

Special Meeting
EDMONDS CITY COUNCIL APPROVED MINUTES
Study Session
November 10, 2014

The Edmonds City Council meeting was called to order at 7:00 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
Joan Bloom, Councilmember
Adrienne Fraley-Monillas, Councilmember
Thomas Mesaros, Councilmember

ELECTED OFFICIALS ABSENT

Strom Peterson, Councilmember

STAFF PRESENT

Al Compaan, Police Chief
Phil Williams, Public Works Director
Carrie Hite, Parks & Recreation Director
Patrick Doherty, Econ. Dev. & Comm. Serv. Dir.
Shane Hope, Development Services Director
Scott James, Finance Director
Deb Sharp, Accountant
Renee McRae, Recreation Manager
Jeff Taraday, City Attorney
Scott Passey, City Clerk
Jerrie Bevington, Camera Operator
Jeannie Dines, Recorder

1. ROLL CALL

City Clerk Scott Passey called the roll. All elected officials were present with the exception of Councilmember Peterson.

COUNCIL PRESIDENT BUCKSHNIS MOVED, SECONDED BY COUNCILMEMBER MESAROS, TO EXCUSE COUNCILMEMBER PETERSON. MOTION CARRIED UNANIMOUSLY.

2. APPROVAL OF AGENDA

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

3. APPROVAL OF CONSENT AGENDA ITEMS

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

A. APPROVAL OF CITY COUNCIL MEETING MINUTES OF NOVEMBER 3, 2014

B. APPROVAL OF CLAIM CHECKS #211337 THROUGH #211468 DATED NOVEMBER 6, 2014 FOR \$1,747,604.72. APPROVAL OF PAYROLL DIRECT DEPOSIT AND CHECKS #61259 THROUGH #61271 FOR \$466,539.20, BENEFIT CHECKS #61272 THROUGH #61280 AND WIRE PAYMENTS OF \$398,232.21 FOR THE PAY PERIOD OCTOBER 16, 2014 THROUGH OCTOBER 31, 2014

- C. **ACKNOWLEDGE RECEIPT OF A CLAIM FOR DAMAGES FROM JOSTEIN E. KALVOY (\$383.00)**
- D. **AUTHORIZATION TO CONTRACT WITH JAMES G. MURPHY TO SELL SURPLUS CITY VEHICLES AND SELL A SCRAP CAR TO PICK-N-PULL**
- E. **AUTHORIZATION TO CONTRACT WITH JAMES G. MURPHY TO SELL SURPLUS CITY EQUIPMENT**
- F. **AUTHORIZATION TO CONTRACT WITH JAMES G. MURPHY TO SELL SURPLUS CITY VEHICLES**

4. AUDIENCE COMMENTS

Ron Wambolt, Edmonds, relayed Dave Page, who was unable to attend tonight shared his views on the following: they would like to have a public hearing after the Council discusses budget when further information is available regarding amendments, etc. He recalled that had been past practice, last year there were three opportunities, two discussion periods during which public comment was taken and public hearing. He expressed concern there been little Council discussion regarding the budget or proposed changes to the budget.

Phil Lovell, Edmonds, spoke regarding the proposed concept of a train trench for the BNSF tracks through the waterfront area. He relayed his background, registered civil engineer, retired 11 years ago as a vice president from the 4th largest general contractor in the United States, a 37-year career with a company that specializes in general contracting, construction management and procurement, heavy construction, consulting, insurance and risk management in both public and private arenas. While retired he remains active in the industry in various consulting, advisory and educational capacities. A train trench is very expensive, most challenging from an engineering standpoint and does not solve all Edmonds' waterfront traffic problems. It does not address the ferry queuing problem; a better solution would be to add a down ramp to the west side of the tracks within the current Edmonds Crossing concept. That plan would meet most of the needs without tearing up the town to build it. He urged the Council to study as many track crossing ideas as possible before supporting one solution/concept. Such studies must be expanded to include input from other significant stakeholders such as the county, state, railroad, Port, WSDOT, environmental authorities, WSF, and commercial interests in that area. He urged broader studies considering all major aspects long with pros, cons and feasibility. The recently completed study of the train trench by an outside professional consulting group, available on City's website under News of Interest, covers many of environmental and engineering challenges that must be addressed and provides a rough order of magnitude (ROM) estimate. He studied and wrote on the same subject last July; he also had a ROM estimate prepared by his former employer which estimate falls within the cost range in Tetra Tech report. He offered to assist the City and Council in any way he could with regard to this issue.

Brent Malgarin, referred to July 27, 2011 KOMO News where it was stated the committee working to establish the Business Improvement District (BID) has reached 50% of signatures needed to present to the City Council. RCW 35.87A.020, Legislative Authority, states only the City Council can start a BID. RCW 35.87A.030 states an initiation petition or resolution methods can be used to start a BID. Seattle started a BID in the Pioneer Square area with the support of 60%; and the Council subsequently changed it to the resolution method via Seattle Resolution 31481. Edmonds Resolution 1284 states RCW 35.87A.030 authorizes the City Council to initiate a BID by resolution in lieu of petition. A petition was presented but struck down by the resolution method. The petition was presented to the Clerk November 21 and the Council held its meeting on November 27. If only the City Council can request the resolution method; he questioned how Resolution 1284 was considered by the Council before the Council had an opportunity to review the petition. Resolution 1285 reaffirms the resolution method. Ordinance 3909

refers to the petition but because it had been struck down, it was irrelevant. The ordinance does not state that Edmonds was pursuing a BID by the resolution method nor was the public notified that the Council was pursuing a BID by resolution method. RCW 35.87A.060 states 50% of the people if they know the method of resolution can protest and stop it; since no one was informed of the resolution method, it was not protested. There are no City records to refute that.

Roger Hertrich, Edmonds, suggested the City hire Mr. Lovell part-time as he is well educated on the subject, and he admired his tenacity and interest in the subject. He recalled on October 28 Councilmember Johnson distributed a portion of a restoration plan that identified the possibility of relocating the senior center parking lot to restore the beach habitat. While a wonderful thought, that idea puts the possibility of a new senior center building in jeopardy because the building needs a lot of parking; the Edmonds Senior Center Feasibility Study states the need for 100 parking spaces. He did not favor eliminating the parking lot to restore the beach. With regard to the Sunset Walkway, he pointed out it is still listed as a combination pathway but most people do not want bicycles and skateboards mixed with pedestrians on a pathway. There is not enough room on Sunset Avenue to do everything that is planned; the new parking design is dangerous for backing and there is no place for bicycles because the bicycle lane was eliminated. He summarized a problem was created in trying to create something else.

