

# EDMONDS CITY COUNCIL APPROVED MINUTES

## June 24, 2014

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

### **ELECTED OFFICIALS PRESENT**

Dave Earling, Mayor  
Kristiana Johnson, Council President Pro Tem  
Lora Petso, Councilmember  
Strom Peterson, Councilmember  
Joan Bloom, Councilmember  
Adrienne Fraley-Monillas, Councilmember  
Thomas Mesaros, Councilmember

### **ELECTED OFFICIALS ABSENT**

Diane Buckshnis, Council President

### **STAFF PRESENT**

Phil Williams, Public Works Director  
Shane Hope, Development Services Director  
Jerry Shuster, Stormwater Eng. Program Mgr.  
Cindi Cruz, Program Coordinator  
Bertrand Hauss, Transportation Engineer  
Frances Chapin, Arts & Culture Program Mgr.  
Jeff Taraday, City Attorney  
Linda Hynd, Deputy City Clerk  
Sandy Chase, Senior Executive Council Asst.  
Jeannie Dines, Recorder

### **1. ROLL CALL**

Deputy City Clerk Linda Hynd called the roll. All elected officials were present with the exception of Council President Buckshnis.

**COUNCIL PRESIDENT PRO TEM JOHNSON MOVED, SECONDED BY COUNCILMEMBER PETERSON, TO EXCUSE COUNCIL PRESIDENT BUCKSHNIS. MOTION CARRIED UNANIMOUSLY.**

### **2. APPROVAL OF AGENDA**

**COUNCILMEMBER FRALEY-MONILLAS MOVED, SECONDED BY COUNCILMEMBER PETERSON, TO APPROVE THE AGENDA IN CONTENT AND ORDER. MOTION CARRIED UNANIMOUSLY.**

### **3. APPROVAL OF CONSENT AGENDA ITEMS**

**COUNCILMEMBER FRALEY-MONILLAS MOVED, SECONDED BY COUNCILMEMBER PETERSON, TO APPROVE THE CONSENT AGENDA. MOTION CARRIED UNANIMOUSLY. The agenda items approved are as follows:**

**A. APPROVAL OF CITY COUNCIL MEETING MINUTES OF JUNE 17, 2014**

**B. APPROVAL OF CLAIM CHECKS #209132 THROUGH #209243 DATED JUNE 19, 2014 FOR \$412,792.31. APPROVAL OF PAYROLL DIRECT DEPOSIT AND CHECKS #60998 THROUGH #61009 FOR \$461,909.91, BENEFIT CHECKS #60997 AND #61010 THROUGH #61015 AND WIRE PAYMENTS OF \$386,265.08 FOR THE PERIOD JUNE 1, 2014 THROUGH JUNE 15, 2014**

#### 4. AUDIENCE COMMENTS

**Peter Laylin, Edmonds**, representing the Train Horn Noise Advisory Committee, noted the TIP includes the installation of a Trackside Warning System at the Dayton and Main Street railroad crossings. He encouraged the Council to adopt that system as part of Capital Improvement Program (CIP) and begin finding ways to fund it. He provided the Council the 2008 study done by Railroad Controls Limited. Although trackside/wayside horns would not completely eliminate horn noise, the reduction in overall noise impacts would be substantial as illustrated on pages 10 and 11 of the study. The wayside horns would also be more economical compared to other approaches; the 2008 study estimated the cost at \$200,000 and the current estimate in the TIP is \$350,000. The committee takes no issue with other solutions that have been proposed such as Edmonds Crossing and the trench and believe those and others should be included in the alternatives study that is awaiting funding from the legislature. Installation of a trackside warning system at Main and Dayton Street crossings is independent of and will not interfere with the study of more expensive long term proposals. He urged the Council to include the wayside horn in the CIP and in the next budget.

**Darlene McLellan, Edmonds**, recommended retaining the 4<sup>th</sup> Avenue Corridor in the TIP. Improvements for the 4<sup>th</sup> Avenue Corridor began with comments by the Planning Commission prior to 2006 and the creation of a downtown art corridor in that zone and specific vision highlighting the importance of economic development with a great deal of public input was finalized in 2009. Walking the corridor illustrates the need to update the sidewalks and the angle of the street to the curbs, transportation improvements for pedestrians and vehicles as well as economic development. It is important to have a foundation of well-planned infrastructure before any long term development occurs. This has been a highlighted area since 2009 because it supports and strengthens the arts community as well as enhances and extends downtown. There is strong community investment in 4<sup>th</sup> Avenue as a cultural corridor as reflected in the recently updated Community Cultural Plan and the Parks Plan. Signage, color and occasional activities are on the horizon in an effort to remind the community that long term planning has not been forgotten for the 4<sup>th</sup> Avenue Cultural Corridor. She urged the Council to retain this key downtown transportation in the 2015-2020 TIP.

**Steve Shelton, Edmonds**, described his involvement in the community including serving on the ECA Board and the Snohomish County PFD Board and expressed support for retaining the 4<sup>th</sup> Avenue Cultural Corridor project in the TIP. As early as 2004 many organizations including the Planning Commission, a Citizen Advisory Group, Parks Department, Arts Commission developed the idea of 4<sup>th</sup> Avenue Arts Corridor. Those concepts are still sound such as infusing art into every opportunity, emphasizing the uniqueness of Edmonds, encouraging economic growth, emphasizing the environmental health of the City and making it pedestrian friendly. The original vision was to connect the ECA with the downtown business community. Ten years later, Edmonds is much busier and a safe pedestrian environment is even more important. He commented on uses along the corridor including the ECA that over 40,000 people visit each year, the conference center and the church. For public safety sake alone, he encouraged the Council to include the 4<sup>th</sup> Avenue Arts Corridor in the TIP.

