilmember Dawson commented Councilmember Wilson was being paid twice as much as his base salary via health insurance and the Council's base salary was already in the 52<sup>nd</sup> percentile for other comparable cities. Although the Commission's recommendation was not to increase Councilmembers' salaries; a Councilmember could make a motion to increase Councilmembers' salaries.

**MOTION CARRIED (4-3), COUNCIL PRESIDENT PLUNKETT AND COUNCILMEMBERS BERNHEIM, DAWSON AND ORVIS IN FAVOR; AND COUNCILMEMBERS WILSON, OLSON AND WAMBOLT OPPOSED.**

Council President Plunkett invited the Council to discuss and take action on the Commission's recommendation with regard to the Mayor's salary.

Councilmember Wambolt noted the goal was to attract the most qualified citizens to this position. In three years, an election for Mayor would be held and it was his understanding Mayor Haakenson did not intend to run. Currently there were 12 positions reporting to the Mayor and all were paid more than the Mayor. He questioned the ability to attract qualified people to a position that was the 13<sup>th</sup> highest paid. He noted an approximately 25% increase would be required to raise the Mayor's compensation to the median, an amount equal to the pay for the lowest paid City Manager (Burien).

**COUNCILMEMBER WAMBOLT MOVED, SECONDED BY COUNCIL PRESIDENT PLUNKETT, THAT EFFECTIVE JULY 1, 2008 THE MAYOR'S SALARY BE INCREASED BY \$983 PER MONTH AND BY THE SAME AMOUNT EFFECTIVE JULY 1, 2009 TO BRING THE MAYOR'S SALARY UP TO THE LOWEST PAID CITY MANAGER.**

Councilmember Bernheim observed the Council could increase or decrease the Mayor's salary during his term of office. Mr. Snyder clarified it could not be decreased but could be increased. Councilmember Bernheim suggesting delaying any salary increase until the next Mayor took office, viewing that as an incentive for a future Mayor. He noted the current Mayor ran for office under the current salary and he was uncomfortable approving an increase in the Mayor's salary at this time due to budget constraints.

Councilmember Orvis asked whether the proposed increase would bring the Mayor's salary to the 50 percentile. Councilmember Wambolt answered it would in July 2009. He described how he calculated the increase: the difference between the Mayor's current salary and the lowest paid City Manager was \$1,966; divided by 2 was \$983 on July 1, 2008 and July 1, 2009.

Councilmember Orvis spoke in support of the motion, noting it was in accordance with the L5 salary policy.

Councilmember Dawson spoke against the motion. She agreed if the intent was to attract qualified citizens to the position, the Salary Commission would meet again in two years. She observed the reason the City had a Salary Commission was to allow them to determine the most appropriate recommendation and depoliticize the issue. She would support the Salary Commission's recommendation which was in line with past practice to give the Mayor a COLA consistent with other City employees. She was uncomfortable with second guessing the work of the Salary Commission.

**MOTION CARRIED (5-2), COUNCILMEMBERS BERNHEIM AND DAWSON OPPOSED.**

Mayor Haakenson invited the Council to comment and take action on the Commission's third recommendation, that the Council establish a study group to investigate means and methods to correlate pay and performance measures of elected officials.

Council President Plunkett commented he ran for office to be judged solely by the people of Edmonds; there was no body that could be formed that could pass judgment on him or any other Councilmember. That judgment was reserved for the people of Edmonds, the highest possible judgment, and the formation of a board and performance standards was not reasonable.

Councilmember Dawson commented the concept of looking at performance measures and whether the Council was meeting its goals was worthwhile but questioned whether that should be tied to Council

compensation. She reiterated all Councilmembers received a performance evaluation every four years. She supported the Council setting annual goals and measuring their performance against those goals.

The Council took no action on the Commission's recommendation to establish a study group.

