

EDMONDS CITY COUNCIL APPROVED MINUTES

December 16, 2014

The Edmonds City Council meeting was called to order at 6:15 p.m. by Mayor Earling in the Council Chambers, 250 5th Avenue North, Edmonds.

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

ALSO PRESENT

Noushyal Eslami, Student Representative

STAFF PRESENT

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

1. CONVENE IN EXECUTIVE SESSION TO DISCUSS REAL ESTATE PER RCW 42.30.110(1)(c) AND PENDING LITIGATION PER RCW 42.30.110(1)(i).

At 6:15 p.m., Mayor Earling announced that the City Council would meet in executive session to discuss real estate per RCW 42.30.110(1)(c) and pending litigation per RCW 42.30.110(1)(i). He stated that the executive session was scheduled to last approximately 45 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, Sharon Cates, City Attorney's Office, and City Clerk Scott Passey. The executive session concluded at 7:00 p.m.

(Councilmember Bloom left the meeting following the executive session and returned at 7:08 p.m.)

Mayor Earling reconvened the regular City Council meeting at 7:02 p.m. and led the flag salute.

2. ROLL CALL

City Clerk Scott Passey called the roll. All elected officials were present with the exception of Councilmember Bloom (who arrived at 7:08 p.m.)

3. APPROVAL OF AGENDA

COUNCIL PRESIDENT BUCKSHNIS MOVED, SECONDED BY COUNCILMEMBER PETERSON, TO APPROVE THE AGENDA IN CONTENT AND ORDER. MOTION CARRIED UNANIMOUSLY. (Councilmember Bloom was not present for the vote.)

4. **APPROVAL OF CONSENT AGENDA ITEMS**

Council President Buckshnis requested Item K 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 DECEMBER 9, 2014
- B. APPROVAL OF CLAIM CHECKS #211873 THROUGH #212020 DATED DECEMBER 11, 2014 FOR \$288,962.39 (REISSUED CHECK #212000 \$8.67). APPROVAL OF REISSUED PAYROLL BENEFIT CHECK #61407 FOR \$2,035.81 FOR THE PAY PERIOD NOVEMBER 16, 2014 THROUGH NOVEMBER 30, 2014
- C. REPORT ON FINAL CONSTRUCTION COSTS FOR CITYWIDE SAFETY IMPROVEMENTS PROJECT AND ACCEPTANCE OF PROJECT
- D. SISTER CITY COMMISSION MATCHING GRANT REQUEST
- E. 2014 RETIRING BOARD AND COMMISSION MEMBERS
- F. REAPPOINTMENT OF THE LODGING TAX ADVISORY COMMITTEE MEMBERS FOR 2015
- G. REAPPOINTMENT OF ARTS COMMISSIONER SUZY MALONEY
- H. REAPPOINTMENT OF NEIL TIBBOTT TO THE PLANNING BOARD
- I. REAPPOINTMENT OF EDMONDS SISTER CITY COMMISSIONERS RITA IKEDA AND MARLENE FRIEND
- J. APPROVAL OF SPECIAL DUTY PAY FOR RECREATION MANAGER

ITEM K: **AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT EXTENSION WITH JAMES FELDMAN FOR PUBLIC DEFENDER SERVICES**

COUNCIL PRESIDENT BUCKSHNIS MOVED, SECONDED BY COUNCILMEMBER PETERSON, TO APPROVE THE ALTERNATE VERSION OF THE CONTRACT EXTENSION WITH JAMES FELDMAN FOR PUBLIC DEFENDER SERVICES DATED DECEMBER 16, 2014 WRITTEN BY SHARON CATES. MOTION CARRIED (5-0-1), COUNCILMEMBER PETSO ABSTAINED. (Councilmember Bloom was not present for the vote.)