**Jack Loos, Edmonds**, a member of the ECA Board and the Chamber of Commerce Board, viewed the 4<sup>th</sup> Avenue Art Corridor as more than a corridor, he viewed it as an arts highway. When the Chamber formed its Arts & Culture committee, they found the arts community may be the largest single group of businesses in Edmonds. There have been many successful events and recognition of people important to the arts community, the success of the Arts festival and of the ECA, 4<sup>th</sup> Avenue is a treasure that many towns are envious of and provides a great way to get from the ECA to downtown. He emphasized the value of this connection being a safe, study and comfortable way to get through and around the City.

**Kurt Griener, Edmonds**, referred to his previous comments to the Council regarding a quiet zone where trains would not sound their whistle at the Dayton and the Main Street crossings. He described his background, ensuring the safety of commercial vessels while in the Coast Guard and working as an accident reconstruction expert since his retirement. He explained there are two ways to establish a quiet zone, 1) installing additional gates, or 2) installing wayside horns at each crossing. The citizen group who initially proposed this recommended additional gates at crossings; this would be the best to reduce noise but also expensive. Because the expense may be a major consideration, they are now recommending installation of wayside horns at the crossings. After visiting a crossing in Tacoma at Carver Street and Ruston Way that utilizes this methodology he was satisfied the wayside horn was appropriate for the crossings in Edmonds; it is less intrusive than train whistles, provides equivalent protection, is less expensive and hopefully the City will fund it. Videos and information on wayside horns are available at [www.Edmondsquietzone.org](http://www.Edmondsquietzone.org).

**Ron Wambolt, Edmonds**, said comments made at last week's Council regarding the 4<sup>th</sup> Avenue Arts Corridor indicate some Councilmembers are not familiar with the project which he noted was somewhat understandable because it has been some years since the project was in the limelight. The primary purpose of the 4<sup>th</sup> Avenue Arts Corridor is expansion of the arts community and economic development; enhanced safety is a byproduct. He noted pedestrian safety remains a concern in that area; one month ago a woman was killed at 4<sup>th</sup> Avenue & Bell Street. The 4<sup>th</sup> Avenue Arts Corridor has been fully vetted and there has been a massive amount of citizen involvement. He recalled when he was on City Council in 2006-2009 participating in a workshop where citizens broke into small groups to help develop concepts for corridor. There were many other opportunities for citizen input and he suggested Frances Chapin speak to the Council about that process. The project was supported by the community; it was only the downturn in the economy that caused its delay.

**Joe McIalwain, Executive Director ECA**, said an investment in the creation of the 4<sup>th</sup> Avenue Corridor Enhancement Walkway Project would result in a long list of benefits for the City, businesses in the downtown core and citizens. A safer walkway along 4<sup>th</sup> Avenue between the ECA and downtown with vastly improved lighting, establishment of crosswalks and rebuilding footpaths would create a much safer corridor for patrons of ECA to move to and from restaurants, galleries and shops in the downtown core and provide a much safer walking environment along the corridor for all members of the community. He noted events at the ECA create a lot of pedestrian activity between the ECA and downtown and it is currently not a very safe environment. This project would address many of those issues as well as address critical infrastructure needs including the replacement of sewer lines. Establishment of a one-way traffic pattern and refiguring parking could further improve safety and traffic flow along the corridor from Main Street to the ECA. The creative design of the corridor along with installation of artwork, attractive aesthetic elements would help further brand Edmonds as a destination for arts and cultural activities and events and could be an attraction for out of town visitors. The perception of an easy walk between ECA and downtown would encourage patrons to walk from the ECA to downtown rather than driving. He urged the Council to retain funding for the 4<sup>th</sup> Avenue Corridor in the TIP.

**Gretchen Johnston, Director, Edmonds Conference Center**, explained she served on the committee when the planning was done for the 4<sup>th</sup> Avenue Corridor and has been looking forward to those improvements to help market their space for events. The street and sidewalks are currently not a very good space and there is a great deal of flooding during heavy rains. Although not a long walk to downtown, it is very dark walk especially at night in the winter. She envisioned the 4<sup>th</sup> Avenue Arts Corridor would encourage people to walk to downtown. The Edmonds Conference Center looks forward to marketing itself as located on the cultural corridor. She encouraged the Council to keep it in TIP, commenting it is important for economic development as well as for the citizens of Edmonds.

**Alvin Rutledge, Edmonds**, commented the art community had a dream; the 4<sup>th</sup> Avenue Cultural Corridor was intended to bring in events and assist with economic development. He recommended it be retained in the TIP.

**Ken Reidy, Edmonds**, commented on February 25, 2014, the Council passed Ordinance 3962 to provide amnesty for wireless facilities established as of August 5, 1998, knowing the wireless facilities now owned by AT&T were built without permits. The City proved its willingness and ability to go back in time and address conduct that took place long ago. In passing Ordinance 3962, the City also showed it has the ability to grant amnesty and grandfather actions that were not legally initiated. The City has done this before; on August 26, 2008, the Council passed Ordinance 3692 which protected accessory building that existed as of January 1, 1981. The related public hearing minutes document that staff's intent was to establish a grace period for structures that existed prior to January 1, 1981 and that staff would not pursue those building as nonconforming. If a code enforcement complaint is filed against AT&T's wireless facility, he questioned whether the Council would discuss Ordinance 3962 in its "private meetings" and still choose to take steps to require AT&T to remove its wireless facility from the Commodore Condominium building. The City ordered him to remove his accessory building with full knowledge that Ordinance 3696 was passed so staff would not pursue buildings like his as nonconforming. The City did so even after discussing Ordinance 3696 and his building in the City's "private meetings." Next, it has been stated the biggest issue at the start of 2007 was the code rewrite and \$300,000 was budgeted. However, the code rewrite has not been completed. On December 21, 2010, although the code rewrite was not complete, the Council voted to approve funding for a strategic planning process as part of the 2011 budget. He questioned the City's ability to complete the Strategic Plan if it failed to complete the code rewrite that was budgeted long before the strategic planning process began.