## **6. REPORT FROM THE LAKE BALLINGER WORK GROUP**

Councilmember Wilson introduced Lake Forest Park Councilmember Don Fiene, Mountlake Terrace Mayor Jerry Smith, Mountlake Terrace Mayor Pro Tem Laura Sonmore and Mountlake Terrace City Manager John Caulfield. He explained the Lake Ballinger Work Group was an ad hoc group of five cities within the Lake Ballinger Watershed, Shoreline, Mountlake Terrace, Lake Forest Park, Edmonds and Lynnwood as well as King and Snohomish County Counties, Washington Department of Transportation, Department of Ecology. There were five State Legislators at their last meeting as well as a representative from Congressman Inslee's office and interest has been expressed by the Army Corp of Engineers.

On behalf of the Mountlake Terrace community, Mr. Caulfield thanked the Council for making the Lake Ballinger partnership a priority for Edmonds. He also thanked the Edmonds Public Works and Engineering staff for the time they have devoted to this effort. He explained issues of water quality and ongoing flooding were not new issues within the Lake Ballinger basin and specifically Lake Ballinger. Issues of flooding and water quantity affected not only the lake but an area totally 5 square miles in the five surrounding cities. Mountlake Terrace has been involved since the early 1960 in efforts to maintain the character of the lake when they took a lead role in providing sewer services to citizens to reduce the impact of septic systems on the lake. In the 1970s, 1980s and 1990s, increased emphasis was placed on water quality via improvements to McAleer Creek and Falls Creek.

He explained for the past several years, annual 100-500 year storms could be expected in late November/early December. This past December Mountlake Terrace, like many communities, experienced considerable flooding. He enumerated the impacts of flooding on Mountlake Terrace: over 60% of the city-owned Ballinger Golf Course was underwater causing considerable business loss for the contractor, the boat launch and beach were underwater for much of December, the culvert under 230<sup>th</sup> failed and the roadway and sidewalk above the culvert were undermined and must be replaced, 220<sup>th</sup> and 216<sup>th</sup> were closed for nearly 24 hours, Washington State Patrol closed the off ramp from I-5 to 220<sup>th</sup>, sewer lines flooded causing problems for the Edmonds Wastewater Treatment Plant and there was sewage overflow into Lake Ballinger and Falls Creek.

The following weekend Congressman Jay Inslee met with the City Council to view the impact of the failed culvert, flooding on the golf course and residential properties and expressed his commitment to working with the cities to address flooding. Flooding was a key component of Mountlake Terrace's short and long term federal legislative agenda and was discussed with Congressman Inslee when the Mayor and Mayor Pro Tem met with him in Washington DC earlier this year.

Mr. Caulfield commented although much had been done and the cities, WSDOT, DOE, State and Federal delegation had come together, more remained to be done. Last year Edmonds, Mountlake Terrace and Shoreline agreed to fund a study to identify ways to lower the level of McAleer Creek from Lake Ballinger to I-5 to provide relief to low lying properties primarily in the Edmonds area. This report was expected to be completed later this year. Earlier this year all five cities adopted resolutions supporting development of a strategic action plan for the basin. Since then the staffs of those five cities have been working together to develop an Interlocal Agreement that would provide a mechanism and governing structure for the development and implementation of the action plan. These steps were the result of joint

meetings that had occurred since early 2008. The initial plan was funded with \$200,000 appropriated by the State legislature.

He explained in addition to making Lake Ballinger a key component of their goals and objectives since 2006 and in 2008 - 2010, the Mountlake Terrace Council allocated \$50,000 per year to the Lake Ballinger water quality program as part of their six year Stormwater Capital Improvement Plan (CIP). Mountlake Terrace was also in the process of updating their Stormwater Comprehensive Plan including the identification of approximately \$300,000 to replace the culvert under 230<sup>th</sup>. Mountlake Terrace also adopted stringent stormwater regulations adopted by DOE which coupled with frequent street sweeping and use of catch basin inserts particularly along the 220<sup>th</sup> corridor result in below average runoff into critical areas.

The next meeting of the Lake Ballinger Work Group was scheduled for May 27 in the Mountlake Terrace Council Chambers. The primary purpose of this meeting would be to review the proposed Interlocal Agreement; the Council could expect staff to present the Interlocal Agreement for review and consideration in the next month. Staff representatives would also be developing an RFQ to obtain the services of a contractor to begin an action plan that would be funded with the legislative appropriation.

