

EDMONDS CITY COUNCIL APPROVED MINUTES

July 15, 2014

The Edmonds City Council meeting was called to order at 6:30 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
Diane Buckshnis, Council President
Kristiana Johnson, Councilmember
Lora Petso, Councilmember
Strom Peterson, Councilmember
Joan Bloom, Councilmember
Adrienne Fraley-Monillas, Councilmember
Thomas Mesaros, Councilmember

STAFF PRESENT

Al Compaan, Police Chief
Don Anderson, Assistant Police Chief
Phil Williams, Public Works Director
Carrie Hite, Parks & Recreation Director
Shane Hope, Development Services Director
Scott James, Finance Director
Rob English, City Engineer
MaryAnn Hardie, Human Resources Manager
Jeff Taraday, City Attorney
Scott Passey, City Clerk
Sandy Chase, Sr. Executive Council Asst.
Gerrie Bevington, Camera Operator
Jeannie Dines, Recorder

1. CONVENE IN EXECUTIVE SESSION TO DISCUSS COLLECTIVE BARGAINING PER RCW 42.30.140(1)(a)

At 6:30 p.m., Mayor Earling announced that the City Council would meet in executive session to discuss collective bargaining per RCW 42.30.140(1)(a). He stated that the executive session was scheduled to last approximately 30 minutes and would be held in the Jury Meeting Room, located in the Public Safety Complex. No action was anticipated to occur as a result of meeting in executive session. Elected officials present at the executive session were: Mayor Earling, and Councilmembers Johnson, Fraley-Monillas, Buckshnis, Peterson, Petso, Bloom and Mesaros. Others present were City Attorney Jeff Taraday, Parks & Recreation/Human Resources Reporting Director Carrie Hite, Police Chief Al Compaan, Human Resources Manager MaryAnn Hardie and City Clerk Scott Passey. At 7:00 p.m., Mayor Earling announced to the public present in the Council Chambers that an additional 10 minutes would be required in executive session. At 7:12 p.m., Mayor Earling announced an additional 5 minutes would be required in executive session. The executive session concluded at 7:15 p.m.

Mayor Earling reconvened the regular City Council meeting at 7:18 p.m. and led the flag salute.

2. ROLL CALL

City Clerk Scott Passey called the roll. All elected officials were present. (Councilmember Bloom was out of the room.)

3. APPROVAL OF AGENDA

COUNCILMEMBER PETSO MOVED, SECONDED BY COUNCILMEMBER PETERSON, TO APPROVE THE AGENDA IN CONTENT AND ORDER, ADDING A BRIEF EXECUTIVE SESSION TO EVALUATE THE QUALIFICATIONS OF AN APPLICANT FOR PUBLIC EMPLOYMENT AS AGENDA ITEM 11A AND WAIVER OF THE THIRD INTERVIEW AS AGENDA ITEM 11B. MOTION CARRIED UNANIMOUSLY. (Councilmember Bloom was not present for the vote.)

4. APPROVAL OF CONSENT AGENDA ITEMS

Councilmember Petso requested Item D be removed from the Consent Agenda.

COUNCIL PRESIDENT BUCKSHNIS MOVED, SECONDED BY COUNCILMEMBER PETERSON, TO APPROVE THE REMAINDER OF THE CONSENT AGENDA. MOTION CARRIED UNANIMOUSLY. (Councilmember Bloom was not present for the vote.)The agenda items approved are as follows:

- A. APPROVAL OF CITY COUNCIL MEETING MINUTES OF JULY 1, 2014
- B. APPROVAL OF CLAIM CHECKS #209348 THROUGH #209442 DATED JULY 3, 2014 FOR \$181,911.34, REISSUED CHECK #209443 AND CLAIM CHECKS #209444 THROUGH #209537 DATED JULY 10, 2014 FOR \$228,487.02. APPROVAL OF PAYROLL DIRECT DEPOSIT AND CHECKS (REPLACEMENT CHECK #61065 THROUGH #61066) #61069 THROUGH #61085 FOR \$476,165.93, BENEFIT CHECKS#61068, #61086 THROUGH #61094 AND WIRE PAYMENTS OF \$423,990.52 FOR THE PERIOD JUNE 16, 2014 THROUGH JUNE 30, 2014
- C. 2014 MAY BUDGETARY FINANCIAL REPORT
- E. AUTHORIZATION FOR THE MAYOR TO SIGN A PROFESSIONAL SERVICES AGREEMENT WITH MURRAY, SMITH & ASSOCIATES FOR DESIGN SERVICES FOR THE 2015 SEWERLINE REPLACEMENT PROJECT
- F. RENEWAL OF INTERLOCAL AGREEMENT WITH SNOHOMISH REGIONAL DRUG & GANG TASK FORCE 2014-2015
- G. RESOLUTION AMENDING DEVELOPMENT FEE SCHEDULE TO INCLUDE VIOLATION COMPLIANCE FEE

ITEM D: REAPPOINTMENT OF MARLA MILLER TO THE PFD BOARD

Councilmember Petso explained she pulled this as Consent Agenda items are typically routine or have been reviewed Council committee. As it was neither routine nor reviewed by committee, she wanted to ensure the Council was aware of it. She spoke in favor of reappointing Ms. Miller to the PFD Board, commenting her experience in the public sector is very helpful to the PFD Board.

(Councilmember Bloom returned to Council Chambers at 7:21 p.m.)

COUNCILMEMBER PETSO MOVED, SECONDED BY COUNCIL PRESIDENT BUCKSHNIS, TO APPROVE ITEM D. MOTION CARRIED UNANIMOUSLY.

5. AUDIENCE COMMENTS

Chuck Gold, Edmonds, thanked Mayor Earling for his speeches that highlight the problems Edmonds faces from increased railroad traffic and double tracking. The Edmonds train trench solves all the problems as well as many environment, noise and other issues while adding value, quality of life and

making the train inviable instead of an ugly industrial feature. He has had many conversations with citizens and groups since the www.EdmondsTrainTrench.net website went live two weeks ago; this is the first project ever proposed that benefits everyone and has no opposition other than questions of logistics and cost. Although many of the questions have been addressed on the website, they can only be answered by a qualified train trench engineering company such as those that constructed the below water table Reno trench in preliminary design studies during the window of opportunity to work with BNSF's plans to double track. He relayed a BNSF engineer's comment last week at the Saturday's Farmers Market that the long horn blast earlier in the week was from a stuck horn and not intentional. The engineering liked the trench idea and felt BNSF would also. He summarized it is important to move forward as soon as possible to develop a plan to bring to BNSF, Washington State Ferries and other stakeholders together. In addition to costing far less than any previous proposal, the Edmonds train trench offers the unique opportunity to create a private-public partnership that is highly cost effective for the public and BNSF.