**Roger Hertrich, Edmonds**, recommended the public hearing on the TIP be continued as the public had not had an opportunity to review information provided to the Council. With regard to his comment at the last meeting that he had heard Mayor Earling pulled the funding for 4<sup>th</sup> Avenue Cultural Corridor, he learned what actually happened was funding was moved to 2020, the project was not taken off the TIP. With regard to Sunset Avenue, he hoped the City would not spend \$150,000 in local funds in 2015 on that project. He referred to a problem with the funding and suggested the City be more honest in its requests. With regard to the items added to TIP, he said a public hearing was held only for the 212<sup>th</sup> restriping.

**Alex Witenberg, Edmonds**, referred to police dog, Rocky, who passed away today, explaining police dogs are a valuable resource in fighting crime as well as endearing the police toward youth. He recalled seeing police dogs and local law enforcement at Edmonds Night Out, a great opportunity for kids to meet and have a positive interaction with police at a young age. He recognized the valuable years of service Rocky provided to the City in helping to fight crime as well as helping steer youth toward positive lifestyles and being productive members of society.

## **5. PRESENTATION ON STRATEGIC PLAN IMPLEMENTATION**

Mayor Earling explained the Strategic Plan was a two-year process that included extensive outreach to the community. Former Community Services/Economic Development Director Clifton and the consultant, Tom Beckwith, were the authors of the Plan. At the recent Association of Washington Cities Conference, Edmonds was awarded a meritorious award for the Strategic Plan, emphasizing the extensive public research that went into assembling the Strategic Plan. He presented the award to Mr. Clifton.

Mr. Clifton commented although he was the City's Strategic Action Plan (SAP) Project lead, he acknowledged and gave special recognition to the Economic Development Commission (EDC), the Planning Board, and Councilmembers who provided input throughout the two-year process. He thanked them for attending six public retreats, community workshops and providing comments for consideration as the planning effort progressed. He also recognized Mayor Earling and department directors for their

contributions that helped shape the outcome. He thanked Program Coordinator Cindi Cruz, Arts and Culture Program Manager Frances Chapin and Planning Manager Rob Chave for their considerable contributions including regularly providing input and ideas and helping to review consultant materials. The plan exists because the EDC and the Planning Board proposed undertaking a strategic planning process in 2010. He thanked the Council for funding the plan and the numerous citizens who participated in workshops and surveys. A total of 2,500 comments were provided during the process; the citizens are in part why the City received this award.

Mayor Earling advised along with the award, the City Council also received a certificate. He emphasized the work of the Planning Board, the EDC, Mr. Beckwith and staff in developing a plan that gained State recognition. Mayor Earling introduced Cynthia Byrne, the consultant hired to move forward the 86 items in the Strategic Plan.

Ms. Byrne explained this is one of a number of updates that will be provided over the next year regarding facilitation of the implementation of the SAP. She was hired two months ago; the intent of tonight's presentation is a macro overview. She provided a general overview of how the SAP serves the City:

- The SAP is the City's roadmap to the future, allowing for cohesive decision-making of policies and programs.
- The SAP was approved by the Council in April 2013. It is not a legal document but a fluid living document that will evolve over time.
- The SAP was created over a two-year period
- The outreach program consisted of surveys, charrettes and focus groups
- Approximately 2,500 people participated in the numerous public outreach efforts

She described her work product over the one-year contract:

- Work with stakeholders to coordinate assignment of a primary lead to each of 86 action items
- Create a first-level work program for implementation – a blueprint of how each action item will be addressed, identifying funding challenges, timelines and conflicts as well as other roadblocks
- Create more awareness and cooperation throughout the community with multiple stakeholders during her outreach effort

She explained a working group has been created that is comprised of variety of organizations that were instrumental in the creation of the SAP. The working group has met three times and will meet three more times between now and the end of 2014. The role of the working group for the first year of this implementation effort is:

- Role 1: Sounding board for ideas of how to move the SAP forward
- Role 2: To give feedback
- Role 3: Create synergy

Ms. Byrne provided general statistics:

- |  |    |
|--|----|
| • Total action items                       | 86 |
| • Action items with committed primary lead | 76 |
| • Action with unconfirmed primary lead     | 5  |
| • Action items without a primary lead      | 5  |
| • Completed action items                   | 4  |
| • Action items started and in motion       | 42 |
| • Action items not yet started             | 44 |

She described what to expect in her next presentation in September/October:

- Discuss each action item that has been accomplished

- Discuss each action item that has financial challenges
- Give an updated report on the general statistics

At the first quarter 2015 Council presentation she will present a technical working document for implementation that clarifies language details of the SAP. She summarized the SAP is a visioning document that has taken a great deal of time and resources to produce. A few action items are simple to implement but many are more complex and will require long term collaboration of community organization as well as strong sources of funds.

Council President Pro Tem Johnson thanked Ms. Byrne for the work she has done, stating she has energized the working group. She acknowledged the participation of four directors including Mr. Clifton, Ms. Hite who assisted with the consultant selection process, and Ms. Hope and Mr. James who participate in the working group. She also recognized Councilmembers Fraley-Monillas, Buckshnis, Peterson and herself who have been involved in the process. Mayor Earling clarified the four Councilmembers were not in the room at the same time.

For Councilmember Mesaros, Ms. Byrne listed the participants in the working group: the four Councilmembers, Planning Board Member Phil Lovell, Edmonds Port Director Bob McChesney, Development Services Director Shane Hope, Program Coordinator Cindi Cruz, Finance Director Scott James, PFD Board President Bob Rinehart, EDC Members Nathan Proudfoot and Darrol Haug, Senior Center Director Ferrell Fleming, Parks & Recreation Director Carrie Hite and Chamber President & CEO Greg Urban. Councilmember Mesaros asked how often the working group meets. Ms. Byrne explained she asked to meet once a month for her first three months and then every other month through the end of the year.