He concluded Lake Ballinger had long been recognized as a recreational amenity for the residents of Mountlake Terrace and Edmonds and visitors to the area. He was confident that their efforts would safeguard streams and creeks while providing for the recreational uses of Lake Ballinger and its surrounding shoreline. He reiterated his thanks to the Council and staff for moving this partnership forward.

**Lake Forest Park (LFP) Councilmember Fiene** thanked the Council for passing resolution 1164. He commented the intent of this study was not to allow it to languish. As cities continue to grow and develop, stormwater runoff increased and the result was more businesses and transportation systems were affected, infrastructure was damaged and citizens' homes were flooded. As 100 year storms repeat themselves every 2-3 years, citizens were looking for elected officials to take action rather than conducting another study that was not acted upon. He noted the cities all must comply with unfunded mandates of the Clear Water Act including complying with NDPES II permit. He anticipated some of the elements in the permit offered cost savings for the five cities if they worked together rather than individually such as the educational component, the hotline requirement and coordinating basin studies. He noted cities were also experiencing increased pressure due to activities of the Puget Sound Partnership.

He noted by working together via an Interlocal Agreement, there were opportunities for the five cities to obtain county, state and federal funding sources. He noted cities were working together in other ways such as via SeaShore and were having greater impact on transportation agencies and that work could be carried forward into watershed issues. He expected staff would present the Interlocal Agreement to the Council in two weeks, noting each city was encouraged to appoint an elected representative and an alternate and a staff member to carry the effort forward. He emphasized the importance of continued elected official's support of this effort.

Councilmember Wilson recognized Mountlake Terrace staff person Mike Shaw for his knowledge of the Lake Ballinger watershed. Recognizing there was a great deal of political will among the five cities, he questioned how this effort differed from previous attempts to address Lake Ballinger. LFP Councilmember Fiene answered in the past staffs expended a great deal of effort following storms but no action was taken. With the passage of the resolutions, the Councils committed themselves and their cities to addressing the issue. This effort has also led to a great deal of attention from the county, state and

federal legislature. He anticipated there would be a strong enough political commitment to resolving the issues of Lake Ballinger and satisfying the citizens' desire resolve issues related to the lake.

Councilmember Wilson asked him to comment on LFP being a downstream community. LFP Councilmember Fiene commented all cities were downstream communities in some way. To look at the watershed responsibly, no city could accuse another of being the problem; it was more advantageous to view the watershed as a whole. He noted LFP has begun a major update to their stormwater utility program including a study of the hydrology of the upper basin. He commented on the difficulty of developing a CIP based on increasing culvert sizes if consideration was only given to hydrology within the city's borders. LFP has realized via the Interlocal Agreement and looking at the watershed as a whole that determining the best way to solve issues affecting the five communities may require that they expend some of their stormwater utility funds outside their borders. He noted this represented a strong commitment by LFP, a commitment LFP citizens supported.

In response to the question why little has been done to Lake Ballinger in the past, Mountlake Terrace Mayor Jerry Smith commented efforts with regard to Lake Ballinger were suspended 15 years ago to fight Brightwater.

Councilmember Orvis asked whether the Interlocal Agreement would include an assessment. Mr. Caulfield answered the Interlocal Agreement did not require a financial contribution because the first part of the strategic action plan would be funded via the Legislature's appropriation. He anticipated additional funds would be required to complete the study and cities would be asked to make a contribution.

Mayor Haakenson advised he had received the Interlocal Agreement and forwarded it to City Attorney Scott Snyder for review.

## 7. AUDIENCE COMMENTS

**Lora Petso, Edmonds**, requested the Council schedule a public hearing on the revised Park Plan, finding there had been significant changes to the Plan the Council reviewed previously. She noted the correction of errors would allow the public to see the reduction in parks levels of service. For example, the Park Plan now illustrates there were no adult softball fields in Edmonds and no adult softball fields owned by Edmonds. The level of service for neighborhood parks had been decreased to nearly ¼ of the national standard. She suggested staff be provided the opportunity to make continued corrections. She displayed a photograph of a fence identifying an area as a hardhat area, an area the Park Plan identifies as an existing park. She urged the Council to give the public an opportunity to comment on the revised plan including whether the changes to the aquatics proposal met the needs of those who attended the last hearing or raised new issues and whether the changes to the waterfront language met the desires of the public.