Catherine Gold, Edmonds, ceded her time to Mr. Gold. Mr. Gold provided a chart comparing six-lane overpass/tunnel and all other alternative plans to the Edmonds train trench. Although all resolve ferry conflict and emergency access at Main 24/7, only the train trench solves emergency access at Dayton 24/7, maintains and improves Edmonds economy, eliminates train horns and crossings, waterfront more attractive experience, expanded multi-point pedestrian access, increases property values, decreases liability and risk to City and BNSF, reduces danger from toxic, flammable and explosive railroad cargo accidents, directs toxic cargo runoff away from marsh and waterfront, likely lowest cost project with railroad partner, becomes invisible – Edmonds stays the same. He relayed cons of the other projects including changes view of waterfront from bowl, increased flooding risk with subsurface road, removes 4.5 million annual ferry customers from local economy, massive disruptive road project, permanently industrializes the town's look and feel. He summarized everyone agrees on the plan and the only questions are whether it can be done, the cost, where trains will go during construction, etc.

Sally Wassall, Edmonds, resident on Sunset Avenue, explained when two construction sites on Sunset were surveyed it was discovered the City's sidewalk in on their and their neighbor's property. The City has been using the west 45 feet of their property for years. This situation needs to be rectified by the City either moving the sidewalk off their property or buying/leasing the property. She doubted the City could claim imminent domain or adverse possession for BNSF property. She agreed with Councilmember Bloom that the walkway should be built on Edmonds property and not BNSF property. The walkway should also be located closer to the business area so the merchants benefit from foot traffic.

Marilyn Lindberg, Edmonds, relayed her continued objection to the proposed Sunset Avenue walkway, fearing citizens would pay for cost overruns. She questioned the cost of fill to bring the lowest part of the bank to the street level; it could not be funded via a federal grant because it is on BNSF property. She also questioned what input BNSF has had into this project. She feared fill on BNSF property would raise the question of a 6-foot fence like was planned in 1995. The 20 feet of unimpeded roadway required by the Fire Department and the 10 foot walkway leaves no space for parking on Sunset which would be detrimental to citizen who park on Sunset to enjoy the view. She pointed out problems created by Mother Nature such as surface water that backed up 15 feet into her driveway last fall and strong northerly winds and high tide in 2002 or 2003 that destroy railroad tracks and caused the rock retaining wall to collapse. She summarized there were many unanswered questions.

Jim Wassall, Edmonds, commented many disabled people, some who cannot get out of their cars, park on Sunset Avenue to enjoy the view. He questioned how they could enjoy the view if the Sunset Avenue project eliminated the parking. He recommended the walkway be built on Edmonds property, not on BNSF's property. He questioned whether BNSF or the City would maintain bluff, anticipating it would likely be the City. He liked the idea of a train trench, citing the need for emergency vehicle access to the west side of the tracks.

Lay Brother Steven Gerard Sidlovsky, referred to a flyer regarding Edmonds Neighborhood and Business District Citizen Overlay Life Peace Zone. He travels the county to present this concept and is seeking citizens who want to add a new chapter to the zoning code regarding citizen overlay zone. He referred to two books regarding this concept, “40 Days for Life” and “Healing the Culture.” A citizen overlay would allow citizens to make proactive decisions regarding uses they do not want in their community such as an abortion facility, a gun shop, marijuana store, etc. He encouraged the City to consider this new possibility.

Carol Nickisher, Edmonds, relayed her opposition to the walkway project and suggested the Council consider all the reasons she and others such as the Wassalls and Ms. Lindberg have previously expressed. She referred to Mr. Gold’s statement that the trench will allow Edmonds to stay the same, commenting if the desire is to have Edmonds stay the same, the Council will not pursue the multipurpose pathway because it will destroy last bit of natural waterfront in Edmonds. She collected 70 signatures in the past and anticipated she could collect many more walking the embankment. She urged the Council to consider all the reasons for opposing project.

Roger Hertrich, Edmonds, commented when visiting Sunset Avenue recently to smell the salt air and observe the water, tidelands and birds, he had to park illegally because the parking on Sunset Avenue was completely full; only one person walking. He commented on the history of Sunset Avenue where a one-way street replaced two lanes. The simplest approach is to remove/change funding for the Sunset Avenue Walkway so that staff will longer pursue installing a 12 foot pathway. If something is needed, he suggested installing a standard size 4-foot sidewalk, drainage, curb and 2-way bike lane which will leave room for parking. He concluded there were ways to make this a good project without deteriorating the neighborhood.

6. PROCLAMATION IN RECOGNITION OF PARK AND RECREATION MONTH, JULY 2014

Mayor Earling read a proclamation in recognition of Parks & Recreation Month, July 2014.

Parks & Recreation Commission Carrie Hite commented she was fortunate to work for Edmonds. Edmonds is unique; it highly prioritizes and supports its park system. She recognized the incredible team of parks and recreation professionals that work for the City and make it possible to provide such great services such as summer rec programs, camps concerts at parks, concerts at Hazel Miller Plaza, the circus at Civic Fields, park improvement projects such as City Park that 100 volunteers helped construct, the Hazel Miller Plaza, the Woodway fields, and working with EarthCorp and the RCO on the Edmonds Marsh and daylighting Willow Creek. She summarized it was a pleasure to work in a community that valued parks and recreation and she thanked the community for their support.

7. PRESENTATION AND POTENTIAL ACTION TO AWARD BID FOR CITY PARK SPRAY PAD DESIGN SERVICES

Parks & Recreation Commission Carrie Hite relayed the request: authorize the Mayor to sign a professional services agreement with Site Workshop for completion of the design, permitting, construction documents. The following options were presented to the Council several months ago after difficulties were encountered with geotech work, permitting and the Department of Ecology for a water reuse system:

1. Allocate additional funds (\$320,000) to redesign and continue design for water reuse system
2. Cease project
3. Explore other options (install playground and look for another location for the spray pad)

She noted exploration of other options was dependent on approval from the funding sources (\$270,000 from Hazel Miller Foundation, \$80,000 from Snohomish County and \$500,000 from State of Washington Recreation and Conservation Office). Council direction at that time was to explore more options. Site Workshop, the second highest bidder, completed 30% of design that included considering alternative sites.