## **6. UPDATE ON DOWNTOWN EDMONDS CULTURAL HERITAGE TOUR GRANT PROJECT**

Arts and Cultural Program Manager Frances Chapin distributed a “Stages of History” Walking Tour brochure. The total project budget is \$48,000. She provided the following information:

- Project recommended in original 4<sup>th</sup> Avenue Cultural Corridor Plan (2009) funded partially with Preserve America grant
- Preserve America grant funding through the Department of the Interior, National Park service – \$24,000
- Matching funds: City of Edmonds, Edmonds Arts Festival Foundation and Hubbard Foundation – \$24,000
- Project partners – funding, historical research and property owners

She described project elements:

- Community history outreach (community members, artist, staff, Historical Museum, Historic Preservation Commission)
- 12 interpretive panels highlighting downtown history
- Create website – Edmonds Stages of History, QR code on each panel
- Walking tour brochure (available on website and printed)

Ms. Chapin described community outreach:

- Community meeting, press releases, presentation to Senior Center Board, Museum Board and Edmonds Arts Festival Foundation (EAFF) Board
- Interviews with community members, collection of photographs and other information
- Work with Edmonds Historical Museum staff and members of the Historic Preservation Commission (HPC)

She described artist selection and concept development:

- RFQ approved by City Council and competitive process to select artist Judith Caldwell, a Seattle sculptor with strong background in public art
- Artist conducted extensive research on Edmonds and presented proposal for design and location of plaques, reviewed by Selection Committee, Arts Commission, HPC and a historic preservation consultant
- “Stages of History” concept approved, the stage or proscenium form, reflecting strong history of arts in Edmonds, and sculptural elements reflecting site specific historic element in combination with text and historic photographs

Ms. Chapin displayed a photograph of the artist working in her studio. She explained the 12 plaques, constructed of stainless steel, brass and bronze plaques, include sculptural pieces created by the artist, historic photographs and text. She circulated a plaque depicting the history of houses on 4<sup>th</sup> Avenue. Three plaques have been installed, the remainder will be mounted on posts that staff is in the process of installing. She displayed the walking tour brochure that gives general background, the location of 12 plaques and the website where additional information is available.

She thanked the many partners who contributed to the project including the Arts Commission and Arts Festival Foundation. She invited the public to the project dedication on Thursday, July 17 at 5 pm in front of the Edmonds Museum. The first plaque in the series is at the ECA and last is at the Museum.

Councilmember Mesaros relayed his observation of several other historical plaques downtown and asked why they were not included in the brochure. Ms. Chapin answered the HPC and Arts Commission eventually hope to have a master map of public art, historic plaques and interpretive panels. She acknowledged some of the site overlap; for example one plaque will be located on Main Street outside the old telephone office where there is also a bronze HPC plaque.

Mayor Earling requested the order of Agenda Items 7 and 8 be reversed as there is a paid consultant present for Item 8.

**8. UPDATE ON PERRINVILLE CREEK STORMWATER FLOW REDUCTION AND RETROFIT STUDY**

Stormwater Engineering Program Manager Jerry Shuster advised this is information only, no action is required. The primary goal of the study is to reduce stormwater flows in Perrinville Creek. These high stormwater flows in a naturally steep stream channel with easily erodible stream banks have resulted in negative effects on the creek’s aquatic habitat, water quality and on City infrastructure.

**Rick Schaefer, Tetra Tech**, displayed a photograph of Perrinville Creek midway down creek where there is a drop of seven feet. He displayed a map of the Perrinville Creek Watershed and described its boundaries and provided information about the watershed:

- 800 acres
- Urbanized plateau
- Edmonds and Lynnwood (partner in project)
- Steep ravine

He described the need for the project:

- Elevated flows in creek
- Channel scour
- Undermined slopes
  - Slope failures

- Degraded habitat
- Water quality impacts
- Sediment deposition
- Risk of flooding culvert
- Fish impassable culvert
- Ongoing maintenance costs to remove sediment

Mr. Schaefer displayed and described photographs of eroding reaches, depositing reaches, an aerial view of the delta in Brown’s Bay, and the sediment facility before and after cleaning. Councilmember Mesaros asked how long it takes to clean the sediment facility. Mr. Shuster answered two days.

Mr. Schaefer described project goals and benefits:

- Goals:
  - Reduce high flows in the creek by controlling runoff
  - Reduce channel scour
  - Protect channel slopes from failure
  - Reduce sediment transport downstream
- Benefits:
  - Protect culvert from blockage
  - Reduce frequency of maintenance
  - Reduce risk of flooding below Talbot Road
  - Protect water quality
  - Protect habitat
  - Enable fish-passable culvert replacement

Mr. Schaefer displayed and reviewed a diagram of watershed processes. He described the scope of work and status:

<b>Task</b>	<b>Status</b>
1. Define basin hydrology	Completed
2. Define target conditions in creek	Completed
3. Identify opportunities for control	Completed
4. Geologic/geotechnical investigations	Completed
5. Evaluate performance of flow reduction options	June
6. Public information and engagement	Ongoing
7. Recommended flow reduction plan	September
8. Stream flow monitoring	Completed
9. Project management	Ongoing
10. Pre-design and report	October

He described the basin hydrology study:

- Model simulation:
  - Current conditions
  - Projected outcomes
- Flow monitoring improves accuracy and enhances confidence

He described the Stream Geomorphology study:

- Channel stability
- Resistance to scour

Mr. Schaefer described reducing scour in stream channel:

- Approach:
  - Reduce peak flow magnitudes
  - Reduce the frequency of high flows
- Objectives:
  - Reduce amount of time creek flows exceed the scour threshold
- Mechanisms:
  - Reduce the volume of stormwater runoff and slow its approach to the creek
  - Increase the stream channel's ability to resist scour

He displayed a geologic map and described geologic exploration:

- Defines infiltration potential
- Profiles till/outwash contact
- Informs selection of methods

He reviewed photographs of example methods such as bio-retention/rain gardens, minor adjustment to the outlet structure of a detention pond in the Blue Ridge development, modifying the infiltration facility at the foot of Lynndale Park to be more effective. He displayed a map of candidate projects and described the projects:

- Flow control
  - Regional control facilities
  - Optimize existing facilities
  - Low impact development (LID) facilities
  - Onsite techniques
- Stabilization
  - In stream protections

Next steps include:

- Evaluate effectiveness of retrofits in reducing scour
- Assess costs and benefits
- Community meeting this summer
- Draft and final reports
- Predesign of priority projects

Mr. Schaefer recognize the USEPA and the Department of Ecology for grant funding, noting the flow monitoring and geotechnical explorations would not have been possible without their funding.