5. **AUDIENCE COMMENTS**

Peter Halston, Edmonds, relayed his passion for bicycling, education and safety. He cited the importance of having pathway on Sunset Avenue that allows bicycles to travel north and south. He described the Basics of Bicycling Program instituted to students in the Edmonds School District, impacting 4,000-6,000 students in the last 4 years. Those students will be users of Sunset Avenue and Sunset Avenue is a valuable destination for people to enjoy the views. The route is commonly used by

cyclists including those commuting from the ferry to Mukilteo and making a connection to the Burke-Gilman Trail. With regard to concern about combining pedestrians and cyclists on the Sunset Avenue walkway, he pointed out examples in the community where those users are combined such as Green Lake and the Mountlake and Fremont bridges. He relayed the Cascade Bicycle Club and the Edmonds Bicycle Advocacy Group's (EBAG) support for a two-way north-south route on Sunset Avenue and urged the Council to include a north-south bicycle route on Sunset Avenue.

Peter Block, Woodway, a frequent cyclist in Edmonds, expressed support for the Sunset Avenue pathway as a route to accommodate all users traveling north and south including pedestrians and bikes but with conditions. He suggested an 8-10 mph speed limit, appropriate signage and enforcement. Sunset is one of few public spaces in Edmonds with an unimpeded view access to the waterfront and should be accessible to all. The Basics of Bicycling Program is made possible through a partnership with EBAG, Edmonds School District and the 16,000 member Cascade Bicycle Club. It is supported financially by Verdant, the Hazel Miller Foundation and three Safe Routes to School grants and received recognition from the Edmonds City Council two years ago. The program educates young children to ride bikes safely with concurrent health and recreational benefits. Children are also being introduced to the rules of road that they will encounter as future drivers. These children and others need safe places to ride; Sunset can be one of those routes.

Hank Landau, Edmonds, expressed support for Sunset Avenue as a multiuser trail. He recalled speaking to the Council four years ago as a representative of the Edmonds Bicycle Group, asking the Council to pass a resolution in support of the Basics of Bicycling Program. At the time he explained the importance of training young children to be responsible bicycle riders as well as become responsible motorists watching out for bicycle riders. Educating bicycle riders is a key component of the Basics of Bicycling Program and a continuing interest of the Edmonds Bicycle Group and Cascade Bicycle Club. He urged the Council to support the use of Sunset as a multiuser trail for bicycles and pedestrians.

Marlin Phelps, explained he was recently in this courtroom for a trial on a misdemeanor charge, his 33rd time. He plans to make a presentation to the Council next week regarding flaws in the Police Department and the Court. At a meeting with Mayor Earling last spring he complained that the Police Department was not doing anything for him; Mayor Earling's call to the Police Department to request assistance set off a firestorm from the Police Department against him. He is in the process of compiling a court record.

Roger Hertrich, Edmonds, relayed his concern that discussions regarding the Fire District 1 bill are occurring in executive session rather than in open session. The City received an extraordinary bill from Fire District 1, yet the citizens do not hear what the City plans about the bill. He was also concerned that Fire District 1 operates without any input from City. With regard to Sunset Avenue, he said there is no room for bicycles and pedestrians. There are signs downtown stating no bicycles on sidewalk and he questioned allowing bicycles on a walkway. He compared driving on Sunset and maneuvering around the parking to a slalom course. He summarized the current Sunset Avenue configuration was a step backward compared to what existed previously.

Mayor Earling introduced Port Commissioner Mary Lou Block who is also the City's former Planning Director, and Judge Dwyer in the audience.

6. PROPOSED 2015-2020 CAPITAL FACILITIES PLAN/CAPITAL IMPROVEMENT PROGRAM

Main Motion #1

COUNCILMEMBER PETERSON MOVED, SECONDED BY COUNCIL PRESIDENT BUCKSHNIS, TO APPROVE THE CAPITAL IMPROVEMENT PLAN (CIP).

Amendment #1

COUNCIL PRESIDENT BUCKSHNIS MOVED, SECONDED BY COUNCILMEMBER PETERSON, TO AMEND THE CAPITAL IMPROVEMENT PLAN TO INCREASE RESIDENTIAL NEIGHBORHOOD TRAFFIC CALMING FROM \$10,000 TO \$20,000.