**Al Rutledge, Edmonds**, commented on three issues, Lake Ballinger, estimates developed for a pool bond in 1995 and 1998, and the May 14 presentation by Stevens Hospital to the Planning Board. He assured there were no plans to move Stevens Hospital.

**Roger Hertrich, Edmonds**, expressed concern documentation not available tonight for Item 8, particularly when there had been numerous changes to the document that was resented at the public hearing. As his understanding was the changes were considerable, he suggested Agenda Item 8 be only a discussion and another public hearing be scheduled on the Plan. Next, he asked if WSF provided an answer to the question of whether Mr. Gregg had a deal with them with regard to the parking lot property and requested the City obtain an answer to that question. With regard to the suggestion to relocate the

parcs maintenance facility in the former Public Works facility during construction of a new facility, he suggested moving the parks maintenance facility to the former Public Works facility permanently. With regard to salaries, he was surprised the Council approved a substantial increase for the Mayor.

Mayor Haakenson explained in his discussions with WSF today, they advised they were not interested nor did they have a deal in the works to sell the parking lot until after the Ferry Financing Study was completed.

**Ray Martin, Edmonds**, commented this Council's performance was at or near the highest level he had seen in 38 years. Next he spoke regarding the South County Senior Center, commenting the City and Snohomish County supported the Center via a \$60,000 annual contribution and United Way provided \$27,000. The 2008 Recreational Services Agreement between the Center and the City states the Center agrees the funds are to be exclusively used for providing recreational, health or social service programs for senior citizens of Edmonds and that any funds not used in that manner would be refunded to the City and that other use of those funds would be grounds for termination of the agreement. He questioned the Board's expenditure of \$2500 earlier this year to pay an attorney for the old guard's attempt to prevent the membership from a vote for the Board of Directors and/or officers. He had been unable to obtain any records regarding this expenditure from the Center. He summarized this was only one example of the "out of control management" of the Senior Center. He urged the Council to take appropriate action to ensure an election of all positions occurred as soon as possible and recommended that funding be withheld if the obstructionism of the old guard continued.

**Dave Page, Edmonds**, agreed with Mr. Hertrich and Mr. Martin. With regard to Council salaries, he pointed out most Councilmembers "rode into office on a passion." He recalled attending Councilmember Olson's fundraiser and her interest in giving back to the community. He continued to be impressed with her service, noting she was someone who could disagree with you without being disagreeable. He summarized the amount the position paid was not a consideration by these Councilmembers; they ran due to their passion to serve the community. He disagreed citizens got what they paid for; sometimes they got more than they paid for and sometimes less. He described attending a strategic planning meeting for a realtor organization where most of the discussion was about how to increase their salaries. He applauded the Council for their efforts.

#### **8. APPROVAL OF THE PARKS, RECREATION AND OPEN SPACE COMPREHENSIVE PLAN AND COMMUNITY CULTURAL PLAN UPDATES**

Parks & Recreation Director Brian McIntosh explained the Plans were reviewed by the City Council on March 18, 2008 and a public hearing was held on April 15, 2008. At the public hearing the Council received comments from 14 citizens and provided guidance to staff to strengthen language in certain areas, particularly with regard to an Aquatics Center, the economic importance of the parks system, and public space and amenities for public purposes in the Downtown Waterfront Activity Center area. The Council also requested staff review possible Plan inconsistencies cited in the public participation portion of the hearing.

Following the April 15 presentation by staff and consultants and the public hearing, staff fine-tuned both plans for accuracy and incorporated amendments suggested by City Council, reviewing and strengthening language in three major areas: Aquatics Center, economic benefits, and public space/amenities in the Downtown Waterfront Activity Center. In addition staff followed up on questions from public testimony and submissions, and conducted extensive review to make modifications for accuracy and consistency. He noted the revisions to the Plan were highlighted in yellow.

Councilmember Wambolt inquired about the citizens' request for another public hearing due to the extensive changes. Mr. McIntosh responded this was a general six-year Plan that could be changed. He viewed the changes as housekeeping and not a change to the essence of the Plan. He reminded 40 volunteers were also been involved in the Plan update.