She displayed a drawing of a Prow Concept developed by Site Workshop. She explained more geotech work was done and the water table is where it is. A water recirculating system is still a green option but needs less clearance. Health Code requires a water recirculating systems be within 100 feet of a restroom. That waiver could not be obtained last year for the water reuse system; the City received the waiver from Snohomish Health District last week for the water recirculating system. This allows the spray pad to be co-located with the playground. The geotech report allows clearance for a 5,000 gallon water recirculating tank. This concept is named “Prow” because it has a maritime theme. She referred to bow shapes in the upper section that include gathering areas and spray features. The playground is located in the lower area. The footprint is the same to minimize construction costs. There are plans to excavate to the south to add swings and other play features. She displayed a drawing of the use zones in the Prow Concept.

Ms. Hite explained Site Workshop was asked to determine how the playground could be installed without waiting for 100% design of the spray ground. Site Workshop prepared a site diagram to allow installation of the play area and fence off the spray ground until it can be installed. The playground at City Park was installed two weekends ago with the help of a work party. Park crew spread the old play chips where the spray area will be and placed picnic tables in that location for the summer. She displayed a photograph of the playground and picnic tables, noting it has been a very popular area. The only complaint has been the lack of swings; the swings will be installed during the second phase after excavation to the south.

She explained Site Workshop is ready and willing to expedite 60-90% permit documents for construction. She anticipated going out to bid in late August, doing the underground spray ground work in October, noting the water table would be higher if that work is delayed until March. Installation of the spray pad and components would begin in March; the goal is to have the spray pad open by Memorial Day. She commented on the great working relationship with Site Workshop who has an incredible amount of experience with spray grounds. She reviewed the project budget:

| | |
|---|-------------|
| Total project budget | \$1,350,000 |
| Previous design work, survey, SEPA permitting wetland mitigation, etc. | \$ 110,000 |
| Playground (Use of volunteers saved \$20,000 - \$25,000) | \$ 180,000 |
| Site Workshop | \$ 20,000 |
| Site workshop (this agreement) | \$ 115,000 |
| Balance remaining | \$ 925,000 |
| Projected spray ground cost and soft costs (permitting, taxes, contingencies) | \$ 650,000 |

She anticipated any unforeseen issues that would add to the cost would be known by October/November 2014 and could be included in the 2015 CIP.

Councilmember Petso asked whether any opportunity was offered for public input on the preliminary design or was there a stage in the project when that opportunity would be offered. Ms. Hite answered there was a great deal of public input on the original concept of a spray park in City Park. There was also a great deal of public comment in 1996, 2002 and 2008 and 2014 on the Park, Recreation and Open Space (PROS) Plan which includes a similar concept for the spray pad. There was also public comment on the

playground and the equipment was selected by popular vote. The public has not been asked to comment on the spray park concept design because it consistent with what has been discussed. Selection of the spray park components is done via competitive bid; her intent is to use best practices for the specific equipment.

COUNCIL PRESIDENT BUCKSHNIS MOVED, SECONDED BY COUNCILMEMBER MESAROS, TO AUTHORIZE THE MAYOR TO SIGN A PROFESSIONAL SERVICES AGREEMENT WITH SITE WORKSHOP FOR COMPLETION OF DESIGN OF THE SPRAY PAD AT CITY PARK. MOTION CARRIED (6-1), COUNCILMEMBER JOHNSON VOTING NO.

8. AUTHORIZATION TO AMEND INTERLOCAL AGREEMENT WITH SNOHOMISH COUNTY FOR HUD "URBAN COUNTY" REQUALIFICATION

Development Services Director Shane Hope explained the request is to authorize the Mayor to execute the amendment to the Interlocal Agreement (ILA) with Snohomish County. The ILA has been in place for several years. The Federal Housing and Urban Development (HUD) Department provides block grant funds to participating jurisdictions. HUD has requested a slight amendment to the ILA to allow an additional grant program, clean up language regarding the Fair Housing Act as well as a few technical amendments. There are no substantive changes to the ILA.

COUNCIL PRESIDENT BUCKSHNIS MOVED, SECONDED BY COUNCILMEMBER JOHNSON, TO AUTHORIZE THE MAYOR TO EXECUTE THE AMENDMENT TO THE INTERLOCAL AGREEMENT WITH SNOHOMISH COUNTY FOR URBAN COUNTY REQUALIFICATION. MOTION CARRIED UNANIMOUSLY.

9. DISCUSSION AND POTENTIAL ACTION ON AN ORDINANCE AMENDING THE 2014 BUDGET

Finance Director Scott James reviewed the 2nd quarter budget amendment request:

- 19 decision packages
- 10 decision packages have previously been discussed by the City Council (pages 10-20)
- 9 new decision packages (pages 21-30)
- \$115,667 in new revenue
- \$1,421,734 in expenditures

He identified changes made to pages 7 and 8 that were not included in the packet materials. These included separating the Comprehensive Plan Extra Help and Solar Grant, previously presented as one item; and funds for bond counsel to prepare the PFD ILA Amendment Rewrite. He displayed a Budget Amendment Summary illustrating the Fund Number, Change in Beginning Fund Balance, Revenue, Expense, and Change in Ending Fund Balance. He summarized the net ending fund balance was decreased by \$1,306,067.

He reviewed new items for Council consideration:

| Packet Page | Amendment | Amount |
|--------------------|--|---------------|
| 21 | New oversized computer monitors are needed to accommodate the needs of Development Services Department plan reviewers for new electronic plan review system. | \$7,550 |
| 22 | Work with bond counsel to draft amendments to ILA with PFD to reflect reduced debt service payments | \$5,000 |
| 23 | City's share of costs for Alliance for Housing Affordability (AHA). AHA's work includes preparation of a housing profile for Edmonds that will be used in updating | \$2,456 |

| | | |
|----|--|----------|
| | the City's Comprehensive Plan. | |
| 24 | In 2014 \$20,000 was allocated to Fund 117 Municipal Arts Fund for contract use to help offset the elimination of full-time Senior Office Specialist position in 2013. With the departure of the Administrative Assistant providing part-time assistance to Cultural Services, \$15,400 of remaining funds will be transferred to the Recreation Cost Center to pay salary for a new part-time temporary Senior Office Specialist. | \$15,400 |
| 25 | Edmond Arts Commission received a grant of \$1,000 from the Edmonds Arts Festival Foundation for contracting with an artist to prepare a report on potential interim projects to highlight the 4 th Avenue Cultural Corridor | \$1,000 |
| 26 | Edmonds Arts Commission received a grant for \$9,000 from the Hazel Miller Foundation to fund expenses for the summer concert series at Hazel Miller Plaza | \$9,000 |
| 27 | The public art installation "Cedar Dreams" was damaged by a motorist in March 2014 and the insurance recovery revenue was expended to repair the artwork | \$1,350 |
| 28 | City contracted with EarthCorp to perform wetland mitigation work at Edmonds Marsh as a result of property development projects at the American Brewery Company and Jacobsen Marine. The wetland buffer planting project is funded in full with the payments from these businesses. | \$31,000 |
| 30 | The Parks Construction Fund had a negative fund balance after the 2013 year-end adjustment was made to the 2014 beginning fund balance. The City is reducing the capital expenditure BARS number bringing the fund balance to a positive number. | \$31,000 |