Mayor Earling inquired about the funding source. Public Works Director Phil Williams explained there was \$10,000 in the 2014 budget for traffic calming. Staff proposed using those funds to assist the State with the Pine Street crosswalk. A decision was subsequently made not to use the traffic calming funds for that purpose and instead use General Fund balance. As a result there is \$10,000 available in the 2014 budget that could be carried over into the 2015 budget to match the \$10,000 budgeted in 2015.

Action on Amendment #1
MOTION CARRIED UNANIMOUSLY.

Amendment #2
COUNCILMEMBER PETSO MOVED, SECONDED BY COUNCILMEMBER BLOOM, TO AMEND THE SUNSET AVENUE WALKWAY PROJECT FROM A MULTIUSE PATH ON THE WEST SIDE OF THE STREET TO A WALKWAY ON THE WEST SIDE OF THE STREET.

Councilmember Petso expressed her appreciation for the members of the public who spoke tonight, particularly the suggestion for a speed limit sign. Tonight's speakers brought the number of people who do not want bikes on a multiuse pathway on the west side of Sunset nearly to the number who do want bikes on the multiuse pathway. If bikes are allowed, she preferred it be done in a safer manner whether it was via a separate lane, reinstating the bike lane, eliminating parking, etc. She did not feel there was enough width on the pathway to include bicycles. If the motion fails and the pathway includes bicycles, she hoped there would be a speed limit.

Councilmember Fraley-Monillas asked if multiuse pathway was removed from the description, would it just be a sidewalk. Mr. Williams asked whether the intent is just to prohibit bicycles, noting there ; there are wheelchairs, motorized wheelchairs, Segways, etc. If is called a sidewalk, the code includes a definition of a sidewalk, Segways are allowed on sidewalks under State law. Although the project is often called the Sunset Avenue Walkway and he envisioned that would be the predominant use, the grant applications and discussions with City Council reflect the intent to have pedestrians, bicyclists and other non-motorized users on the pathway. With Council support, a trial project was put in place; he preferred to allow the trial to remain in place for a year to see what problems arise from having all users on the pathway which would allow the Council to make an informed decision. If bicycles are prohibited from the pathway, that information will not be available. He was unsure how the granting agencies who have provided some funding would view that; all the grant applications mention that bicycles would be allowed.

Councilmember Fraley-Monillas asked whether a separate bike lane could be provided. Mr. Williams that would create significant geometry issues as the available space is 30 feet curb to curb; a standalone bicycle-only facility would require removing the parallel parking. Councilmember Fraley-Monillas preferred to retain the current description in the CIP and as the trial project continues, the configuration could be changed if necessary. She was hesitant to remove the multiuse wording. Mr. Williams commented if a sufficient amount of information comes in during the evaluation, the Council could make a decision at any time.

Council President Buckshnis explained although she has not been supportive of the Sunset Avenue project, she recognized it was in a trial phase and she did not support the amendment.

Councilmember Petso relayed the Council has been told because grants were sought for a multipurpose walkway and if bikes are not allowed, the City may have to repay the grants. If the description of the

project remains the same in the CIP and grants for construction are sought and obtained for a multiuse pathway, the Council may find itself in the same position but with much larger dollar amounts. Rather than applying for construction grants for a multiuse pathway, she preferred to define the project as a walkway.

Councilmember Bloom relayed she has not be supportive of the Sunset Walkway project, but was very supportive of bicyclists. The 8-80 Cities presentation by Gil Penalosa states sharrows are not effective; there needs to be a grade separation or physical barrier between pedestrians, bicyclists and the road to be safe and accessible for all users which is not the way Sunset Avenue is designed. She expressed support for Councilmember Petso's amendment.

To Councilmember Petso's concern that staff would apply for a construction grant and the description of the project would obligate the City if the grant funds were accepted, Mr. Williams reminded of the numerous touch points the Council will have with regard to the project. Staff will return whenever the Council wishes to assist with the details of the evaluation, gathering data, etc. and the Council will make a decision before staff pursues construction grants.