Councilmember Wambolt inquired about Mr. Hertrich's comment that the Plan was not available to the public. Mr. McIntosh advised the changes requested by the Council were incorporated into the revised Plan and the Plan was available on the City's website. Councilmember Wambolt did not object to scheduling another public hearing to ensure the public had an opportunity to provide input.

City Attorney Scott Snyder commented anytime there were substantive changes to a GMA-based document, a public hearing was required. In this instance, the changes were based on the public hearing, correction of errata and Council direction; therefore, there was no legal reason to hold another public hearing. He pointed out approval of the resolution provided conceptual approval to bring the Plans forward for formal adoption at a later date when there would be more public hearings. Conceptual approval was necessary to meet a grant requirement; formal adoption of the Comprehensive Plan would occur later this year and any substantive changes could be addressed at that public hearing. Further, as the Council reviewed other Comprehensive Plan element, it may be necessary to make additional revisions to the Park and Cultural Plans.

Council President Plunkett noted this item was scheduled on tonight's agenda to allow staff to meet a deadline. Mr. McIntosh answered the deadline for the Recreation and Conservation Office (RCO) grant was June 2. If the Plan was not approved by the Council, staff could not pursue the grant request. Once the Council gave their conceptual approval of the Plans, they would be adopted along with other Comprehensive Plan elements later this year when there would be additional opportunities for public input.

For Councilmember Bernheim, Mr. McIntosh reviewed Table 4.2, Level of Service by Facility Type, Existing and Proposed. Councilmember Bernheim pointed out the table illustrated the City was below the recommended national standards in all five park categories (neighborhood, community, regional, special use and open space). Mr. McIntosh agreed, noting these were recommended national standards and Edmonds predated national standards. He noted this comparison did not recognize partnership with schools or school property. He noted the City also had a great deal of waterfront park areas that most communities did not have.

Mayor Haakenson clarified Mr. Hertrich's concern was the revised Plans were not available in the notebook in Council Chambers tonight. Mr. McIntosh advised to his knowledge all the revisions to the Plan were available on the City's website. Council President Plunkett referred to a note contained on the paper packet that due to the volume of exhibits, paper copies were not included and all exhibits were available on the City's website and on file in the Clerk's office.

Planning Manager Rob Chave clarified Mr. McIntosh was requesting approval of the Plans, there would not be a follow-up public hearing prior to adoption. If the Council wished to hold a subsequent public hearing, it would need to be scheduled. If the Council approved the Plans, the next step would be adoption via an ordinance. The next public hearings the Council would hold would be on Comprehensive Plan amendments requested by individuals. Any changes the Council made to those amendments plus the Parks Plan would be adopted by Council later this year and no additional public hearings were scheduled.

**COUNCILMEMBER WAMBOLT MOVED, SECONDED BY COUNCILMEMBER ORVIS, TO EXTEND THE MEETING TO 11:00 P.M. MOTION CARRIED UNANIMOUSLY.**

Council President Plunkett observed if the Council wished to hold another public hearing, it would need to be scheduled. Mr. Snyder explained this was a preliminary approval of this element for inclusion in the formal adoption of the Comprehensive Plan amendments which was done once per year. There would be public hearing on any revisions to the other elements and the Council could expand the notice for those public hearings to include this item.

Councilmember Wilson commented he did not object to proceeding without an additional public hearing due to the explanation provided by staff. He did object to passing a document with the intent of changing it later, noting when the Council passed a document, it became the policy of the City. He pointed out the revised Plan contained two major changes: the previous Parks Comprehensive Plan stated an aquatics center would be the first priority and the revisions reduced park inventory. He concluded reducing the prioritization of an aquatics center and reducing parks inventory were major policy issues he would not support. Further if the City did not aspire to meet national standards, he questioned what goals the City had with regard to parks. Mr. McIntosh clarified the Park Comprehensive Plan reflected an increase in total park acreage. The goal was to consider any property available for purchase as park land and that goal was reflected throughout the Comprehensive Plan. Acquisition of waterfront for public use has always been one of the City's primary goals.