Council President Buckshnis read an email from **Ken Reidy, Edmonds**, that asked the Council to consider the following: 1) budget the entire amount needed to complete the rewrite of the ECDC as soon as possible, no later than December 31, 2015, and 2) budget the appropriate amount to also complete the entire rewrite of the ECC no later than December 31, 2015. Both should be contingent on a well-documented plan of action that clarifies how the work will be completed and who is responsible for completion and regular progress updates should be required. He suggested contracting the work out to a firm that specializes in writing great codes and recommended considering the process used by Lake Oswego, Oregon, when they faced similar challenges. The rewrite will increase efficiency and pay for the related cost. The City must establish a legal foundation that supports a high level of government service. A critical component of this legal foundation is a comprehensive, accurate, consistent and easy to administer code. He questioned why issues such as Westgate were prioritized prior to correcting the legal foundation of the code, a code known to be a mess going back to at least 2000. He referred to a June 23, 2012 email to the City Council and Planning Board in which he requested updating, clarifying and correcting the code be an extremely high priority. The condition of the code has resulted in much waste of public and private resources and will continue to do so. He urged the Council to make rewriting code a priority, reiterating it was to have been addressed long ago.

5. **PRESENTATION ON THE PROPOSED EDMONDS DOWNTOWN BUSINESS IMPROVEMENT DISTRICT WORK PROGRAM AND BUDGET FOR YEAR 2015**

Economic Development & Community Services Director Patrick Doherty explained the City Council approved the Edmonds Downtown Business Improvement District (EDBID) in January 2013. One of the requirements was that they present a work plan and budget for the following year by October 1 which was accomplished.

Pam Stuller, EDBID Advisory Board Member, provided a list of the Advisory Board Members:

- David Arista, Arista Wine Cellars
- Robert Boehlke, Housewares
- Natalie-Pascale Boisseau, Innate Radiance Acupuncture
- Juliana Van Buskirk, Edward Jones
- Cadence Clyborne, HDR Engineering
- Sally Merck, Merck Counseling
- Paul Rucker, Saetia
- Mary Kay Sneeringer, Edmonds Bookshop

- Jordana Turner, Edmonds Massage and Bodywork
- Pam Stuller, Walnut Street Coffee
- Kim Wahl, Reliable Floors

Ms. Stuller reviewed the 2014 Work Plan Implementation:

- Non-profit 501(c)3 status from IRS
- Brand creation, name and logo
- Optimized website – hope to launch later this month
- Collaboration – Edmonds Community College, Edmonds-Woodway High School IB, and Friends! Lunch
- Member Engagement – annual meeting, email and mail outreach, small grant program
- Appearance & Environment – signage
- Encourage walkability – courtesy umbrellas in 40 locations
- Direct Mail Holiday Campaign, free Saturday holiday trolley, free family holiday movies and other holiday activities
- Business Resources – business seminar

She provided visuals including a sample website, illustrations, logo and umbrellas.

Cadence Clyborne, Treasurer, EDBID Advisory Board, presented the 2015 Proposed Work Plan:

- Non-profit Organization and Agency Agreement
 - Begin conversation with the City in 2015 regarding potential agency agreement between the City and the 501(c)3 to provide management and administrative services for the EDBID
- Administration
 - Website hosting
 - Hiring part-time administrative person
 - Legal
 - Accounting
 - Supplies
- Assessment & Evaluation
 - Research effective analysis tools to evaluate programs that have implemented to ensure providing benefit
- Member Engagement and Outreach
 - Annual meeting in April
- Friends of Ed!
 - Biannual meetings with organizations who have a vested interest in the downtown core to improve efficiency and avoid redundancy
- Marketing
 - Brand rollout
 - Market totes for farmers market
 - New business welcome kit
 - Window clings
 - Consistent messaging
 - Potential Local First campaign
- Professional Business Resources
 - Seminars to help members with web optimization and social media
- Parking
 - Explore ideas and solutions
 - Focus on walkability versus drivability
 - Signage to existing and afterhours parking
 - Educating businesses about where park

- Appearance & Environment
 - Vitality of core
 - Possible projects the EDBID could partner on include:
 - Public restrooms
 - Crosswalk safety
 - Beautification
 - Improved alley appearance
 - Vacant storefront improvement
- Small Grants Program
 - Projects that fulfill the mission of the Alliance and scope of work
 - Not intended to promote individual businesses or members
 - Researching best way to implement such a program and whether it is feasible
- Research Potential Boundary Adjustment
 - Ordinance allows up to a 10% adjustment annually
 - Research a potential adjustment and determine interest in potential new members
 - City Council decision

Ms. Clyborne reviewed 2015 proposed budgeted expenditures:

Estimated revenue	\$89,000	
Estimated expenditures		
• Administration		17,000
• Marking		22,000
• Member Engagement & Outreach		5,000
• Professional Business Resources		10,000
• Small grants		10,000
• Appearance and environment		20,000
• Total Estimated Expenditures		\$84,000

Councilmember Fraley-Monillas asked how a boundary adjustment would be created, whether businesses would come to the EDBID or the EDBID would go to them or both. Ms. Clyborne answered the ordinance allows up to a 10% increase and it must be contiguous with the existing boundaries. The EDBID would determine an area to target and then do outreach to those businesses to determine if there is significant support for becoming part of the EDBID. If there is support, the EDBID would come to the City Council with that research. Councilmember Fraley-Monillas asked whether there was a requirement for a certain percentage of interest in joining the EDBID. Ms. Clyborne answered that has not yet been vetted and is one of the reasons it is in the work plan. Discussions have been that it would be a majority of business owners.

Councilmember Fraley-Monillas assumed the budget for the small grants program also covered hiring someone. Ms. Clyborne the \$10,000 is to fund grants that members apply for to do projects that promote the scope of work and mission of the EDBID. Councilmember Fraley-Monillas said she misunderstood and thought the small grants program was to apply for grants.

Councilmember Johnson expressed her appreciation for the hard work done over past two years and recognized a number of EDBID members in audience. She noted there was a great deal of overlap between the Strategic Action Plan and many of the EDBID's activities which will help lighten Mr. Dougherty's workload.

Council President Buckshnis agreed the EDBID had done a good job but expressed concern about their accounting. She requested the EDBID provide the Council a comparison of the current and past budget and actuals in a regular financial format. She noted the 501(c)3 must be a separate set of books. Ms.

Clyborne assured that information was available and can be provided to the Council as well as included in future annual presentations.

Councilmember Mesaros asked how many members there are in the EDBID. Ms. Stuller answered there are slightly less than 350. Councilmember Mesaros echoed Councilmember Johnson's comments, it is great to see this group coming together and working to improve the downtown and promote business and a place where people can enjoy doing their commerce.