Call for the Question

COUNCIL PRESIDENT BUCKSHNIS CALLED FOR THE QUESTION, SECONDED BY COUNCILMEMBER FRALEY-MONILLAS SECONDED. CALL FOR THE QUESTION CARRIED UNANIMOUSLY.

Action on Amendment #2

MOTION FAILED (2-5), COUNCILMEMBERS PETSO AND BLOOM VOTING YES.

Councilmember Bloom recalled during the Council's lengthy discussion last week about the alternatives study, she proposed separating emergency vehicle and pedestrian access from the alternatives study. She asked whether separating that would be considered an amendment; recalling staff said a public hearing was not required to add that as a separate project. City Attorney Jeff Taraday asked if her intent was a completely separate, standalone project. Councilmember Bloom answered yes. Mr. Taraday explained the alternatives study will study that among many others things; the whole includes the part. He asked if the intent was for all the other alternatives to go away.

Councilmember Bloom responded the alternatives are not listed in the alternatives study in the CIP although Mr. Williams has stated there is a list somewhere. Mr. Williams responded a number of potential alternatives have been discussed in general terms; he assumed all those would be screened as part of a robust alternatives analysis. The intent has been not to provide a list because there has not yet been a good conversation with the public about ideas they may have to resolve the problem. The first thing in an alternatives analysis would be to work with stakeholders, the public, etc. to refine the list of projects to be screened.

Councilmember Bloom read from the December 17, 2013 minutes: Alternatives Analysis to Study Waterfront Access Issues Including, But Not Limited to, 1) Emergency Vehicle Access, 2) At Grade Conflicts Where Main and Dayton Streets Intersection BNSF Rail Lines, 3) Pedestrian/Bicycle Access, and 4) Options to the Edmonds Crossing Multimodal Terminal Project (Identified as Modified Alternative 2) within the 2004 Final Environmental Impact Statement. She summarized there was a list of four items at that time which did not include the trench. At that time the Council asked that emergency vehicle and pedestrian access be prioritized but that was never integrated into the alternatives analysis. She preferred to separate out emergency vehicle and pedestrian access so that it was prioritized, done sooner than later and many of the alternatives identified will not resolve emergency access any time soon. She was confused that the Council was being asked to vote on an alternatives study but did not even know what alternatives would be studied. Mr. Williams assured all the alternatives mentioned to date will be

considered in the study including the train trench. The first sentence in the project description of the alternatives analysis emphasizes emergency access. If funds are identified to pursue an alternatives analysis, emergency access would be one of the concepts studied. Councilmember Bloom requested the Council vote on separating out emergency vehicle and pedestrian access although she assumed it would fail.

Amendment #3

COUNCILMEMBER BLOOM MOVED, SECONDED BY COUNCILMEMBER PETSO, TO AMEND THE MOTION TO SEPARATE OUT EMERGENCY VEHICLE AND PEDESTRIAN ACCESS FROM THE ALTERNATIVES STUDY AND STUDY IT SEPARATELY FROM ALL THE OTHER ALTERNATIVES.

Councilmember Bloom reiterated emergency vehicle and pedestrian access needs to be prioritized; waiting to do an entire alternatives study is potentially asking for something bad to happen. She was shocked that emergency vehicle and pedestrian access was not in the Comprehensive Plan or the CIP. She summarized emergency vehicle and pedestrian access was long overdue.

Councilmember Fraley-Monillas agreed emergency access was a priority. She asked whether there would be an increased ability to garner funds more quickly if the projects were separated versus studying the entire at-grade separate issue. Mr. Williams answered he did not see that being done quicker; it had the potential to cause confusion for the funding agencies regarding why they were separate projects.