Councilmember Bloom relayed her understanding that scour is when a fast influx of water undercuts the bank of the stream. Mr. Schaeffer agreed, explaining the material that is cut is carried downstream and is deposited in the lower reaches, in the culvert or in the sediment trap. Material deposited downstream increases the risk of flooding.

Councilmember Bloom asked the term for the material deposited in Browns Bay. Mr. Schaefer answered it is a delta or fan of deposited soils that bury things. He noted urban runoff and sediment contains pollutants/contaminants. Councilmember Bloom observed the goal of the study is to reduce the scour and create places where runoff could be absorbed in LIDs. Mr. Schaefer answered yes, before it reaches the creek. Councilmember Bloom asked if the goal was to clean the water before it reaches Browns Bay. Mr. Schaefer answered yes, one of the goals is to reduce the impact on Browns Bay.

Councilmember Bloom asked how many homes will affected and whether will there be mitigation, LID projects or rain gardens done on private property. Mr. Schaefer answered the projects they identify will be on lands controlled/owned by the City such as public right-of-way, parks, etc. which make up only 30%

of the basin; the remainder is under private ownership including the school district, residences, businesses, churches, etc. The City encourages voluntary actions to mitigate onsite impacts such as rain gardens, cisterns, etc. The proposed study is only on public property.

Councilmember Bloom asked about private property. Mr. Shuster pointed out a lot of the private property was developed before stormwater controls were mandated; that water is picked up by the public system. The City is beginning a rain garden program to encourage residents to manage the water on their own property and to reduce impact on the public system.

Councilmember Petso relayed her understanding that it is necessary to get a handle on the sediment issues prior to addressing the culvert at Browns Bay outlet. Mr. Schaefer explained the purpose of replacing that culvert is to improve fish passage. Before the culvert project is undertaken, the City wanted look at the downstream effects and whether it can be mitigated in the stream without creating an undue risk.

Councilmember Petso asked whether there were projects that could be undertaken if the City acquired additional property and whether that was within his scope of work. Mr. Schaefer answered there are some places that would be natural to intercept flows and there have been projects in other areas to expand the capacity of a facility via a collaborative approach between the right-of-way and the nearby property owner. Those could be considered as candidate projects that are advanced during design. Councilmember Petso expressed support for pursuing that in the same way the City reached out to Lynnwood as a natural partner. She noted some private property owners, Snohomish County or the school district may be interested if it could be demonstrated their property was useful for the project.

Public Works Director Phil Williams viewed this as three different approaches to the problem, 1) short term projects that can be done on public property, partnering with Lynnwood, identifying property for larger infiltration properties, 2) encouraging private property owners to embrace the same ideas and technologies via an educational effort and possibly incentives, 3) the 2012 ecology stormwater manual that must be adopted by end 2016 makes the use of LID techniques mandatory as properties redevelop over time.

Mr. Schuster advised the next step is a community meeting in early august.

7. **POTENTIAL ACTION ON THE 2015-2020 SIX-YEAR TRANSPORTATION IMPROVEMENT PROGRAM (TIP)**

Public Works Director Phil Williams explained this is the annual effort to adopt the TIP. The proposed 2015-2020 TIP was reviewed by Parks, Planning & Public Works Committee on June 10 and a public hearing was held by the Council on June 17. No action was taken last week and the Council requested it be scheduled on tonight's agenda for continued discussion. Transportation Engineer Bertrand Hauss was present to answer questions.

Councilmember Petso explained one of the reasons she wanted an extra week was to review the changes between the TIP that was included in the Council packet and the TIP that was distributed to the Council at the meeting. One of the changes she found was the funding for the 4<sup>th</sup> Ave corridor was initially in 2015-2017 and has been moved out to 2018 and beyond. Mr. Williams agreed, explaining if a project is on the TIP and no funding has been identified, the City is obliged under GMA to place the project in the last 3 years, the unconstrained portion of the plan. Projects without identified funding are shifted a year every year.

Councilmember Petso commented another change was the trackside horn, it was initially \$350,000 in 2015 and now there is \$70,000 in 2015 and the rest in 2018. She asked the reason for that change. Mr. Williams indicated the funding years could be changed if the Council identifies a funding source. He did

not anticipate that project would be a great candidate for grant funding and likely would need to be self-funded by the City. It was included in the TIP with \$70,000 next year to develop the project further and possibly do design, seek approval from the railroad, etc. The capital portion of the project was scheduled out a few years where projects are unconstrained.

Councilmember Petso asked if there were any other major changes. Mr. Williams answered the five projects that Mr. Hauss highlighted last week are new projects on this year's TIP. There may be dollar changes throughout document such as updated estimates. Anything significant was highlighted by staff.

Councilmember Petso noted during audience comment last week and this week there were comments regarding alternative designs for the Sunset Walkway and a preliminary draft of the 4<sup>th</sup> Avenue Cultural Corridor; she has not seen either of those documents. Mr. Williams suggested it would be best to ask Ms. Chapin or Ms. Hite about the 4<sup>th</sup> Avenue Corridor project. He saw early versions of the 4<sup>th</sup> Avenue Cultural Plan that included sidewalk treatments. Mr. Hauss provided him a copy of the implementation plan for the 4<sup>th</sup> Avenue Corridor which Mr. Williams offered to provide to Councilmembers.

Councilmember Petso relayed her hope that the Sunset Walkway would focus on the south portion of Sunset rather than the entire length. She asked about the option staff is currently considering. Mr. Williams answered staff is working with the consultant to develop a sketch. There was a great deal of concern with the geometry on Sunset, how it would work with existing driveways, whether it would be safe, fire access, parking,, etc. and many other legitimate questions and concerns. He proposed a test project for a year that would be primarily paint – mark an 8-foot walkway starting at the curb on the west side of the street where it has been proposed to be built, a 2-foot transition/mountable curb, parking where it currently exists immediately to the west, and a 13-foot travel lane marked as a sharrows, along with proper signage. Nothing would be done on Caspers. He recalled the Council wanted to take a breather from the project and during that time the consultant has been developing a sketch for the Council's and the public's consideration.

