

EDMONDS CITY COUNCIL APPROVED MINUTES

August 14, 2012

The Edmonds City Council meeting was called to order at 6:01 p.m. by Mayor Earling in the Council Chambers, 250 5th Avenue North, Edmonds. The meeting was opened with the flag salute.

ELECTED OFFICIALS PRESENT

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

STAFF PRESENT

Jim Lawless, Assistant Police Chief
Phil Williams, Public Works Director
Shawn Hunstock, Finance Director
Leonard Yarberry, Building Official
Rob English, City Engineer
Sandy Chase, City Clerk
Jeannie Dines, Recorder

1. APPROVAL OF AGENDA

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

2. APPROVAL OF CONSENT AGENDA ITEMS

Councilmember Bloom requested Item B be removed from the Consent Agenda.

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

A. ROLL CALL

B. APPROVAL OF CLAIM CHECKS #133554 THROUGH #133690 DATED AUGUST 9, 2012 FOR \$500,591.96. APPROVAL OF PAYROLL CHECK #51592 DATED AUGUST 6, 2012 FOR \$960.64.

ITEM B: APPROVAL OF CITY COUNCIL MEETING MINUTES OF AUGUST 6, 2012.

Councilmember Bloom requested the minutes be amended on page 21 to reflect that she voted no on the motion to delay Items 9 and 10.

COUNCILMEMBER BLOOM MOVED, SECONDED BY COUNCILMEMBER BUCKSHNIS, TO APPROVE ITEM B AS AMENDED. MOTION CARRIED UNANIMOUSLY.

3. RESOLUTION TO REJECT ALL BIDS RECEIVED ON AUGUST 9, 2012 FOR THE MAIN STREET DECORATIVE LIGHTING AND SIDEWALK ENHANCEMENTS PROJECT (5TH AVE TO 6TH AVE)

Public Works Director Phil Williams reported there were four bidders; none of the four bids were responsive in that the paperwork they submitted was deficient primarily in the area of compliance with

the MBE/WBE goal for the project of 13%. The apparent lower bidder did not meet the goal of 13% and failed to articulate reasons to justify it, the second lower bidder also did not meet the goal, the third low bidder apparently met the goal but did not provide the necessary certifications from the subcontractors, and the fourth bidder failed to meet the goal.

Discussions with the Federal Highway Administration (FHWA) and Washington State Department of Transportation (WSDOT) have failed to identify a way this could be rectified in a timely manner. The goal is to begin construction September 10. It was decided the best course of action was to reject all the bids and re-advertise. WSDOT has approved a two week re-advertisement of the project and staff has scheduled the bid opening for August 27, 2012. The process requires the Council to pass a resolution rejecting the first bids.

Councilmember Buckshnis asked whether the Council should have rejected the bids first and then re-advertised tomorrow. Mr. Williams answered that would have been ideal; often staff brings the Council a resolution to reject all bids and authorization to re-advertise. In this case staff had the Council's authorization to advertise for bids; there are no changes proposed in the project. In order to meet the schedule, it was imperative to re-advertise as soon as possible. Re-advertising yesterday will allow bids to be opened August 27 and the Council to consider award of the project at the August 28, 2012 Council meeting. That will provide adequate time to award the contract, issue notice to proceed, mobilize and begin the project by September 10 and complete it by November 16.

COUNCILMEMBER FRALEY-MONILLAS MOVED, SECONDED BY COUNCILMEMBER BUCKSHNIS, TO APPROVE RESOLUTION 1281, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EDMONDS, WASHINGTON, TO REJECT ALL BIDS RECEIVED ON AUGUST 9, 2012 FOR THE MAIN STREET DECORATIVE LIGHTING AND SIDEWALK ENHANCEMENTS PROJECT. MOTION CARRIED UNANIMOUSLY.