Mr. James displayed:

- Exhibit A: 2014 Beginning Fund Balances, Revenue, Expenditures, 2014 Ending Fund Balance by fund
- Exhibit B: Summary of Revenues
- Exhibit C: Summary of Expenses

Councilmember Bloom asked whether the budget amendment regarding bond counsel for PFD ILA amendments is an additional \$5,000. Mr. James answered yes. Councilmember Bloom recalled she pulled a \$5,200 expenditure from the vouchers last week; the Finance Committee was to review and explain how those funds were used. Mr. James explained the initial expense was to draft the first amendment to the ILA. That amendment was too comprehensive to address the current issue. It was recommended the amendment focus on the refunding of bond. The payment schedule in the existing ILA does not reflect the changes due to bond refunding. The refunding resulted in a savings; another issue to be addressed in the ILA is how those savings will be allocated, either to the City or the PFD.

Councilmember Bloom asked whether the new amendment would allow the bond savings to be used to pay debt. Mr. James responded the goal was to keep the amendment very simple, to add new tables to address only the new bond payment, the old bond payment and the savings and who gets the savings. Councilmember Bloom asked who will get the savings. Mr. James answered that is to be decided. The Council has voiced a willingness to allow the PFD to receive the savings but that has not yet been determined. Councilmember Bloom asked whether the savings would reduce the amount the City contributes to the PFD. Mr. James answered when the PFD is short on money, the City assists with their bond payments. How the PFD uses the savings could be addressed in the ILA; that has not yet been decided. Councilmember Bloom relayed her understanding that issue would be discussed by the Finance Committee and then Council.

Councilmember Bloom referred to the \$5,200 for work done by the bond counsel and asked why that work was not acceptable and why another \$5,000 expenditure was necessary. Mr. James explained the first amendment bond counsel prepared was very comprehensive and addressed issues other than the bond payments. The Finance Committee did not recommend moving it forward to the full Council.

Councilmember Bloom asked who approved that expenditure. Mr. James answered the statement of work was signed by the former Finance Director authorizing Foster Pepper to do that work. Councilmember Bloom recalled when this came up last year, the former Finance Director presented a \$5,000 request for bond counsel to amend the PFD ILA to include waiving the debt service. She recalled asking whether the City would lose its interest in the ECA which is part of agreement; that question was never answered by the former Finance Director and the expenditure to hire bond counsel was not presented or approved by full Council. Mr. James reiterated the former Finance Director signed the letter authorizing Foster Pepper to do the work.

Council President Buckshnis recalled it was part of budget item and was within the former Finance Director's budgetary authority. The effort to draft the first amendment resulted in a new ILA rather than an amendment, when all that was needed was a replication of a 2012 letter from bond counsel to the ECA outlining the new debt service. Debt service has been paid at the lower amount since 2012.

COUNCIL PRESIDENT BUCKSHNIS MOVED, SECONDED BY COUNCILMEMBER MESAROS, TO APPROVE ORDINANCE NO. 3973, AN ORDINANCE OF THE CITY OF EDMONDS, WASHINGTON, AMENDING ORDINANCE NO. 3963 AS A RESULT OF UNANTICIPATED TRANSFERS AND EXPENDITURES OF VARIOUS FUNDS. MOTION CARRIED UNANIMOUSLY.

10. CITIZENS' COMMISSION ON THE COMPENSATION OF ELECTED OFFICIALS PRESENTATION - 2015 & 2016 COMPENSATION SCHEDULE

Mike Hathaway, Co-Chair, Citizens' Commission on the Compensation of Elected Officials (CCCEO), identified the members of the Commission:

- Dilys Rosales, Co-Chair, 2nd term
- Mike Hathaway, Co-Chair, 1st term
- Brent Hunter, 1st term
- Mike Meeks, 1st term

He provided the following information regarding the Commission

- The Citizens Commission on Compensation of Elected Officials is composed of up to seven members appointed by the Mayor and confirmed by the City Council.
- The Commission meets every even year, and their compensation schedule is to be filed with the City Clerk no later than the first Monday in August
- The task of the Commission is to review compensation of elected officials (Mayor, Council, and Judge) and adjust as deemed necessary, so that citizens of the highest quality may be attracted to, and retained for public service
- Any compensation schedule changes will become effective beginning January 1, 2015

He described the source of comparative data:

- The Council adopted a policy for non-represented employees which strives to maintain equity in pay for all employees, offers competitive salaries to attract high level applicants and offers internal equity to foster long term retention of valuable employees
- This policy for non-represented employees is based on maintaining salary ranges at the median when compared to cities of similar size in King, Pierce, Kitsap, Thurston and Snohomish Counties. This policy has been in place for approximately 12 years

He explained the Commission used the following criteria in review of compensation for the Mayor, Council and Judge:

- City Population
- Form of Government (Mayor or City Manager)
- Current and projected operating budget of the City of Edmonds
- Compensation of elected officials in comparative cities
- Feedback from previous and current position holders
- Industry trends in compensation and benefits

He reviewed the Mayor's comparative cities:

| City | Population |
|-------------|------------|
| Everett | 104,200 |
| Renton | 95,540 |
| Federal Way | 89,720 |
| Auburn | 73,235 |
| Redmond | 55,840 |
| EDMONDS | 39,950 |
| Bremerton | 37,850 |
| Lynnwood | 35,960 |
| Tukwila | 19,160 |

He provided a graph comparing the Mayor's monthly salary in the comparative cities, advising the salary reflects average monthly salary plus any other forms of cash compensation such as car allowance, cell phone but do not include health or life insurance:

| City | Salary |
|-------------|----------|
| Everett | \$13,019 |
| Renton | \$11,710 |
| Auburn | \$11,016 |
| Redmond | \$10,967 |
| Bremerton | \$10,910 |
| EDMONDS | \$9,623 |
| Federal Way | \$9,400 |
| Lynnwood | \$8,709 |
| Tukwila | \$8,279 |

He advised Edmonds ranks 6th of the 9 comparative cities; the median compensation is Bremerton's at \$10,910. He provided a graph of the Mayor's salary history 2000-2014.