Councilmember Wilson understood Ms. Petso's comments that there had been a decrease in park inventory. Mr. McIntosh assured there had not been a decrease in park acreage; the level of service numbers changed slightly due to a difference in classification. He assured the goal throughout the Plan was to consider property for park land in all park types as it became available. Councilmember Wilson asked whether this was a more ambitious Park Plan than the previous Plan. Mr. McIntosh answered these were not new Plans but updates to the existing Plans.

Due to the grant deadline, Council President Plunkett suggested approving the Plans and scheduling another public hearing.

**COUNCILMEMBER PLUNKETT MOVED, SECONDED BY COUNCILMEMBER OLSON, TO ADOPT A RESOLUTION TO APPROVE UPDATES TO THE PARKS, RECREATION AND OPEN SPACE COMPREHENSIVE PLAN AND COMMUNITY CULTURAL PLAN.**

**COUNCILMEMBER BERNHEIM MOVED, SECONDED BY COUNCILMEMBER PLUNKETT, TO REVISE THE FIRST SENTENCE ON PAGE 4.5 UNDER DETERMINATION OF DEMAND STANDARD FOR REGIONAL PARKS TO READ, "IT IS RECOMMENDED FOR THE CITY TO PROVIDE ADDITIONAL REGIONAL FACILITIES WHERE POSSIBLE, ESPECIALLY ALONG THE WATERFRONT AND WITHIN THE DOWNTOWN WATERFRONT ACTIVITY CENTER."**

Councilmember Bernheim explained his intent was to designate the potential for additional regional facilities within the Downtown Waterfront Activity Center.

Councilmember Wambolt spoke against the motion, viewing this language as a major addition to the Plan. Councilmember Bernheim disagreed, noting the next paragraph referred to acquiring property and partnering with the property owner for public access on property in the Downtown Waterfront Activity Center.

**MOTION CARRIED (4-3), COUNCILMEMBERS BERNHEIM, ORVIS AND DAWSON AND COUNCIL PRESIDENT PLUNKETT IN FAVOR; AND COUNCILMEMBERS WAMBOLT, WILSON AND OLSON OPPOSED.**

**COUNCILMEMBER BERNHEIM MOVED, SECONDED BY COUNCIL PRESIDENT PLUNKETT, TO ADD A PURPLE STAR ON THE RECOMMENDED PLAN FACILITIES MAP REPRESENTING A PROPOSED COMMUNITY REGIONAL PARK WITHIN THE VICINITY OF THE DOWNTOWN WATERFRONT ACTIVITY CENTER.**

Councilmember Bernheim clarified his intent was not to purchase the entire Antique Mall property, but to include in the Park Plan the potential for a community regional park of any size within that area, either a bench, stage, tourist kiosk, etc. Mr. McIntosh advised the revised Plan Facilities map contained a circle entitled Possible Public Amenity in Downtown Water Activity Center.

**COUNCILMEMBER BERNHEIM WITHDREW HIS MOTION WITH THE AGREEMENT OF THE SECOND.**

**MAIN MOTION CARRIED (5-2), COUNCILMEMBER WAMBOLT AND COUNCILMEMBER WILSON OPPOSED.**

**9. PLANNING BOARD RECOMMENDATION ON DESIGN STANDARDS FOR THE BD1 ZONE**

Mayor Haakenson advised this item was for information only and was scheduled for a public hearing on July 15.

Planning Manager Rob Chave agreed this was an opportunity for the Council to ask questions prior to the public hearing. He explained the Planning Board considered the items the Council referred and worked with the Historic Preservation Commission (HPC) and Architectural Design Board (ADB) who agreed the design standards should be forwarded to the Council and the Planning Board would continue discussions with the HPC on other concepts such as a waiting period on demolition, modifications to design review in the BD1 zone, etc.

Council President Plunkett inquired regarding the SEPA threshold in the BD1, recalling there was interest in lowering that threshold. Mr. Chave answered that had not been done; the Planning Board wanted to have further discussion regarding that issue. The ADB was interested in revising the design review standards for what was reviewed by the ADB but were unable to determine what the standard should be.