Councilmember Petso referred to public comment tonight regarding whether the City provided public notice that the EDBID would be formed via the resolution method. She asked whether that notice was required and whether it was provided. City Attorney Jeff Taraday explained the BID process can start either with a petition or a resolution. While there was a substantial effort put into collecting signatures for a petition, it was realized in course of the review of those signatures that it would not meet the legal standard for a petition and it was recommended the process be initiated by resolution which the Council did with Resolution 1284. Resolution 1285 stated the intent to initiate a BID, set forth the proposed uses and projects, estimated the levy rate, estimated the budget at \$86,000, and established a public hearing for January 15, 2013 at 7 p.m. To his knowledge the public hearing was advertised as required. Following the public hearing, the City Council adopted Ordinance 3909 in which the petition method is mentioned in the first whereas clause but the second whereas clause references Resolution 1284 and the third whereas clause references Resolution 1285. Ordinance 3909, which formed BID and created new Chapter 3.75, was adopted by the City Council in early 2013.

Councilmember Petso referred to the small grant program and asked if the grants are provided for things the BID could have done anyway, items that are consistent with their mission, whether it was simply an accounting entry. She asked whether the existence of small grant program created a legal problem for the City or the EDBID. Mr. Taraday answered the EDBID has to spend money for the purposes set forth in Chapter 3.75.030; as long as that is done, they are in compliance with the law. Mr. Doherty relayed he counseled Pascale Boisseau, who is overseeing the small grant program, to stay away from direct grants to property owners or business owners for their own projects and to stay with general programs/projects that fulfill the EDBID purposes and mission. There was discussion at a EDBID meeting that the volunteer board members have only so much bandwidth to take on projects; if a business owner wanted to take on a project such as more flowers, musicians during holidays/summer, or something else that was not currently offered, they could offer to spearhead the program and request funding from the EDBID. He summarized it was more than accounting; it was capacitating another member to do something that fulfills the EDBID's mission.

Councilmember Bloom asked Mr. Taraday to explain the effect of the resolution method on the operation of the EDBID from a legal standpoint. Mr. Taraday answered the method of initiation, whether petition or resolution, makes no difference. Either method of initiation still requires the next step, a resolution of intention to establish, a hearing and adoption by ordinance. In his opinion it was a distinction without a difference; it was not a meaningful distinction whether it was initiated by a petition or resolution. He recalled working with former Community Services/Economic Development Director Stephen Clifton, who wanted to convey to the City Council that while some of the signatures were not usable for legal purposes, there was substantial community support for the BID and that was the reason for the reference to the petition and the signatures gathered notwithstanding the fact that the BID was being initiated by resolution.

Councilmember Bloom relayed her understanding that the City was wholly and totally responsible for the functioning of the EDBID. Mr. Taraday read from the statute, the legislative authority of the City shall have sole discretion as to how the revenue derived from the special assessments is to be used within the scope of the purposes. Councilmember Bloom commented if the Council has sole discretion, it would

behoove the Council to look at the work plan very carefully to ensure it reflects the wishes of the membership that are being assessed.

Councilmember Bloom recalled when the auditors were here, she asked who was responsible for the EDBID budget and for publishing the budget due to a question asked by an EDBID member regarding why the budget was not published on the EDBID website. Her understanding was the auditor said the EDBID is not an independently functioning body from the City. Finance Director Scott James answered that was his understanding. Councilmember Bloom asked what that meant from Mr. James' perspective. Mr. James responded similar to this year, the EDBID presented their 2014 budget and work plan to the City Council. It was his understanding the 2014 budget was ratified by the Council, giving the EDBID budget authority, via their presentation to the Council. He assumed that was the EDBID's intent tonight by presenting their estimated revenue and estimated expenditures.

Council President Buckshnis requested Mr. Doherty rewrite the agenda memo for next week's agenda to make it easier to read and describe the potential amendments and the EDBID's responses. She suggested any other questions also be added to the agenda memo.

Council President Buckshnis relayed a question from citizens whether there is a conflict of interest for Councilmembers who are members of the EDBID. Mr. Taraday responded the relationship between a Councilmember's business, the EDBID and the vote to approve the EDBID's budget are so tangentially related that it would not violate the special benefit rules that prohibit votes on contracts.

Councilmember Johnson observed there has been a great deal of discussion about a public restroom in the downtown area. If it were funded by the EDBID, it would take five years of their budget to accomplish. She asked whether there had been any discussion at the executive level about downtown restrooms, recalling a recent presentation at the Economic Development Commission (EDC) that identified approximately ten public restrooms on the parameter of EDBID. Ms. Stuller explained John Dewhirst, EDC, presented to the EDBID. The EDBID sees this as a great opportunity to collaborate on a directory of public restrooms and/or businesses that are willing to share their restrooms publicly. The EDBID is interested in researching other creative solutions rather than building a new structure. If there were a push to construct public restrooms, the EDBID would be interested in contributing but it would not be a sole function of the EDBID. There are many businesses willing to share their restrooms with customers. Councilmember Johnson suggested a signage program with a restroom logo.

Council President Buckshnis suggested the EDBID not get involved in capital programs of that nature and did not expect the EDBID to be responsible for constructing downtown restrooms.

Although she appreciated the comment that the small grant program will not benefit individual businesses, Councilmember Petso said it is not actually in any of the documentation. She requested the Council be notified when the specifics of the grant program are developed. Ms. Stuller agreed that would be done.

It was the consensus of the Council to schedule this on as an agenda item on a future agenda.

6. INTERLOCAL AGREEMENT FOR JAIL SERVICES WITH SNOHOMISH COUNTY

Police Chief Al Compaan explained the agreement with Snohomish County is a three year agreement that would take effect January 1, 2015. There is an option for two additional three year terms with a commensurate rate adjustment over the term of the agreement. The City does the majority of its bookings with Snohomish County and it is an important part of the City's overall criminal justice effort. The budget for jail and prisoner care in the 2015 budget is \$650,000 in Non-Departmental.

Councilmember Fraley-Monillas asked whether any of the cost is recouped for people who use the facilities. Chief Compaan answered generally no; some is recouped via work release or home monitoring.

Councilmember Petso asked the percentage increase in costs under the new contract. Chief Compaan answered the rates are delineated in the agenda memo, an increase in booking fees and daily housing fees. The 2014 budget was \$486,000; the 2015 budget is \$650,000. Councilmember Petso asked whether that entire increase was linked to the Snohomish County contract. Chief Compaan answered yes. Councilmember Petso asked whether he was confident of the justification for the increases. Chief Compaan answered the City is subject to what Snohomish County presents. Snohomish County has had tremendous costs in prisoner medical and mental health care. To be proactive, Snohomish County is trying to increase the overall level of care in an effort to mitigate deaths or serious medical issues in the jail.

Councilmember Petso observed it was a very large percentage increase and asked whether there were options. Chief Compaan advised the next agenda item is an option.

Councilmember Fraley-Monillas explained if a person is on Medicare or Medicaid that coverage stops when they are incarcerated. For example, people with a mental health diagnosis who have been receiving medication, etc. while in the community, their insurance stops when they are incarcerated and medical care is the responsibility of the jail. She noted this may be different than it was before.

It was the consensus of the Council to continue discussion regarding this agenda item as part of the next agenda item.