The Commission found an incremental adjustment was appropriate to stay close to the median compensation for Mayor in the comparative cities. The Commission established the following compensation schedule change for the position of Mayor:

- The Mayor's salary shall be set at \$10,123 monthly (increase of \$500 per month)
- If other non-represented officials receive a Cost of Living Adjustment (COLA) in 2015 or 2016 this shall be applied to the Mayor
- Benefits to remain the same. If benefit plan or contribution rate changes for non-represented employees, Commission schedule requires these changes for the Mayor as well

Commissioner Hathaway reviewed the Court Judge's compensation. He displayed and reviewed a graph illustrating the monthly salary history for the Court Judge 2005-2013. He reviewed the Judge's compensation schedule:

- The current Judge's contract was effective July 30, 2005

- When Judge's contract expired December 31, 2005, he was given a salary increase at 95% of the state requirement.
- In 2010 the Judge's position was converted to an elected position. This positions pay rate has been increased according to the state requirement when increased by COLA.
- This position is eligible for PERS retirement, MEBT, life insurance, and health care similar to non-represented employees.
- The Commission is required by the State court improvement funds to maintain compensation at 95% of the salary of a District Court Judge
- This position is currently 55% of a full (40 hour) work week
- Currently paid at \$6, 294 per month
- If there are any changes in the state salary rate, and/or prorated FTE status, these are to be reflected in the City of Edmonds Judge's compensation for 2015 and 2016
- Benefits to remain the same. If benefit plan or contribution rate changes for non-represented employees, Commission requires these changes for the Judge as well

Commissioner Hathaway displayed and reviewed a chart of City Councilmember annual base pay history 2000-2014. In 2012 the Commission changed Council compensation packages which included:

- Base of \$600 monthly
- Meeting pay of \$400 monthly
- Health insurance benefit (Based upon 90% of employee coverage)
- Access to family health insurance coverage at 100% of premium cost paid by councilmember
- All of these items were combined into a monthly compensation package valued at \$1,567 for each Councilmember effective January 1, 2012

Commissioner Hathaway identified the Council comparative cities:

| City | Population |
|------------------|-------------------|
| Redmond | 55,840 |
| Shoreline | 53,670 |
| Olympia | 48,480 |
| Burien | 48,030 |
| Lacey | 44,350 |
| EDMONDS | 39,950 |
| Puyallup | 37,980 |
| Bremerton | 37,850 |
| Lynnwood | 35,960 |
| Bothell | 34,460 |
| University Place | 31,340 |

He provided a graph of Council compensation in the comparative cities:

| City | Salary |
|------------------|---------------|
| Puyallup | \$3,367 |
| Lynnwood | |
| Redmond | \$2,112 |
| Shoreline | \$ |
| EDMONDS | \$1,695 |
| University Place | \$1,408 |
| Olympia | \$1,387 |
| Lacey | |
| Burien | \$1200 |
| Bremerton | |

| | |
|---------|-------|
| Bothell | \$900 |
|---------|-------|

The median compensation is \$1,408/month. Edmonds Councilmember compensation of \$1,695 is ranked 5th of the 11 cities. Compensation for the top five cities including Edmonds reflects inclusion of health insurance benefits. The six cities below Edmonds do not provide a health insurance benefit to Councilmembers.

Based on the comparative cities' data, the Commission directs no change in compensation which remains as follows:

- Total compensation (includes salary and benefits)
 - Base of \$ 1000 monthly (\$1200 for Council President)
 - Additional cash compensation equal to value of health insurance premium cost for councilmember (currently 90 % of premium). This is valued at \$ 695 monthly in 2014
 - Access to family health insurance coverage at 100 % of premium cost paid by council member

The Commission directs the following new benefit:

- In response to a perceived need, a professional development budget of \$2000 per year will be allocated in the Council budget
 - All proposals must be submitted and approved by Council.
 - The Council President will have final approval on prioritization of expenditures

Councilmember Fraley-Monillas asked why Mukilteo or Marysville were not included as comparison cities. In Snohomish County Edmonds is the third largest city behind Everett and Marysville. CCCEO Commissioner Brent Hunter advised Marysville's population is 62,000. The policy for comparative cities is five cities with populations higher and lower than Edmonds which excluded Marysville. Mukilteo's population is below the base. Councilmember Fraley-Monillas observed Marysville's population was similar to Redmond. Councilmember Peterson pointed out the Mayor's comparative cities were cities with strong mayor form of government.

Councilmember Fraley-Monillas observed Mukilteo changed to a strong mayor. Mayor Earling pointed out Mukilteo only recently abolished the City Manager position. Commissioner Hunter summarized the factors considered in selecting the Mayor's comparative cities include population and form of government. Councilmember Fraley-Monillas observed neither Mukilteo or Marysville were used as Council comparative cities. Mr. Hunter advised Marysville's population is too high and Mukilteo's is too low. Councilmember Fraley-Monillas asked the population of Mukilteo; Councilmember Peterson advised it is 20,605.

Councilmember Bloom referred to Ordinance No. 6993 which states the Commission shall have 7 members. She asked how a Commission comprised of four members met the requirements of the ordinance. City Attorney Jeff Taraday explained efforts were made to recruit commissioners, but Human Resources staff was unable to fully seat the Commission. Councilmember Bloom asked whether four members were legal if the ordinance states there shall be seven members. Mr. Taraday responded it is still a seven member Commission with vacant seats. Similar to when there is a Council vacancy, the Council is still a body of seven Councilmembers but there is a vacant Council seat. Councilmember Bloom pointed out the difference is the Council fills the position in a two month period. This Commission meets every two years, providing a great deal more time to find commissioners. Mr. Taraday pointed out the same thing could occur if no one wanted to serve on the Council; people cannot be forced to serve. It was his understanding the positions were advertised on more than one occasion and these were all the people that applied.

Councilmember Bloom referred to section 10.80.050 regarding operation in the ordinance that states the Commission shall prepare and approve compensation schedule by affirmative vote of not less than a simple majority of the commission plus one member. She noted a simple majority of a seven member commission is four, plus one member is five. The ordinance also states the members of the commission shall receive no compensation for their services. If the commission is not able to approve the compensation schedule by an affirmative vote of a simple majority of the commission plus one member, then the previous schedule, or the substantial equivalent thereof, shall be deemed to remain in effect. She concluded a Commission of four was not enough according to the ordinance.