Councilmember Petso asked how the plans fit together; she is supposed to adopt the TIP but it is not entirely consistent with other plans. For example the TIP has a bike lane on 76<sup>th</sup>, the Comprehensive Plan has a bike lane on 84<sup>th</sup>, the TIP does not include the alternatives study but the Comprehensive Plan does. Mr. Williams explained it is not entirely unusual for plans to be out of sequence as plans are revised. He noted the CIP includes the alternatives study but he did not think it necessary to include the alternatives study in the TIP. Once the study is conducted and a project identified, it would be included in the TIP so funding could be sought to implement it. Councilmember Petso asked whether there was a requirement that they be consistent. Mr. Williams answered the CIP that is developed as part of the 2015 budget should include the five new projects proposed to be added to the TIP.

Councilmember Petso observed the SR-104 study is in the TIP but the alternatives study is not. Mr. Williams answered the SR-104 study may develop a capital program and specific projects could be incorporated into project plans.

Councilmember Petso relayed in researching the statutory provisions related to the TIP, there are a number of things that need to be done besides an annual update such as declaring what will be done if the railroad is ever surplus. Mr. Williams answered he was not aware of that requirement but would look into it.

Council President Pro Tem Johnson provided introductory remarks, explained the TIP is a budget tool used by City as well as Puget Sound Regional Council (PSRC) in coordinating transportation grants. The City Council had a thorough discussion last week and held a public hearing which is now closed. Many of the Council's questions last week were regarding the process, the addition of five projects to the TIP and

the grant funding process. Tonight the Council will continue that discussion and she was hopeful the Council could reach agreement and approve the TIP in time for the July 1 deadline. This discussion is scheduled for 45 minutes and to facilitate the discussion, she suggested utilizing the round robin format in which each Councilmember allows others to speak before they speak a second time.

Councilmember Bloom referred to Councilmember Petso's question about focusing on the south end Sunset that the City owns and asked whether the sketches were for all of Sunset, the majority of which is owned by BNSF. Mr. Williams agreed the walkway is on BNSF property for a good portion of its length. The Sunset Avenue Overlook morphed into an overlook and walkway. That walkway project is on the existing TIP and CIP. The City received grant funds because the project included a pedestrian connection from the waterfront to the new sidewalks on 3<sup>rd</sup>. He clarified the project staff is pursuing is a walkway not just overlook.

Councilmember Bloom recalled at the 2-3 public meetings the Council held regarding Sunset, one of the directions of Council was to look at what could be done if a walkway was constructed only on the south end of Sunset that the City owns. She pointed out that was never pursued by staff. Mr. Williams did not recall any specific direction from the Council to eliminate the walkway on Sunset and focus efforts on developing an overlook and whatever walkway would be necessary to reach the overlook. Councilmember Bloom asked the location of the overlook. Mr. Williams answered it was at the south end at approximately the Edmonds Street alignment where the railroad right-of-way veers west.

Councilmember Bloom asked City Attorney Jeff Taraday to explain the relationship between the Comprehensive Plan, the Transportation Plan, the TIP, the CIP and the CFP. Mr. Taraday explained the Comprehensive Plan has several mandatory elements; two that are pertinent to this discussion are the Capital Facilities Plan (CFP) element and the Transportation element. The CIP, while not specifically referenced in State law, is a subset of the CFP for the next six years. The City is required to have a six year plan to finance capital facilities within projected funding capacities and clearly identified sources of funding; this is what Edmonds calls the CIP. The CFP element looks out at least 20 years.

Mr. Taraday explained the Transportation element has required sub-elements; one of those is the finance sub-element. The TIP is referenced in the Transportation element section of GMA. Like the CIP, the TIP is a six-year financing plan for street, pedestrian, bicycle, transit, etc. projects. All of these plans should be more or less consistent with each other; the statute requires the Transportation element be consistent with the TIP. However, because the TIP is adopted by July 1 and the Comprehensive Plan is typically amended toward the end of the year there may be a period of time when they are not perfectly consistent. He summarized the CIP and CFP are broader than just transportation projects; the TIP is only transportation projects.

Councilmember Bloom asked whether the Council must vote to approve the TIP by July 1. Mr. Taraday advised the statute states the TIP must be adopted annually before July 1. Councilmember Bloom asked whether the Council could adopt the TIP next week. Mr. Taraday answered the City would not be in compliance with the statute if the TIP is not adopted by July 1.

Councilmember Bloom asked whether a public hearing was required prior to adopting the TIP. Mr. Taraday answered yes. Councilmember Bloom observed documents in the packet for last week's public hearing are not consistent with the documents the Council is considering tonight. She asked how the Council could have a public hearing when citizens were not privy to the changes that were distributed to Council at the meeting. Mr. Taraday agreed it was not ideal; the purpose of a public hearing is to gather feedback from the public to make a determination regarding the TIP. He referred to the verbs in the TIP statute, review, determine, prepare and adopt. The public hearing is intended to inform that determination of needs and preparation of the plan. Acknowledging there is a statutory mandate to hold a public hearing

and to adopt the TIP by July, he pointed out the TIP may be revised at any time by a majority vote of the Council.

Councilmember Bloom relayed the trackside horn project changed in two ways, 1) in the allocation of funding from \$70,000 in 2015 and the remainder in 2018, and 2) the title was changed from Trackside Horn to Trackside Horn and Railroad Quiet Zone. Those changes were not presented to the public. She asked whether there were any additional changes other than the funding years for the 4<sup>th</sup> Avenue Corridor. Mr. Williams answered he did not believe so, pointing out no new projects were added and no projects were removed. The funding amounts for those projects did not change; the year the funding is allocated was changed. He agreed the title of the Trackside Horn was changed to include Railroad Quiet Zone in the event it was possible to pursue a full quiet zone.