7. RENEWAL OF INTERLOCAL AGREEMENT FOR JAIL SERVICES WITH YAKIMA COUNTY

Chief Compaan commented this is a similar contract for jail services with Yakima County; the rates are significantly lower but there are logistics with transporting prisoners to/from the Yakima County Jail. The intent would be to use the Yakima County Jail for more long term commitments such as in excess of 10-14 days because it logistically is not worth transporting prisoners for commitments shorter than that. The Yakima County rate under the terms of this one-year contract is \$54.75/day with no booking fee; Snohomish County's general housing rate is \$84/day and a booking fee of \$115 for each prisoner. He summarized the Yakima County contract would provide significant saving and would be utilized for longer term commitments.

Councilmember Petso observed the Snohomish County contract represented a 34% increase. She asked whether the contract included an annual increase. Chief Compaan answered the contract with Snohomish County sets out the rates for the 3-year term of the agreement. If the agreement is renewed, there is an escalator of 90% of the CPI for the subsequent renewal terms.

Councilmember Mesaros asked whether Yakima County had the capability for video arraignment. Chief Compaan answered no, that should not be necessary because the case will have already been adjudicated.

Mayor Earling advised Snohomish County informed the City that there would be substantial increases for all cities that utilize their services due to issues in the jail over the past couple years. Chief Compaan advised the rates at the Snohomish County Jail are still less expensive than King County.

Council President Buckshnis recalled this was brought up at the Snohomish County Cities meeting. She relayed the increase was related to providing medical and mental health services.

It was the consensus of the Council to schedule Agenda Items 6 and 7 on next week's Consent Agenda.

8. **REVIEW & POTENTIAL APPROVAL OF UPDATED RIGHT-OF-WAY TREE MANAGEMENT POLICY**

Public Works Director Williams suggested following discussion the Council advise of any requested changes to the policy and staff will provide a clean copy at the Council's next business meeting for action.

Mr. Williams explained there are numerous references to trees in the Code. The definition of a street tree was unclear and the Tree Board recently provided a recommendation. Designated street trees covered by the Street Plan are limited to the downtown bowl. The issue tonight is related to trees located in City's rights-of-way that not designated street trees, miscellaneous trees located in the rights-of-way that happen to grow there or were planted by property owners. The right-of-way is the area from edge of pavement to where the property owner has taken responsibility with their landscaping.

A resolution in place since 1978 established guidelines for the trimming and removal of trees in the right-of-way but only authorize three reasons for trimming or removing a tree located in the right-of-way, all related to impacts the tree has on public infrastructure such as a waterline, road, sidewalk, etc. There is nothing in the policy that authorizes trimming or removing a tree if it is damaging or affecting private property or infrastructure such as sidewalk, driveway, lawn, a foundation, etc. The Tree Board began discussing this over a year ago. The proposed policy is the Tree Board's recommendation to the Council.

Mr. Williams proposed three changes to the Tree Board's recommendation:

1. The Tree Board identified a tree in the right-of-way that this policy would apply to as a tree 6 inches or more in diameter. The 3rd bullet, of Section 1 Permit Required identifies any trimming of a tree over a height of 8 feet above the ground as measured from the downslope side of the tree. A tree 6 inches in diameter will certainly be over 8 feet tall. He recommended this bullet regarding height be removed as requiring a permit for trees 8 feet in height would result in regulating nearly every tree in the right-of-way.
2. Section 4, Review add "(as appropriate)" following the list of departments.
3. Section 5, Replanting. Revise the title to read, "Trees approved for removal are to be replaced as follows:"

Mr. Williams highlighted the second bullet in Section 5, City staff/consulting arborist to review recommended tree replacement ratio and make a final determination on appropriate replacement ratio for the site.

He described the process for trimming/removing a tree in the right-of-way: obtain a right-of-way permit, pay a minor or full right-of-way permit depending on the size of the tree and have an arborist write a letter stating one of the necessary criteria have been met. Staff will confirm the necessary criteria have been met and take steps as appropriate. It could be that removal is not necessary; root pruning or other less aggressive approach could address the issue. If a permit is issued, the homeowner hires a qualified tree service to trim/remove the tree. Under this policy a homeowner can obtain a permit do the work themselves if the action is only trimming, the branches will not fall in the improved section of the right-of-way and no power equipment will be used. He emphasize this would be a significant improvement; the code rewrite will pull together all the parts of the Tree Code.

Council President Buckshnis viewed the trimming of a tree over 8 feet differently; her neighbors have trimmed very large trees simply to improve their view. She preferred that provision remain in the policy. She agreed those trees were over 6 inches in diameter. Mr. Williams answered if the tree was over 6 inches in diameter, they would be required to obtain a permit to trim or remove the tree. Most of the time a tree 6 inches in diameter would be over 8 feet.

Councilmember Bloom agreed with Council President Buckshnis to retain the bullet regarding the 8-foot tree in the code if it was assumed every 6 inch diameter tree would be over 8 feet in height. Mr. Williams explained if that is retained, a permit, arborist letter, etc. would be required to remove a 1-inch tree that is 8 feet in height, a significant effort by the homeowner. Councilmember Bloom suggested changing the wording to over 8 feet above the ground and 6 inches in diameter.

Councilmember Bloom asked for clarification regarding replanting. Mr. Williams explained the Tree Board provided a recommended replacement, recognizing replacement would not always be appropriate. This is general guideline for tree replacement but if the arborist and the City agree it would not be appropriate, the property owner would not be obliged to replant. Mr. Williams recognized tension between the title of the table, "Trees approved for removal are to be replaced as follows" and the bullet that follows that states "City staff/consulting arborist to review recommended tree replacement ratio and make a final determination on appropriate replacement ratio for the site."

Councilmember Bloom relayed one of the Tree Board's goals is to increase the City's canopy cover due to the many benefits associated with it; Edmonds has a lower canopy cover than even Seattle. The Tree Board wanted a replacement schedule to ensure removal of a large tree removed would require replacement by tree(s) that add to the canopy cover and be a correct tree for that particular area. She noted in many instances the trees are inappropriate for the location and that is the reason they need to be removed. She felt the replanting schedule was appropriate and suggested allowing a tree to be planted elsewhere on the individual's property. Mr. Williams envisioned the arborist, staff and the homeowner would determine an appropriate location for the replacement tree(s).

Councilmember Bloom referred to other options Mr. Williams mentioned such as root trimming, etc., asking whether that would be addressed by the arborist. Mr. Williams agreed it would. Councilmember Bloom asked whether that would be included in the code, recalling the Tree Board's intent was that trees not be removed if the issue could be addressed in another manner. Mr. Williams assured the intent is to save the tree in its existing location if roots can be trimmed and the tree remain healthy and structurally sound. The City will rely heavily on certified, professional arborists to make that call and he was confident arborists will look for less aggressive solutions first.