Parks & Recreation/Human Resources Reporting Director Carrie Hite advised there were five members on the Commission until a few weeks ago when one member went on medical leave. That member approved the compensation; her name does not appear on the memo because she was not present to present it but she still occupies a Commission seat. With regard to recruitment for the Commission, Ms. Hite said three PSAs were issued to recruit for the position and it was listed on the City's website as open until filled from January through May. The Commission began work in March; a code change was approved in April to allow the Commission to submit their recommendation by August 1 rather than May 1.

Mr. Taraday offered to provide an interpretation of the statute. He explained a simple majority according to Black's Law Dictionary means a numerical majority of those actual voting. If there were only four members actually voting, three of the four members would constitute a simple majority and four of the four would constitute a simple majority plus one. If the schedule was approved by the affirmative vote of four commissioners, which he understood it was, that would satisfy the requirement of Section 10.80.050.

Councilmember Bloom referred to the Council compensation comparison, noting although Edmonds is ranked 5th in line, the range is more dramatic, and Edmonds Council is not much above the median. For example Edmonds' compensation of \$1000 plus medical is \$1695. The highest is Puyallup at \$3,367 and the lowest is \$900. She asked how the Commission determined leaving the salary the same would attract high quality candidates. Commissioner Hathaway answered it is a balance of factors including the median, the realities of the City's budget, the sense of whether an increase is appropriate, etc.

Councilmember Bloom referred to the professional development benefit for Councilmembers due to a perceived need. She asked what the perceived need was for professional development. Commissioner Hathaway answered the CCCEO's process included an informal survey of Councilmembers. One of the questions was whether it would be a benefit to provide additional training to increase professional development and if so, what type of training. Councilmembers' feedback was very positive and several examples were offered.

Councilmember Bloom asked what type of professional development was suggested. Commissioner Hathaway answered Councilmembers voluntarily offered examples such as city government orientation, Roberts Rules of Order, public finance, basic government, courses offered through AWC, grant writing, understanding the Council's role, labor relations, economic development, and risks of social media.

Councilmember Bloom asked if the Councilmembers who made those suggestions were aware that that training was already available to Councilmembers. She recalled when she became a Councilmember the City paid for her to attend three days of training on those topics on her own time. Commissioner Hathaway said the question posed to Councilmembers was whether it would be a benefit to provide funds for professional development; he was not certain what prompted their response.

Councilmember Bloom did not view that as compensation as it was already available for Councilmembers to attend on their own time. Commissioner Hathaway advised it was defined as a benefit by the City

Attorney. Mr. Taraday relayed he was asked about this in March; his response was he thought it boiled down to whether the training allowance can be considered compensation, the ordinance does not define compensation. Black's Law Dictionary defines compensation as remuneration and other benefits received in return for services rendered especially salary or wages. He was not certain whether the Commission had discussed it enough to make a distinction between reimbursement of course tuition versus payment for time spent at training. He agreed with Councilmember Bloom that it was really only compensation to the extent it was compensation for time spent in training. The CCCEO ordinance also states in Section 10.80.090, Reimbursement Unaffected, the Mayor and Councilmember shall receive reimbursement for their actual and necessary expenses incurred in the performance of their duties. The CCCEO is not authorized to do anything other than provide for compensation; the CCCEO is not authorized to provide for reimbursement of expenses. If it is interpreted as payment for time spent in training, the question of how the \$2000 is divided arises such as \$50/meeting. That issue was not answered by the Commission.

Councilmember Bloom commented it clearly is not compensation. Mr. Taraday answered it is if it is for time. Councilmember Bloom answered Councilmembers are not being paid for their time, they are offered funds to spend more time in training. Mr. Taraday explained the Commission's recommendation or compensation schedule does not clearly specify whether it is for time or for tuition. Because they do not have the authority to reimburse for tuition, he assumed it is compensation for time.

Councilmember Bloom stated it is not compensation because someone cannot be compensated for using their own time to do extra work. Mr. Taraday interpreted the schedule to provide up to \$2000 for Councilmember's time in attending training at their option. What is not clear is how the amount would be divided up, whether it would be \$50 per training for which there is some historical precedence or some other way. It must be payment for a Councilmember's time spent in a training session; the CCCEO does not have authority to do anything other than pay the Council. Councilmember Bloom asked who decided how much a Councilmember was paid per hour for the training. Mr. Taraday agreed that was the question; the CCCEO may need to specify that.

Councilmember Petso asked whether the Mayor receives MEBT benefits and whether that was calculated into his compensation. Commissioner Hunter answered no, the CCCEO considered salary and related taxable salary such as a car allowance. Councilmember Petso asked whether the Mayor's position received MEBT and PERS. Mayor Earling answered yes.

Councilmember Petso observed the comparables used for Councilmembers were cities whose population were within 10,000 of Edmonds; the comparables for the Mayor have significant different populations. She asked whether the CCCEO considered limiting the Mayor comparables to the same population range used for Councilmembers and other employees. Commissioner Hunter answered the Commission tried to utilize the comparables used for non-represented employees but because there are few cities with a strong mayor forms of government, a wider range was used.

When there is a nonrepresented position that does not have a large number of comparables for a position, say four, Councilmember Petso asked whether the survey would proceed with those four rather than bring in larger and smaller cities. Human Resources Manager MaryAnn Hardie answered the range was 10,000 population above and 10,000 below. When cities with a similar population did not fit, the CCCEO used a wider range. She acknowledged that did not exactly mirror the non-represented policy but it was similar.

Councilmember Petso did not view the professional development funds as a benefit, relaying the Council President who prioritizes the expenditures could approve one Councilmember using all the money. Mr. Taraday found the statement about the Council President having the authority to prioritize expenditures problematic. The Council cannot set its own compensation; that is the reason for the CCCEO. Therefore, the Council President cannot determine who gets the training allowance. He recommended slightly

tweaking the new benefit and suggested the CCCEO provide additional direction regarding how the \$2000 would be paid. He noted there are several ways to divide up the \$2000 and if not in equal allotments, in small enough amounts that one Councilmember does not use all the money. For example, it could be divided into 7 allotments of \$285 each or 40 trainings of \$50 each.