Councilmember Fraley-Monillas referred to the Sunset Walkway, relaying her understanding of Mr. Williams's explanation is that he is interested in painting the 8-foot width of the walkway on Sunset and moving bikes and skateboards into a sharrow. Mr. Williams explained the minimum width of a multiuse pathway is feet; 10 feet had been proposed previously and although he felt 10 feet was the right width, due to the concern with geometry, he suggested trying 8 feet in an effort to compromise and show the City is listening to input. Painting the walkway would give people an opportunity to use the space for a period of time, possibly for a year, to see how it works and determine where the sore spots are.

Councilmember Fraley-Monillas asked how the sore spots would be determined. Mr. Williams answered observation, monitoring and creating opportunities for the public to provide input such as surveys. Councilmember Fraley-Monillas asked whether staff would continue working with BNSF during that year to obtain a use agreement. Mr. Williams answered yes, recognizing BNSF's cooperation would be needed to build anything on Sunset. He noted BNSF would likely be interested in learning how the geometry works and it would provide another year to work with BNSF.

Councilmember Fraley-Monillas liked the idea of painting on the road. She relayed her understanding staff would not pursue the overlook at Edmonds Street during that year. Mr. Williams agreed, noting there is very little limitation on that project other than funding. The Caspers alignment created a great deal of questions; staff is satisfied there is sufficient space to develop a solution that the neighbors would support. Most of the questions are in regard to the north two-thirds of Sunset Avenue.

Councilmember Mesaros referred to Councilmember Bloom's intimation that the Council gave direction to staff regarding pursuing opportunities on the south end of project. He recalled staff asked for comments/input and the Council provided comment/input but he did not recall a formal request by the Council. Mr. Williams recalled there was discussion about the possibility of building the overlook and the walkway necessary to reach it, developing the eastside as a walkway with a crosswalk to reach it and a narrower multiuse path. Staff planned to return to the Council with a recommended geometry after looking at all those options.

Councilmember Mesaros relayed his understanding that approving the TIP did not approve a design for Sunset. Mr. Williams answered it did not; retaining the project in the TIP allows staff to move forward with something but that something will require Council approval.

Council President Pro Tem Johnson observed the trackside warning system is of great interest to many citizens and will require local funding. Mr. Williams agreed that note was included in the draft TIP. He was not aware of another source of funds although staff will watch for opportunities. Council President Pro Tem Johnson assumed the expenditure in 2015 would be a study/evaluation of the costs and products with implementation anticipated three years later. She asked whether there was an advantage to that sequence. Mr. Williams answered some studies have been done regarding this in the past; in 2008 and

2009 vendors demonstrated the effectiveness of trackside/wayside systems which appear to dramatically reduce objectionable noise, typically over 70 decibels. He was uncertain what changes had occurred in technology or costs since 2008; the estimate in the TIP is 60% higher than the vendors estimated in 2008.

Councilmember Petso clarified what she recalled about the proposal for the south portion of Sunset was an enhanced sidewalk of some sort to a wider area and then ending to encourage pedestrians to loop back to downtown although she acknowledged many would cross and continue north on Sunset. The reason for that proposal was that portion of the project did not generate public resistance. There were objections to nearly all other aspects of the project including the safety of the multiuse pathway, BNSF's ownership of the property, etc. Councilmember Mesaros relayed he recalled that discussion but did not recall any formal Council direction to staff.

**COUNCILMEMBER BLOOM MOVED, SECONDED BY COUNCILMEMBER PETSO, TO CHANGE THE WORDING OF THE SUNSET AVENUE WALKWAY TO PROVIDE AN OVERLOOK AND WALKWAY ON SUNSET ON PROPERTY SOUTH OF THE BNSF OWNED PROPERTY.**

Councilmember Bloom relayed there has been significant objection regarding the specifics of the project from property owners on Sunset as well as many people who use the area. As previously stated, she is not interested in developing property that is owned by BNSF. She did not support further funding of the project now or in the future due to implications of shoring up the hillside to hold the walkway, the cost exceeding \$2 million and because the City does not own the property.

Councilmember Fraley-Monillas was opposed to removing the project from the TIP until staff has a year to continue discussions with the railroad. The Council can revisit including it in the TIP if staff does not get the desired results with BNSF. She summarized it would not hurt to keep the conversation going.

Councilmember Mesaros preferred to leave the Sunset Avenue Walkway in the TIP as currently stated in order to keep the City's options open.

**MOTION FAILED (1-5), COUNCILMEMBER BLOOM VOTING YES.**

**COUNCIL PRESIDENT PRO TEM JOHNSON MOVED, SECONDED BY COUNCILMEMBER PETERSON, TO APPROVE RESOLUTION NO. 1322, A RESOLUTION OF THE CITY OF EDMONDS, WASHINGTON, APPROVING THE 2015-2020 TRANSPORTATION IMPROVEMENT PROGRAM AND DIRECTING FILING OF THE ADOPTED PROGRAM WITH THE WASHINGTON STATE DEPARTMENT OF TRANSPORTATION.**

Councilmember Petso commented if the Council adopts the TIP, the City is not entirely complying with the code provisions and she hoped the TIP could be amended in the future to include the train trench project. She was uncertain whether the idea of a train trench needed to be included in the TIP or only the CIP but there should be an understanding that that would be one of the alternatives considered to resolve conflicts with the railroad. She noted there are some sidewalk projects in the TIP that she was uncertain are the highest priority sidewalks. She likely would not use that as a reason to vote against the plan but was hopeful the analysis of walkways could be updated to include for example 232<sup>nd</sup> in south Edmonds. She expressed interest in putting PSRC and others on notice that the City will be considering the train trench concept.

Councilmember Bloom relayed she will vote against the TIP because of the Sunset Avenue Walkway project.