Councilmember Bloom asked who paid for the certified arborist to do the assessment, observing the City currently does not have an arborist. Mr. Williams advised this policy does not apply to tree trimming/removal done by the City. If staff identifies a tree that is unhealthy, a sight hazard or damaging the infrastructure, staff will initiate its removal. This policy addresses a tree that was damaging private property and the initiator would be the property owner who would pay the permit fee, hire the arborist to write the letter for review by staff before a decision was made. Councilmember Bloom observed the reference to City staff and consulting arborist is the review of the arborist's report. She hoped the City would eventually have a City arborist. Mr. Williams agreed that would be a future recommendation. The code rewrite that will pull together all the tree regulations will be accompanied by some resource requests from staff.

Councilmember Petso asked the cost of a right-of-way permit. Mr. Williams answered a minor right-of-way permit is \$115; a full right-of-way permit is \$380. Councilmember Petso asked how the right-of-way was defined; observing some trees in the right-of-way may be in an area landscaped by the homeowner. Mr. Williams answered most property owners have a good idea where the property line is; instead of leaving untended real estate between the edge of the pavement and the property line, often property owners will improve that area. To the extent there are trees in that area that interfere with the right-of-way, the City can initiate trimming/removal. A permit would be required if the homeowner wants to have a tree trimmed/removed. There may be occasions when it is unknown whether the tree is in the right-of-way or on private property although typically power lines, etc. will provide an idea whether the tree is in

the right-of-way or on private property. Councilmember Petso observed the intent was to apply this policy to trees in the right-of-way regardless of what the homeowners may have done over the years.

Councilmember Johnson referred to the asterisked comment at the end of Section 3, "Removal or trimming of trees located in City rights-of-way designed to enhance views from abutting properties will not be approved," pointing out tree trimming for view enhancement would not be approved. Mr. Williams commented removal of a tree that is damaging infrastructure may also enhance views; that sentence refers to instances where the primary reason for altering the tree would be to supplement views.

Councilmember Johnson recalled an example provided to the Parks, Planning & Public Works Committee, a mature cedar in the public right-of-way that was intruding onto a homeowner's lawn. Mr. Williams agreed there was not a definitive answer. Enormous trees have roots that affect the homeowner's yard, drop needles and block sun from the yard and house. He referred to the last bullet under necessary criteria in Section 3, which provides some latitude, "The tree has outgrown its location, is nearing the end of its healthy life, and should be replaced by a smaller, location appropriate tree." He agreed there were examples of massive Redwood trees that may be affecting the homeowner's property. It would be incredibly expensive to remove such a tree and if the tree was healthy, there may be tension between the public's interest and the private interest.

Council President Buckshtnis suggested revising the 3rd bullet, Section 1 Permit Required to read, "Any trimming of a tree over a height of eight feet (8') above the ground as measured from the downslope side of the tree and 6 inches in diameter."

It was the consensus of the Council for staff to make the requested modification and schedule review and approval on a future agenda.

9. DEVELOPMENT CODE MAJOR UPDATE

Development Services Director Shane Hope explained staff has requested the funds previously allocated by the City Council and not spent in 2014 to be carried forward into 2015 to continue the code update. The Council can also consider adding funds in 2015 to complete more of the update.

She described what has been accomplished to date: approximately \$40,000 of the \$150,000 allocated in 2014/2015 has been spent and \$110,000 remains. In addition the Council allocated \$80,000 over that 2-year period for the critical area regulations and Best Available Science report; that is underway and will continue into 2015. The Council also allocated \$25,000 for the Tree Code and a \$10,000 grant was obtained; those funds are expected to be expended by the end of 2014 and recommendations forwarded to the Council. Carol Morris, a legal consultant, reviewed the City's code, wrote memos with suggestions and questions, suggested reorganization for chapters, and pointed out legal processes that needed to be considered. Those ideas can be incorporated into the next phase of the code update.

Ms. Hope explained in the seven months she has been with the City she has generally reviewed the Development Code, heard from others about the gaps and perceived problems and reviewed Ms. Morris' work. Next steps include preparing the code and public process which cannot be completed before the end of 2014. She proposed carrying forward the what remains of the \$110,000 into 2015, recognize things that have been done and keep moving forward and for the Council to determine whether they wanted to add funds to the budget. The Planning Board has had several discussions about the code update this year; they suggested developing objectives, principles and high priorities for the code update. The packet includes a memo from the Planning Board regarding the code rewrite with regard to the public process, principles, and key objectives. Principles identified by the Planning Board include:

- Consistency with current state law
- Consistency with Edmonds Comprehensive Plan

- Predictability
- Some flexibility
- Recognition of property rights
- Clear, user-friendly language and format
- Enforceability

Objectives identified by the Planning Board include:

- Ensuring reasonable and clear processes for all actions
- Providing expanded and up-to-date set of definitions
- Encouragement of appropriate development
- Protection of critical areas and shorelines
- Recognition of diverse neighborhoods and their characteristics
- Encouragement of pedestrian-friendly and bicycle-friendly access
- Encouragement of low impact stormwater management (consistent with Ecology rules)

The Planning Board and the City Council have expressed interest in addressing key code provisions such as subdivisions, Planned Resident Development (PRD), nonconformance, appeals, variances, zoning amendments, criteria for conditional uses, and many other issues that are either not clear or in different areas of code or are confusing such as off street parking, trees, bicycle facilities, street and sidewalk restoration standards, accessory dwelling units, multifamily residential, notice procedures, etc. She recognized all 300 chapters could not be reviewed with what remains of the \$150,000 which is the reason for Council discussing whether to allocate additional resources and whether it should be allocated this year or another year.

Councilmember Petso asked for clarification of the \$110,000; whether it is included in the draft budget. Ms. Hope answered there is \$85,000 carried forward into the 2015 budget; the intent is to spend \$25,000 this year. If that is not accomplished, a budget amendment will be proposed in the first quarter. Councilmember Petso observed additional funds would be above and beyond the \$85,000. Ms. Hope answered yes, if that was the Council's desire.

Councilmember Mesaros asked whether the rewrite would be done in a manner so that the code was logical and created a system so that another rewrite would not be required in the future. Ms. Hope agreed that was the intent, acknowledging codes will need to be revised in the future as changes occur over time. The intent is to have a more integrated code organized in a consistent, thoughtful manner. Councilmember Mesaros pointed out key to that will be ensuring new ordinances are consistent and do not create conflicts with previous decisions.

Council President Buckshnis observed it will cost \$500,000 to do the entire code rewrite, the Council already allocated \$150,000 and the estimate for professional services is another \$300,000. Ms. Hope agreed that could be the cost if the Council wanted to do everything at once in 1-2 years. The proposal is to utilize Ms. Morris' work and issue an RFQ for the remaining \$110,000. Any additional funds would be the Council's choice to allocate. Council President Buckshnis asked what chapters would be addressed. Ms. Hope answered at least the ones she identified such as subdivision, etc. There are portions of items in various chapters. All the chapters cannot be addressed for that amount; however, some chapters do not need to be changed in substance or, like the building code, is updated every three years based on State law.