4. AUDIENCE COMMENTS

Alvin Rutledge, Edmonds, recommended elected officials be required to have their signatures notarized. He recognized Snohomish County has jurisdiction over elections. He also recommended the City adopt an ethics code.

Roger Hertrich, Edmonds, relayed a rumor that the ferry dock at the end of Main Street was not moving to the Unocal property and the millions spent on cleanup of the Unocal site were for naught. The rumor he heard was there is interest in constructing an underpass for ferry loading and spending \$50,000 to lobby the State legislature. He recommended the City work out a plan to either move the ferry or eliminate the idea completely.

5. MAYOR'S COMMENTS

Mayor Earling reported on the City picnic held today; 140-150 staff members attended. Most directors and managers were involved with serving food.

6. COUNCIL COMMENTS

Councilmember Petso suggested the Public Safety & Personnel Committee consider the authority and duties of the Council President and the Committee Chairs as it relates to agenda setting.

Councilmember Johnson reported she represented the Council at the Arts Commission's summer concert in the park on Sunday. It was a beautiful day and 500 people attended the concert by Tingstad and Rumbel. She encouraged the public to attend the remaining two summer concerts.

Council President Peterson relayed the concern over agenda setting was the vote the Council took at the end of the last week's meeting regarding step-backs and retail only in the BD1 zone. The reason those items are not scheduled on tonight's committee meeting agendas is both staff members were on vacation. He assured he was not trying to ignore the will of the Council.

COUNCIL PRESIDENT PETERSON MOVED, SECONDED BY COUNCILMEMBER BUCKSHNIS, TO RECONSIDER THE VOTE TO SEND ITEMS 9 (RETAIL ONLY ZONE IN BD1) AND 10 (STEP-BACKS) THROUGH COMMITTEE NEXT WEEK AND SCHEDULE THEM ON THE FOLLOWING COUNCIL MEETING FOR DISCUSSION AND POTENTIAL ACTION.

For Councilmember Fraley-Monillas, Council President Peterson explained if Council wanted these items to go to committee, he could schedule a special Parks, Planning and Public Works Committee meeting on Monday, August 20. Councilmember Fraley-Monillas found that a reasonable alternative.

MOTION CARRIED UNANIMOUSLY.

Council President Peterson asked whether the Council wanted to schedule a special Parks, Planning and Public Works Committee meeting on Monday, August 20 or have the items simply come to full Council.

Councilmember Fraley-Monillas responded she would be satisfied with either of Council President Peterson's suggestions or the items could be scheduled for the September committee meeting. Council President Peterson preferred not to delay these items for a month due to upcoming budget deliberations.

Councilmember Buckshnis commented the items do not necessarily need to be reviewed by committee; Councilmember Johnson has heard the items at the Planning Board, Councilmember Yamamoto and she heard it at the EDC and Councilmember Petso understands step-backs.

Councilmember Petso preferred to schedule a special Parks, Planning and Public Works Committee meeting on Monday, August 20.

COUNCILMEMBER PETSO MOVED, SECONDED BY COUNCILMEMBER FRALEY-MONILLAS, TO SCHEDULE A SPECIAL PARKS, PLANNING AND PUBLIC WORKS COMMITTEE MEETING ON MONDAY, AUGUST 20 AT 11:00 A.M. TO DISCUSS THE TWO ITEMS REFERRED TO COMMITTEE. MOTION CARRIED UNANIMOUSLY.

Council President Peterson advised he will confirm the exact location of the meeting in City Hall with staff. The meeting will be noticed.

Councilmember Buckshnis reported on the staff picnic, commenting on the number of staff with lengthy service. Awards were given to employees for 5 – 30 years of service.

Councilmember Fraley-Monillas reported she also attended the staff barbeque and found it a lot of fun to talk with staff. She thanked the Chamber of Commerce and sponsors of this year's Taste of Edmonds. She was a judge and had a wonderful time.

7. ADJOURN

With no further business, the Council meeting was adjourned committee meetings at 6:25 p.m.