Council President Plunkett expressed interest in lowering the SEPA threshold and recalled the Council had discussed the SEPA threshold being too high in the BD1. He noted the HPC considered the BD1 a special area and wanted it renamed the Heritage Center to ensure developers were aware it was heritage sensitive. Mr. Chave advised the public hearing would be on the design standards as proposed; Council should provide further direction regarding any other changes. Mr. Chave did not view the name change as significant although it may be helpful to advertise that a name change was being considered for the BD1 zone. He noted it would be very important to advertise any change in design review thresholds as that was a major change. He clarified the Planning Board wanted to work with the HPC to determine the standards and suggested waiting for a recommendation from the Planning Board on that specific issue. He agreed to communicate to the Planning Board that the Council wanted them to pursue lowering the threshold in the BD1 and renaming the BD1 zone the Heritage Center.

Councilmember Orvis commented the proposed design standards contained numbers that would be included in the code versus guidelines. Mr. Chave agreed this specific language would be incorporated into the design standards for the BD1 zone.

Councilmember Orvis asked how the recommendation for 75% transparency was determined. Mr. Chave answered it was a generally accepted urban design standard for downtown retail and had been cited by Mr. Hinshaw in his presentations.

Councilmember Wilson asked how form-based zoning related to the proposed design standards. Mr. Chave answered form-based zoning was a new planning conceptualization that incorporated design standards and design guidelines in codes. The problem with traditional codes was they identified what could not be done but did not necessarily identify the desired result. Form-based codes were more directive and identified what the City wanted developers to achieve with their design. He advised the City's code was a hybrid. As staff continued its work on zoning classifications there would be more form-based codes particularly in areas where the intent was to protect or enhance the current visual character or areas that were expecting a great deal of change to occur such as on Hwy. 99.

#### **10. REPORT ON CITY COUNCIL COMMITTEE MEETINGS OF MAY 13, 2008**

##### Community Services/Development Services Committee

Council President Plunkett reported the Committee was provided a report on City Park maintenance facility pre-design study that considered various alternatives for replacing the park maintenance building in City Park. The recommended alternative would create a one story building on the existing site with a total project cost of \$2.7-\$3.5 million and would require relocation of the park and facilities maintenance to the old Public Works buildings for one year. Staff also provided the Committee a report on the South County Senior Center building; the biggest challenges facing the building area seismic and structural deficiencies that could cost up to \$4 million. Staff will continue to work with the Center's Board of Directors to develop a long term capital plan for the Center. The Committee discussed the potential Meadowdale annexation; 48 households have expressed interest in annexing. The next steps are for staff to look into utility issues and to draft a joint resolution for consider by the Edmonds and Lynnwood City Councils. The final item was an update on the code rewrite which included discussion of expanding the use of a technique known as form-based zoning in the Title 16 rewrite. Staff will work with the Planning Board to refine the concept and make a presentation to the Council in the future.

##### Finance Committee

Councilmember Orvis reported the Committee was provided a report on the Verizon franchise negotiations contract increase which will be included in the next budget amendment. Next, the Committee reviewed the first quarter budget report which revealed REET revenues were below projections and sales tax receipts have held their own through April. Staff provided the Committee a report on surplus assets which was approved on tonight's Consent Agenda. The Committee received an update on the 2009-2010 utility rate study. The final item the Committee discussed was a policy regarding contracting with former employees and staff was directed to prepare an ordinance for Council consideration.

##### Public Safety Committee

Councilmember Dawson reported staff provided the Committee a report on acquisition of property next to Fire Station 16. A previous Council negotiated a right of first refusal; the property was now available. The Fire Department administration and union provided information regarding the need for this property for future use for administration and training facilities. An Executive Session was scheduled on May 27 to establish a purchase price. She noted the property acquisition was not presented to the Council this week pending the outcome of the EMS levy vote. The Committee also reviewed the Police Department's multiyear plan.

#### **11. MAYOR'S COMMENTS**

Mayor Haakenson reported Lynnwood was holding a public open house regarding the Olympic View Drive improvements on Thursday, June 5 from 7:00 to 8:00 p.m. at Renggli Hall, St. Thomas More Catholic Church at 6405 176<sup>th</sup> SW.