Council President Buckshnis referred to the public comment that nothing had been done, relaying her belief a lot had been done. She asked Ms. Hope what she has done in the past in other jurisdictions. Ms. Hope advised there are some issues that need to be addressed sooner such as the tree policy, consolidating how animals are addressed in the police code and the development code, etc., as well as how to

reorganize the code. Some cleanup items have been presented to the Council such as the definition of a legal lot and innocent purchaser.

Council President Buckshnis asked whether the City could hire someone full-time to rewrite the code and whether that would be cheaper than a consultant. Ms. Hope answered it could be cheaper but would take longer whereas a consulting firm has numerous people who can work on it at once. Either way could work; the City would probably get more punch with a consultant. Council President Buckshnis asked what was done in Mountlake Terrace. Ms. Hope advised a consultant was hired for certain pieces and other sections were addressed in a logical framework.

Councilmember Bloom asked how long it took Mountlake Terrace to complete the entire process. Ms. Hope answered about ten years. Councilmember Bloom relayed her primary concern was a code rewrite has been needed since it was first discussed in 2000. There was an allocation of \$300,000 for a code rewrite in 2005 which she was told was put back into the General Fund and only a couple chapters were rewritten. She wholeheartedly supported allocating the full \$300,000. She recognized the budget was tight but she was concerned that having code that was difficult for staff to enforce, contradictory and not consistent was actually costing the City more. She did not want to wait ten years for the code rewrite to be completed. She supported allocating the necessary funds to complete the rewrite in 2015, suggesting it funded in the budget, not from the \$250,000 allocated to Council projects.

Councilmember Johnson observed \$40,000 was spent in 2013-2014 for Ms. Morris for some high level review and chapter reorganization. She asked whether Ms. Morris completed any chapter rewrites. Ms. Hope answered she completed a few but they were not written specifically for Edmonds and do not necessarily not work for Edmonds. Some pieces of the chapters she wrote can be used.

Councilmember Johnson observed there was \$85,000 carryover and \$25,000 left this year, observing that would accomplish approximately 1/3 of what Councilmember Bloom recommended. Ms. Hope advised the \$300,000 is in addition to the existing allocation.

Councilmember Petso recalled when the City first started working with Ms. Morris, the intent was the code rewrite would not include policy changes; it would simply redo existing code. She asked whether that was still the plan. Ms. Hope answered yes, although some things may arise that are not consistent with the Comprehensive Plan or State laws have changed. Councilmember Petso requested as issues are come up, they be identified as either, 1) technical corrections to remove inconsistency, or 2) policy changes. Ms. Hope agreed there would be explanation for any proposed changes.

Mayor Earling declared a brief recess. He advised Item 13 would be rescheduled to a future meeting.

10. PRESENTATION REGARDING LODGING TAX ADVISORY COMMITTEE'S RECOMMENDED 2015 WORK PROGRAM AND BUDGET

Economic Development & Community Services Director Patrick Doherty distributed a summary of the Lodging Tax Advisory Committee's (LTAC) 2015 work program and budget which he explained is different than previous years. The use of lodging tax is prescribed by State law. Cities over 5,000 that impose a lodging tax must appoint a LTAC. All use of lodging tax revenue must reviewed by the LTAC, the LTAC provides a recommendation to the City Council. This will clarify for the auditor that all the steps related to the LTAC review and approval and the Council's review and approval have been followed.

He explained 25% of the lodging tax revenue is allocated towards arts and cultural events that promote tourism. He referred to a list of those programs in the summary. The application for each event is included

in the Council packet. The remaining 75% of lodging tax revenue is available for general tourism promotion activities, programs and services. He identified the uses of those funds:

- Snohomish County Tourism Bureau
- Greater Edmonds Chamber of Commerce Visitors Center
- Edmonds Center for the Arts Season Brochure Arts/Culture/Tourism Ad
- Puget Sound Bird Fest
- Advertising/marketing for tourism
- Professional services for tourism and arts/culture/events marketing and website implementation
 - \$1,000/month contract with consultant Ellen Hyatt
- Edmonds hosting the “RevitalizeWA 2015” Conference in May, organized by Washington State Trust for Historic Preservation and the Main Street Program (funded from the fund balance)

Councilmember Fraley-Monillas inquired about the \$1,000/month budget for Ellen Hyatt. Mr. Doherty advised it would be to maintain the new tourism website, the Facebook page and other social media, updating copy and imagery for the art advertising program, creating a strategic plan for getting the best bang for the buck for advertising, and pitching stories related to Edmonds.

Council President Buckshnis recalled \$2,500/quarter budgeted in the social medial policy. Mr. Doherty explained the City’s social media presence is different than the tourism related social media. The City’s social media presence and outreach is related to art, City functions, etc. This is specific to Visit Edmonds. The \$1,000/month will cover 20 hours/month.

Councilmember Bloom thanked Mr. Doherty for presenting this so clearly. She relayed the LTAC unanimously supported this recommendation. She supported having Ellen Hyatt’s efforts funded by lodging tax revenue.

Councilmember Mesaros asked how many hotel properties there are in Edmonds and the number of hotel rooms. Mr. Doherty answered there are 6-7 hotels; he did not know the number of rooms but the annual projected revenue \$90,000.

It was the consensus of the Council to schedule this item on a future Consent Agenda.

11. DISCUSSION REGARDING THE 2015 PROPOSED CITY BUDGET

Finance Director Scott James reviewed changes made to the budget since it was presented:

Budget Book Page #	Description	Cash Increase (Decrease)
General Fund		
39	Executive Assistant Schedule Salary Step Increase	(\$4,314)
43	Advertising Expense	(\$4,200)
86	Small Equipment (Reduce DP #13)	\$2,200
26	Business Licenses & Fees (Increase Animal License Fee Revenue	\$27,770
26	Public Safety (Increase Grant Revenue from Dept. of Justice)	\$3,970
36	Public Safety (Increase Woodway Law Protection Revenue)	\$7,500
45	City Attorney	(\$87,440)
	Medical Plan Savings	<u>\$295,393</u>
Impacts to General Fund Ending Cash		\$ 32,926
Fund 111 Street		
	Medical Savings	\$10,896