Council President Pro Tem Johnson relayed her understanding the train trench is one of the options that will be considered as part of the project to address conflicts with the railroad at Main and Dayton Streets. Regarding the walkway projects, she wished the City had more money for walkway projects. The list of walkways will be updated as part of the Transportation Element update next year.

Councilmember Petso expressed her appreciation for Council President Pro Tem Johnson's support of the train trench. However, her concern is the train trench is not expressly identified in the alternatives study and she was afraid the Council will remember it was discussed but that no action was taken to formally add it to the TIP. She supported taking formal action to add the train trench to the TIP or to the alternatives study.

Councilmember Peterson recalled when the language for the alternative study in the CIP were discussed, specific projects were not included in order to leave options open and due to concern there was already a project in mind. The language was left open to allow all alternatives to be considered without directing the outcome and allowing the professionals to provide their honest assessment of all possible alternatives.

**COUNCILMEMBER FRALEY-MONILLAS CALLED FOR THE QUESTION. COUNCILMEMBER PETERSON SECONDED. THE CALL FOR THE QUESTION CARRIED (4-2), COUNCILMEMBERS PETSO AND BLOOM VOTING NO.**

**MAIN MOTION CARRIED (5-1), COUNCILMEMBER BLOOM VOTING NO.**

Mayor Earling declared a brief recess.

**9. REPORT ON BIDS OPENED JUNE 12, 2014 FOR THE 2014 WATERLINE REPLACEMENT PROJECT AND AWARD OF CONTRACT TO EARTHWORKS ENTERPRISES**

Public Works Director Phil Williams reported this is a normal award to a successful low bidder on the fourth in a series of annual waterline replacement projects. He displayed a map of the five schedules in the bid, two pressure reducing valves; a waterline replacement on 194<sup>th</sup> Place; a waterline replacement on 81<sup>st</sup> Avenue, the last steel main in Edmonds to be replaced; and the largest schedule in the bid, a waterline replacement south of Pine Street. He reviewed a breakdown of the bid including the engineers estimate for the five schedules and the four bids the City received. Earthwork Enterprises was the successful low bidder at \$1,474,497. The next two bids were very close to that amount. The total construction budget of \$1,905,784 includes construction management, construction engineering, testing lab costs, 1% for the Arts, a 10% management reserve.

**COUNCILMEMBER FRALEY-MONILLAS MOVED, SECONDED BY COUNCILMEMBER MESAROS, TO AWARD CONSTRUCTION CONTRACT TO EARTHWORKS ENTERPRISES FOR THE 2014 WATERMAIN REPLACEMENT PROJECT AND AUTHORIZE A \$140,000 MANAGEMENT RESERVE. MOTION CARRIED UNANIMOUSLY.**

**10. OPEN PUBLIC MEETINGS ACT TRAINING**

This was postponed to a future meeting.

**11. REPORT ON OUTSIDE BOARD AND COMMITTEE MEETINGS**

Council President Pro Tem Johnson reported she attended several meetings including the Arts Commission, the Historic Preservation Commission (HPC), Economic Development Commission (EDC), and the Strategic Action Plan (SAP) working group, and will be attending Snohomish County Tomorrow meeting.

Councilmember Peterson reported the SERS meeting included a discussion regarding the incredible work done assisting at the Oso slide under very difficult circumstances. SERS is preparing their 2015 budget and will be seeking a small increase in their fees.

Councilmember Petso asked Council President Pro Tem Johnson to report on the SAP Working Group and the HPC she attended.

Councilmember Mesaros reported he plans to tour the SnoCom facilities tomorrow and will report on that at the next opportunity.

Councilmember Bloom reported the Tree Board had an excellent presentation from Joshua Erickson, Seattle Heritage Tree Program; met with the consultant for the tree code, Elizabeth Walker; and discussed code issues.

Councilmember Bloom reported Ms. Byrne provided a report to the Port regarding the SAP and invited Bob McChesney to attend the Working Group. The Port agreed to continue sending a liaison to EDC meetings. She requested a report from Councilmember Peterson or Johnson regarding the presentation given by Commissioner Swartz at the EDC meeting, relaying her understanding that it was an excellent presentation.

Councilmember Fraley-Monillas reported the Health District meeting included discussion regarding their Strategic Plan which is nearly finished. She also attended the SAP Working Group meeting and a Housing Coalition meeting. She reported the an update was provided at the Highway 99 Task Force meeting regarding businesses on Highway 99. She plans to attend the PSRC meeting tomorrow.

## **12. MAYOR'S COMMENTS**

Mayor Earling reported he attended Barclay Shelton's dance presentation at the ECA that includes terrific performances by dancers aged 4<sup>th</sup> grade to adults. The event is held on three evenings and was attended by over 700 people. The presentations are well choreographed with excellent costumes and his granddaughter was one of the dancers.

## **13. COUNCIL COMMENTS**

Council President Pro Tem Johnson relayed Economic Development Commissioner Doug Swartz gave an excellent preliminary report on tourism in Edmonds. It will be forwarded to the EDC's Tourism Subcommittee for further review prior to public dissemination. She announced a recycling harvester demonstration at PCC on Thursday.

Councilmember Peterson reported he will be out of town next week.

Councilmember Mesaros provided an update on the process to create an evaluation of Lighthouse Group. He met with Mr. Taraday last week to discuss, 1) the process to follow for the evaluation, 2) the evaluation itself, and 3) a position description for the City Attorney. He anticipated a presentation will be made to the Council on July 22.

Councilmember Bloom relayed PCC's Director of Sustainability Diana Chapman is holding a demonstration on Thursday, June 26 on the WISERg Harvester that allows PCC to capture the nutrients from food scraps generated in the store and use them to create a liquid fertilizer sold by PCC.

Councilmember Fraley-Monillas thanked Shane Hope, Laura from the Edmonds Beacon and Larry from My Edmonds News who joined her on a tour of Highway 99. She plans to hold more tours.

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

This item was not needed.

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

This item was not needed.

16. **ADJOURN**

With no further business, the Council meeting was adjourned at 9:44 p.m.