Councilmember Petso observed the packet states if the Council does nothing, it accepts the CCCEO's recommendation and it becomes law. She asked how the Council could not accept the CCCEO's recommendation. Mr. Taraday said the Council has no ability not to accept the CCCEO's recommendation. When the CCCEO was created, the Council turned over to the Commission the entire ability to compensate elected officials. There is no way for the Council to undo their recommendation and there is no action for the Council to take. He suggested the CCCEO provide additional direction regarding how the new benefit is paid.

Councilmember Petso asked whether the Council has the authority to set compensation for the Mayor and Judge. Mr. Taraday answered he did not know. The Council could abolish the Commission and return to the old way of setting compensation for future Councilmembers; the Council cannot set its own compensation. Councilmember Petso assured she was not interested in setting her own compensation but if she did not think it was accurate to use Everett which was 2.5 times Edmonds' size as a comparable and perhaps if the MEBT benefit had been included it would be worth the 5% the CCCEO felt the Mayor's salary was lacking, was there a mechanism for her to express that by vote or during the budget process. Mr. Taraday answered the way to express that would be to remove the Commission's authority to establish the Mayor's salary and potentially for all elected officials. The Council could not do that for 2014 and he would need to research whether they could do it for 2015.

Councilmember Petso relayed her understanding that the recommendation of the CCCEO regarding the Mayor's salary would be included in the budget regardless of anything the Council does. Mr. Taraday answered he would need to research whether the Council could override the Commission's recommendation regarding the Mayor's salary for 2015. Councilmember Petso asked whether that would need to be done by August 1. Mr. Taraday answered the August 1 deadline only applied to the CCCEO.

Council President Buckshnis recalled research done last year; the only way to change the Mayor salary is to abolish the Commission. She expressed concern with the report and the number of members on the CCCEO. She also relayed concern with redline changes made to the ordinance. She felt the Commission was very powerful. She also felt the Council President's salary should be more than \$1200.

Councilmember Peterson thanked the Commission for their work, commenting it was a thankless job. With regard to compensation, one of his suggestions was to create opportunities for more people to serve. For example, it may be helpful to compensate a Councilmember who has to take time off work to attend training. The funds for professional development might help a new Councilmember get training and may encourage Councilmembers to attend training. He appreciated the work done by the Commission and the creativity in their recommendation, recognizing it was tedious work and difficult to find comparative cities. Although the Commission may need to tweak the new Council benefit, the idea is sound and it may attract more people to serving on the Council. He summarized the primary goal of Commission was not to figure out what this Council needs but to make it more attractive for others to serve.

Councilmember Fraley-Monillas thanked the Commission, assuring she was not being critical but was just trying to look at the whole picture. She agreed compensation for professional development is a good idea; \$300/year per Councilmember will not match the need but it is a start. She agreed the Council President was underpaid and should receive an additional \$500/month. Philosophically, she could not support raises for the Council or Mayor. Assuring it was nothing personal to Mayor Earling, she felt a \$6,000/year increase was a lot particularly in difficult economic times.

Councilmember Johnson said she enjoyed speaking with the Commissioner who surveyed her and she appreciated the work the Commission has done. From her training in statistics, she knew the median was a measure of central tendency, the middle. In a comparison where five cities' populations are above Edmonds and three are below, the measure is already skewed and it would be better to have an equal number above and below. She understood there was a limited pool using four counties and a strong mayor form of government.

Councilmember Bloom expressed her appreciation for the Commission's work but said she was disappointed by the results of their work. The last time the Commission met, she was encouraged by the cafeteria style that allowed a Councilmember to elect to take the pay rather than the benefit. She pointed out how difficult it is to get people interested in serving on the Council position, particularly young people. Most of the Edmonds Councilmembers are retired, semi-retired or own their own business so they have a flexible schedule. She felt it was unrealistic to expect anyone with a full-time job to serve on the Council. The amount of time Councilmembers spend is much greater than one may think. She was disappointed in the CCCEO's recommendation because she did not feel paying for training was a benefit. What would be beneficial would be a salary that would attract young people, enough money so it would be worth their while to serve on the Council, not seek higher office and remain on the Council as long as they are elected. The CCCEO's recommendation does not accomplish that.

Councilmember Bloom did not support an increase in the Mayor's salary because \$6,000 in addition to a COLA was too much in this economy. She did not agree with comparing the Mayor's salary to other Mayors; part of working here is love for the City and dedication to it. She wanted Councilmembers to be valued rather than marginalized and seen as worker bees that do not get paid. She noted if the amount of time is taken into consideration, Councilmembers are making less than minimum wage. She wanted every open Council position to have a strong candidate to oppose them. She wanted Councilmembers who want to be in office because they will be compensated fairly and have something to offer and are passionate. People serving on the Council now do it because they are passionate. She urged the City to post the CCCEO's minutes on the City's website, noting when there are only five Commissioners, the decisions have to be unanimous.

Commissioner Hunter appreciated the input elected officials provided to the CCCEO. The Commission discussed the input to determine ways to help. With regard to the hours of work, he said the Commission would like to help with that but their scope is limited. The Commission wrote a letter to the Mayor asking him to consider ways to assist Councilmembers. Councilmember Bloom explained the CCCEO's letter sent a letter to the Mayor recommending more administrative support for Council and that MEBT vesting occur sooner than five years and be consistent with a Councilmember's term.

Mayor Earling declared a brief recess.

11. REQUEST TO AMEND THE TRANSPORTATION IMPROVEMENT PROGRAM

COUNCILMEMBER PETSO MOVED, SECONDED BY COUNCIL PRESIDENT BUCKSHNIS, TO AMEND THE TRANSPORTATION IMPROVEMENT PROGRAM TO INCLUDE ONLY THE SOUTH PORTION OF THE SUNSET AVENUE WALKWAY PROJECT.

Councilmember Petso explained a couple of weeks ago the Council voted whether to keep the Sunset Avenue Walkway in the Transportation Improvement Program (TIP). At that time Councilmember Bloom made a motion to do only the south portion of the walkway, the Bell – Edmonds portion of the walkway south of the railroad right-of-way. She voted against that motion and subsequently requested an opportunity to change her vote and to make this motion. At that time, the Council discussed staff developing alternatives. One of the alternatives was to paint stripes on the road to represent the walkway

and test it for a period of time. She agreed with that approach but forgot until she spoke with Public Works Director Phil Williams and Councilmember Fraley-Monillas after the meeting that that would not solve one of her primary concerns, safety. She displayed a photograph of a bike resting on the curb above the railroad tracks, noting the painting on the road would allow bicycles to be extremely close to the top of the bluff. She requested this opportunity to change her vote for safety reasons. She did not want to support a test project that might result in someone getting hurt.