Impacts to Fund 111 Ending Cash		\$10,896
Fund 112 Street Construction		
163	Construction (DP #36)	(\$100,000)
163	Interfund Services (DP #36)	(\$6,000)
Impacts to Fund 112 Ending Cash		(\$106,000)
Fund 120 Hotel/Motel Tax		
94	Professional Services (increase budget per LTAC recommendation)	\$15,000
Impacts to Fund 120 Ending Balance		\$15,000
Fund 126 REET 1		
166	Construction	\$200,000
166	Land	(\$200,000)
Impacts to Fund 126 Ending Cash		\$0
Fund 130 Cemetery Fund		
	Medical Savings	
Impacts to Fund 130 Ending Cash		\$1,727
Fund 132 Parks Construction		
168	Land	\$1,300,000
168	Construction	(\$1,300,000)
168	Construction	\$200,000
Impacts to Fund 132 Ending Cash		(\$200,000)
Fund 421 Water Utility Fund		
	Medical Savings	\$19,871
Impacts to Fund 421 Ending Balance		\$19,871
Fund 422 Storm Utility Fund		
	Medical Savings	\$11,151
Impacts to Fund 422 Ending Balance		\$11,151
Fund 423 Sewer Fund		
	Medical Savings	\$31,870
Impacts to Fund 423 Ending Balance		\$31,870
Fund 511 Equipment Rental Fund		
	Medical Savings	\$4,660
Impacts to Fund 511 Ending Balance		\$4,660

Mr. James reviewed challenges:

Budget Book Page #	Department	Description	Amount
New Ongoing Public Safety Costs for the General Fund			
59	Non-Dept'l	Fire District 1 Services Contract	\$978,000
59	Non-Dept'l	Prisoner Care	\$163,950
59	Non-Dept'l	ESCA/SERS	\$9,300
59	Non-Dept'l	SNOCOM	\$45,332
Impacts to General Fund Ending Cash			\$1,196,582

Mr. James advised the City continues to meet with Fire District 1 (FD1) regarding the service contract. Mayor Earling advised the Council will have an executive session regarding the FD1 issue next Tuesday.

Council President Buckshtnis asked what percentage the \$978,000 represents and what it was based on. Mr. James responded it was 13%. The \$978,000 is an accumulation of costs. When FD1 present their bill, they started with the base in 2009; FD1 negotiated a contract in 2010 in which they incurred higher cost

but those increases were not passed on to the City. FD1 subsequently ratified their 2013-2014 contract which raised the base to at least \$970,000 more, beginning in 2015. FD1 is still negotiating their 2015 contract. Council President Buckshnis observed this represents what is believed to be the settlement amount for retroactive pay as well as 2015. Mr. James answered those are separate issues. The retroactivity was slight more than 26% for the 2013-2014 union contract. Council President Buckshnis referred to the bill for \$1.6 million and asked if the City would pay an additional 13%. Mr. James answered yes. When FD1 settled its contract, it raised the base which is \$978,000 higher. FD1 also expects the City to assist with the retroactive pay.

Councilmember Mesaros observed the City will be paying \$1.6 million plus \$978,000, actually \$2.5 million. Mayor Earling clarified the \$1.67 million is the amount FD1 has billed the City for retroactive pay; the \$978,000 is a guesstimate of the increase in next year's budget. Mr. James relayed FD1 has acknowledged the retroactivity bill is very large and have offered to accept quarterly installments over two years. He advised there may be room for negotiation on the retroactivity amount; the City has presented its case.

Councilmember Fraley-Monillas recalled former Finance Director Neumaier set aside funds for the increase. Mayor Earling responded the amount set aside was not enough. Mr. James advised the total cost for FD1 in the 2014 budget was \$6.5 million; the City currently pays \$6,220,000. Councilmember Fraley-Monillas whether there was a set aside in 2014 budget for the FD1 contract. Mr. James advised the budget included \$6.5 million for FD1; he was not aware of any other set aside other than the contingency reserve.

Councilmember Fraley-Monillas inquired about the \$45,000 for SNOCOM. Mr. James advised that is their increased cost. New World may be operational next year which will include extra costs. In SNOCOM's approved 2015 budget, Edmonds' allocation increased by \$45,000 from \$888,000 to \$934,000. Councilmember Fraley-Monillas expressed frustration that she has heard New World will be coming every year for the past five years. Mr. James agreed it was frustrating for all sides.

Councilmember Petso relayed some of the changes have ongoing impacts, others are one year adjustments. She requested the Strategic Outlook be updated to reflect the changes.

Mr. James continued his review of challenges:

Budget Book Page #	Department	Description	Amount
General Fund			
59	Non-Dept'l	In 2016 Transfer to 617 Firemen's Pension Fund S/B increased by:	\$10,000
59	Non-Dept'l	In 2016 transfer to 009 LEOFF Fund S/B increased by:	\$100,000
59	Non-Dept'l	In 2016 Transfer to 012 Contingency Fund S/B increased by:	\$442,800
Impacts to General Fund Ending Cash			\$552,800

Councilmember Fraley-Monillas relayed Councilmember Bloom and she have served on this board for the past few years and have advocated not to take money away from these programs. The biggest issue is as LEOFF members age, their needs increase to include in home care which is very expensive, as much as \$70,000/person/year. There are 27 LEOFF members. Mr. James advised Finance is aware and concerned about it. This proposal is to begin the discussion regarding a fund balance policy.

Council President Buckshnis relayed only \$300,000 was spent last year and the estimated increase was \$70,000. She did not object to the proposal or considering a policy. Mr. James advised the \$533,000 was carried forward to bring the balance to over \$700,000.

Councilmember Petso observed there were 27 people in the LEOFF 009 and asked how many are in the 617 Firemen’s Pension Fund. Mr. James answered 4.

Mr. James reviewed proposed Council allocations from the \$250,000:

Proposal #	Description	Cash Increase (Decrease)
1	Veterans Park Design	(\$10,000)
2	Train Trench Study (\$90,000) & Peer Review (\$10,000)	(\$100,000)
3	Highway 99 Study and Planning	(\$100,000)
4	Planned Action EIS (2015 Phase 1 \$75,000, 2016 Phase 2 \$75,000)	(\$75,000)
5	Council Meeting Video Taping	(\$6,500)
6	Building & Facility Maintenance Needs Study	(\$20,000)
Subtotal of Allocations		(\$311,500)
Amount Requests Exceed Balance to Allocate		(\$61,500)

Councilmember Petso asked the target geographic location for the planned action EIS. Councilmember Johnson answered Highway 99. Councilmember Petso suggested she, Councilmember Johnson and Ms. Hope discuss this, relaying that a study area of that size was inconsistent with what she thought a planned action EIS was. Ms. Hope relayed it was her understanding \$100,000 was proposed to be allocated for planning and standards for the Highway 99 corridor. Up to an additional \$75,000 would be allocated for an EIS particularly related to traffic, environment, and aesthetics for a total of \$175,000. A planned action EIS is a subarea plan and the size can vary. A special study is done for that area in which standards are analyzed and identified, etc. and an EIS is crafted for that option and 1-2 other options. The SEPA work will also be done. It is advantageous for development to have the EIS and SEPA done up front.