Mayor Haakenson recalled during discussions regarding the Senior Center at the last meeting, he agreed to provide a report to the Council. He planned to speak to the Senior Center Board tomorrow evening and would provide a report to the Council at the next meeting.

Mayor Haakenson recalled questioning the name change of the Deer Creek Hatchery to the Willow Creek Hatchery during Councilmember Wambolt's report on the Port of Edmonds. He subsequently received a call from Edmonds Laebugten Salmon Chapter of Trout Unlimited reminding him that he had authorized them to have staff prepare a new sign identifying the hatchery as Willow Creek instead of Deer Creek as the origin of the name Deer Creek was unknown. He advised the Salmon Chapter was holding an open house May 31 and June 1 from 10:00 a.m. to 4:00 p.m. Activities include trout fishing for children and tours of the hatchery.

## **12. COUNCIL COMMENTS**

Council President Plunkett expressed his pleasure at working with an outstanding group of Councilmembers who were all overachievers, intelligent, and independent.

Councilmember Dawson reminded of the Sound Transit open house on May 21 at the Lynnwood Convention Center, an opportunity for residents of Snohomish County and particularly South Snohomish County to expressed their opinions regarding whether a measure should be placed on the November ballot and what type of projects to include. She encouraged residents of South Snohomish County provide input to avoid having all the public comment from residents of Seattle. She encouraged residents who were unable to attend the meeting to email their comments via Sound Transit's website or to contact her.

Councilmember Olson advised she had been diagnosed with ALS. She thanked everyone for their support and advised she would remain on the Council as long as her voice lasted.

Councilmember Wilson encouraged Councilmember Olson to remain on the Council as long as she wished.

Councilmember Wilson referred to a letter from three members of the Snohomish County Council to Allegiant Air expressing opposition to their proposal to provide service to Las Vegas from Paine Field. He recalled Mukilteo requested the City contribute funds to their effort and suggested scheduling a discussion on a future agenda. Council President Plunkett advised Mayor Haakenson and he met with Mukilteo's Mayor and they requested funds to assist with legal services. He anticipated the funds could be discussed during the budget unless it was necessary to appropriate the funds sooner. Mayor Haakenson commented it would be beneficial and symbolic to discuss the matter and allocate funds soon as three members of the Snohomish County Council as well as the Snohomish County Executive have expressed their opposition and he issued a press release reiterating the City's position with regard to commercial air service at Paine Field. Councilmember Wilson commented a \$5,000 - \$10,000 contribution would allow them to share information; Mukilteo has budgeted \$250,000.

With regard to Stevens Hospital, Councilmember Wilson relayed an individual visited his office wanting to ensure if the EMS levy passed he did not have to go to Stevens Hospital. Councilmember Wilson concluded this was indicative of the public's perception of the care provided at Stevens Hospital. He

noted there was increasing concern among Board Members that the administration offered one view and often did not reflect the Board's view. He noted when Mr. Carter made a presentation to the City Council last year, his resume stated in his previous CEO position at Good Samaritan Hospital, he developed a 10-year capital plan. Councilmember Wilson pointed out Mr. Carter left Good Samaritan in 2002 and it was put up for sale in 2003. At the time the sale closed in 2006, the capital need was \$400 million. He concluded it was important for the Hospital Board and community to have as much objective information as possible and that the process be as transparent as possible.

Mayor Haakenson commented while speaking at a Rotary luncheon today, a gentleman relayed that the Stevens Hospital emergency room saved his life last week. He cautioned Councilmember Wilson against characterizing one person's opinion as public sentiment. Councilmember Wilson responded Stevens Hospital's performance, based on patient surveys, was rated in the 6<sup>th</sup> percentile in the nation.

Councilmember Wambolt reported Mayor Haakenson, Councilmember Olson and he planned to meet with Stevens Hospital CEO Michael Carter on May 23 in an effort to obtain clarification from him regarding what was happening with the hospital.

Mayor Haakenson advised of the Jazz Connection this weekend.

13. **ADJOURN**

With no further business, the Council meeting was adjourned at 11:00 p.m.