Council President Buckshnis pointed out the Council can amend the TIP anytime. She thanked Mr. Williams for all the work he and staff have done. There are still a number of issues that need to be addressed, and she preferred to develop the south portion of the walkway and not do a test project that would remove the parking. If the south portion of the walkway works well, the rest could be constructed.

Councilmember Peterson asked painting a test project would not remove all the parking. Council President Buckshnis said it will remove some parking.

Councilmember Mesaros pointed out the Council has not yet approved a plan for Sunset. Including the in the TIP means the City wants to create a plan. Mayor Earling agreed.

Councilmember Fraley-Monillas asked whether the Sunset Avenue project was on the TIP or a parks plan previously. Mr. Williams answered the Sunset Avenue Overlook was in the PROS Plan for two cycles. Councilmember Fraley-Monillas pointed out it is not a new idea. She did not see any harm with keeping the project in the TIP and using a painted alternative to work out the bugs. She was anxious about BNSF and wanted staff to have an opportunity to discuss the project with them. She also wanted a better idea of the project since the width of the walkway has been reduced. She did not anticipate a conclusion could be reached without a test project using paint. A painted test project would not hurt anything and would illustrate fire truck access, parking, etc. She spoke in favor of keeping Sunset Avenue in the TIP.

Councilmember Petso clarified the painting would not hurt anyone unless someone riding in the new area at the top of the bluff gets hurt. Currently bicycles use the east side of the road and they are not mixed with pedestrians and dog walkers. The proposal is to move bicycles to the west side which allows them to be as close to curb as the bike in the photograph is. She did not understand why the Council would adopt a risky way to test the project when there was safe way – doing the south end of project and allow staff to continue to work out issues on the north section for a possible future project.

Councilmember Fraley-Monillas asked whether the intent was to paint the walkway up to the edge of the bluff so that bikes are teetering on the edge. Mr. Williams answered the intent was to mark the first 8 feet inside the existing curb as the pathway and a two foot mountable curb for a total of 10 feet. The 8 feet would function as a pathway for non-motorized users. Councilmember Fraley-Monillas wanted to ensure no one would be put in jeopardy by painting on the bluff. Mr. Williams explained the intent was to provide an idea of the geometry, how it would function, parking, etc. He was hopeful as many parking spaces as possible could be maintained during the test. Staff is working on the graphics and will provide details to Council soon.

Councilmember Fraley-Monillas asked whether the test could also illustrate the width of a standard sidewalk. Williams advised anything could be done with paint. The City's standard sidewalk width is a minimum of 5 feet and up to 7 feet. Mr. State law allows Segways on 5-foot sidewalks.

Councilmember Johnson commented having this project in the TIP does not define what it is. The Council could maintain Sunset as one-way street with a one-way bike lane on the right or construct a multi-purpose walkway; the Council has not reached that decision yet. She recommended the Sunset Avenue Walkway be considered a work in progress.

Councilmember Bloom clarified the motion is not to remove the Sunset Walkway from the TIP but for the walkway to be constructed on the property owned by the City on the south end. She preferred to focus on developing the walkway on the south end on property the City owns and resolve the issues for the remainder in the future. She was also concerned the City was continuing to spend money on consultant fees to design the walkway. A third issue is the public process; residents on Sunset and others were not engaged in a public hearing or public process in advance of applying for the PSRC grant and the citizen input was misrepresented on the PSRC application. There has been a significant amount of input since then and the majority are opposed to building on BSNF property. Building the walkway on the south portion would solve all the problems as it would reduce the controversy, eliminate worry about a fence and cost overruns, etc.

UPON ROLL CALL, MOTION FAILED (3-4), COUNCIL PRESIDENT BUCKSHNIS AND COUNCILMEMBERS BLOOM AND PETSO VOTING YES; COUNCILMEMBERS FRALEY-MONILLAS, JOHNSON, MESAROS AND PETERSON VOTING NO.

11A. CONVENE IN EXECUTIVE SESSION TO EVALUATE THE QUALIFICATIONS OF AN APPLICANT FOR PUBLIC EMPLOYMENT PER RCW 42.30.110(1)(g)

At 9:50 p.m., Mayor Earling announced that the City Council would meet in executive session to evaluate the qualifications of applicant for public employment per RCW 42.30.100(1)(g). He stated that the executive session was scheduled to last approximately 10 minutes and would be held in the Jury Meeting Room, located in the Public Safety Complex. No action was anticipated to occur as a result of meeting in executive session. Elected officials present at the executive session were: Mayor Earling, and Councilmembers Johnson, Fraley-Monillas, Buckshnis, Peterson, Petso, Bloom and Mesaros. Others present were City Attorney Jeff Taraday, Parks & Recreation/Human Resources Reporting Director Carrie Hite and City Clerk Scott Passey. The executive session concluded at 10:05p.m.

Mayor Earling reconvened the regular City Council meeting at 10:06 p.m.

11B. WAIVER OF THIRD INTERVIEW

COUNCIL PRESIDENT BUCKSHNIS MOVED, SECONDED BY COUNCILMEMBER MESAROS, FOR CONSIDERATION AND POTENTIAL WAIVER OF THE THIRD INTERVIEW RULE FOR THE DIRECTOR POSITION PER CODE 20.10.0.10(D). MOTION CARRIED (5-2), COUNCILMEMBERS PETSO AND BLOOM VOTING NO.

12. REPORT ON CITY COUNCIL COMMITTEE MEETINGS OF JULY 8, 2014

Due to the late hour, this item was postponed to the next Council meeting.

13. MAYOR'S COMMENTS

Mayor Earling had no report.

14. COUNCIL COMMENTS

Councilmember Fraley-Monillas reported on a coal train/oil tanker consortium that Councilmember Peterson and she attended with King County Executive Dow Constantine. She offered to share with the Council the information they learned. She volunteered to serve on one of their subgroups.

Councilmember Peterson reported the consortium, Leadership Alliance Against Coal, will be renamed to broaden the scope to include oil trains. He and Councilmember Fraley-Monillas will provide a report in the future.

Councilmember Johnson reported she attended a garden party yesterday hosted by Val Stewart for people interested in having rain gardens on their property. The hope is to have 100 rain gardens in Edmonds by 2016.

Mayor Earling reported there will be a number of forums regarding coal and oil trains. He is speaking at one in Everett and AWC is forming a railroad statewide group to discuss rail traffic.

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

This item was not needed.

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

This item was not needed.

17. **ADJOURN**

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