For Council President Buckshnis, Ms. Hope advised both a subarea plan and a planned action become part of the Comprehensive Plan, eliminating the need for a Comprehensive Plan amendment process. Council President Buckshnis asked what area of Highway 99 would be analyzed. Ms. Hope advised that would be worked out in the next stage. Council President Buckshnis asked how the amount was determined. Ms. Hope answered \$150,000 is a typical amount for a planned action. Council President Buckshnis asked whether the amount could be reduced to \$50,000. Ms. Hope advised that could be done but \$175,000 would provide a cushion.

Councilmember Petso relayed her understanding a planned action was not done for a large area that has such different environmental conditions such as exist on Highway 99. For example, some intersections flow better than others, other areas, such as at the county line, are at a complete fail. The idea of doing one SEPA covering the entire length of Highway 99 seemed odd. She relayed information she found via a link on MSRC that states, as a result the city pays for studies and process that would normally be paid for by private applicants. Although there is no formal method under state law to recover the costs of upfront analysis, some jurisdictions have developed cost-sharing agreements with local property owners and associations interested in utilizing the planned action process. Councilmember Petso relayed her concerns, 1) the Council is being asked to subsidize private development, and 2) a planned action for a very large area, such as the entire length of Highway 99, leaves little opportunity for a cost-sharing agreement with a group of property owners versus the possibility for recouping costs if done in a targeted area.

Ms. Hope responded this has been available via GMA for approximately 15 years. Initially the state wanted a way to fund these in perpetuity and gave grants to jurisdictions as pilot projects while they researched cost-sharing methods. There never have been any good cost-sharing methods for planned actions. Developers/property owners fund environmental work on a project-by-project, piecemeal basis, not for an entire area. Some local governments have done a planned action EIS to consider an entire area versus property-by-property as development occurs.

Councilmember Fraley-Monillas relayed the initial thought was \$150,000 would be needed to do the entire 2-mile stretch of Highway 99. Ms. Hope advised \$100,000 plus \$50,000 would cover the full planned action, codes and environmental analysis. She would work with the Council on determining the exact area. Councilmember Fraley-Monillas relayed her interest in participating in that.

Council President Buckshnis referred to the \$6500 for Council meeting videotaping, advising it is a necessity and in the future would be included in the budget. The intent is to utilize Senior Executive Council Assistant Jana Spellman as a legislative assistant for 4 hours/month and the proposed \$6,500 would fund videotaping by Ms. Bevington.

Councilmember Petso relayed the \$250,000 is intended for onetime expenditures. She suggested building the cost for a legislative assistant and/or videotaping into the Council budget rather than from the Council allocations.

Councilmember Fraley-Monillas suggested the Council discuss using the existing council assistant as a legislative aid. An option would be to reduce Ms. Spellman's hours to 16/week. Council President Buckshnis supported having Ms. Spellman provide 4 hours/week as a legislative aid because she is already in the office, has history, is able to find things quickly, etc.

Councilmember Bloom observed it appeared the council assistant's hours would be increased and the additional 4 hours would be as a legislative assistant. Council President Buckshnis explained the council assistant previously worked 20 hours which included 4 hours videotaping Council meetings. She is unable to videotape evening meetings; therefore, her hours have been reduced to 16/week. She would like to have a 20/hour work week, an additional 4 hours/week. Council President Buckshnis proposed rather than an additional 4 hours as the executive assistant, she would act as a legislative aid for all Councilmembers 4 hours/week. Councilmember Bloom preferred to discuss what Councilmembers wanted in a legislative aid, identify a job description and the hours it would entail and include that in the Council budget. Council President Buckshnis advised Human Resources Manager MaryAnn Hardie, City Attorney Cates and Ms. Spellman have drafted a job description for the legislative aid; she will have it sent to the Council.

Councilmember Bloom inquired about the Building and Facility Maintenance Needs Study. Councilmember Johnson advised it was not her idea but she wanted to champion it. This study was discussed at the Finance Committee and would provide an inventory of needs rather than operating in a break/fix mode. Mr. James explained this was done in Mukilteo; an inventory was done of all the buildings, parks, facilities that included the estimated life of all the components. Mukilteo's study cost approximately \$9,800; he added \$10,000 due to Edmonds' size.

Councilmember Mesaros agreed the legislative assistant position description and an estimate of the hours needed to be done first. He was uncertain 4 hours/week would be sufficient to answer questions posed to staff and to provide data and information independent of what is provided by staff. Council President Buckshnis advised the proposal is 4 hours/week or 20 hours/month. She queried several Councilmembers regarding their needs for legislative assistant and it was not a full-time person. Her proposal was to utilize the existing person in that capacity.

Councilmember Fraley-Monillas commented she spends a lot of time doing what a legislative aid could do. The current job specification for the council assistant is 4 hours/week videotaping and 16 hours in the Council office. She asked if the proposal was for the current council assistant to work in the office 20 hours/week and the \$6500 would fund a person to videotape Council meetings. Council President Buckshnis relayed Ms. Spellman's job duties have been reduced to 16 hours/week because she is unable to video evening meetings. Ms. Bevington has been videotaping 4 hours/week. Her suggestion to get Ms. Spellman back to 20 hours/week would be 4 hours/week as a legislative aid.

Councilmember Fraley-Monillas observed Ms. Spellman will no longer videotape Council meetings. Council President Buckshnis advised that was correct at this time. Her contract will be adjusted to reflect she will no longer videotape Council meetings. Councilmember Fraley-Monillas commented some Councilmembers are interested in determining how many hours would be needed for legislative aid type work.

Councilmember Petso commented she had not heard of people sharing a legislative assistant and the concept seems very odd. For example, one Councilmember may ask the aid to research what cities have done to help acquire parks; and another Councilmember may ask him/her to research what cities are doing to sell off surplus parks. She was hesitant to have a single, shared legislative assistant among seven people.

12. **DISCUSSION ON THE PROPOSED 2015-2020 CAPITAL FACILITIES PLAN/CAPITAL IMPROVEMENT PROGRAM**

Due to the late hour, Mayor Earling advised this would be delayed to a future meeting.

13. **CONTINUED DISCUSSIONS ON THE STUDY SESSIONS**

This item was rescheduled to a future meeting via action taken at the conclusion of Agenda Item 9.

14. **MAYOR'S COMMENTS**

Mayor Earling advised Rick Schaefer, the Principle at Tetra Tech, was scheduled to make a presentation at the November 28 meeting. His father passed away so his presentation has been rescheduled to November 25.

Mayor Earling thanked Council and staff who attended the Five Corners ribbon cutting last week. Staff and elected officials have endured a lot of bullets as that project moved along. Early reports, including some from people who were opposed to the roundabout, have been positive.

Mayor Earling invited the public to the Veterans Day Ceremony at the Veterans Plaza at 11 a.m.

15. **COUNCIL COMMENTS**

Council President Buckshnis advised she is working on the extended agenda. The Council will not be meeting on December 23 or 30.

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

This item was not needed.

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

This item was not needed.

18. **ADJOURN**

With no further business, the Council meeting was adjourned at 9:57 p.m.