Councilmember Fraley-Monillas commented if emergency vehicle and pedestrian access was separated from the alternatives analysis, it would not be studied if the City obtained funds for the alternatives analysis. Mr. Williams agreed. Councilmember Fraley-Monillas summarized it was preferable to keep them together for funding purposes. Mr. Williams agreed.

Councilmember Petso pointed out the trench was not specifically included in December 17, 2013 definition of the alternatives analysis. Mr. Williams explained an exhaustive list of alternatives has not been prepared; identifying the alternatives would be the first step in an alternatives analysis. Councilmember Petso asked whether the alternatives analysis in the CIP will include discussion of a train trench. Mr. Williams answered absolutely. He offered to add a requirement for staff to provide the Council a list of alternatives to be studied once the alternatives study began.

Councilmember Mesaros pointed out whatever consultant is hired to do the study would be smart enough to offer alternatives that have not been identified. Mr. Williams agreed. Councilmember Mesaros concluded any list the City would provide would likely not include things a consultant would think of.

Call for the Question

COUNCIL PRESIDENT BUCKSHNIS CALLED FOR THE QUESTION, SECONDED BY COUNCILMEMBER PETERSON. CALL FOR THE QUESTION CARRIED UNANIMOUSLY.

Action on Amendment #3

AMENDMENT FAILED (1-6), COUNCILMEMBER BLOOM VOTING YES.

Action on Main Motion #1 as amended

MOTION CARRIED UNANIMOUSLY.

Main Motion #2

COUNCIL PRESIDENT BUCKSHNIS MOVED, SECONDED BY COUNCILMEMBER PETERSON, TO APPROVE THE CAPITAL FACILITIES PLAN (CFP).

Mr. Taraday explained because the Comprehensive Plan was adopted earlier this year, approval of the CFP is included in the budget ordinance and does not need to be approved separately. The Council could approve it in non-ordinance form but would adopt it via the budget ordinance later in tonight's meeting

MOTION CARRIED UNANIMOUSLY.

Mayor Earling requested Agenda Item 10 be moved up to precede Item 7.

COUNCIL PRESIDENT BUCKSHNIS MOVED, SECONDED BY COUNCILMEMBER JOHNSON, TO MOVE UP AGENDA ITEM 10. MOTION CARRIED UNANIMOUSLY.

10. RESOLUTION OF THE CITY COUNCIL EXPRESSING INTENT TO CONFIRM THE MAYOR'S APPOINTMENT OF LINDA COBURN AS THE CITY'S MUNICIPAL COURT JUDGE, WHICH POSITION IS EXPECTED TO BECOME VACANT ON MIDNIGHT, JANUARY 11, 2015

Mayor Earling described the lengthy and thorough process to find a new Judge; notice of the position was sent out; seven people applied, two were disqualified because they lived outside Snohomish County. A panel comprised of Judge Joseph Thibodeau, retired Supreme Court Judge; Judge Stephen Dwyer, Washington State Court of Appeals Judge; and Mark Ericks, Deputy Executive Director for Snohomish County and former Bothell Police Chief. Of the five applicants interviewed, the panel recommended he interview three. After interviewing the three, he was nominating Linda Coburn, an Edmonds resident with a law background and valuable life experiences. He explained the reason for the Resolution of Intent to Confirm was because the City cannot have two judges at a time. Judge Fair intends to resign on January 11, 2014; per the resolution, Ms. Coburn would be appointed shortly after.

COUNCILMEMBER FRALEY-MONILLAS MOVED, SECONDED BY COUNCILMEMBER PETERSON, APPROVAL OF RESOLUTION 1327, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EDMONDS , WASHINGTON, EXPRESSING INTENT TO CONFIRM THE MAYOR'S APPOINTMENT OF LINDA COBURN AS THE CITY'S MUNICIPAL COURT JUDGE, WHICH POSITION IS EXPECTED TO BECOME VACANT ON JANUARY 12 , 2015, WHEN JUDGE FAIR'S RESIGNATION BECOMES EFFECTIVE.

Ms. Coburn said she was humbled and privileged to be selected by Mayor Earling to be the City's next Municipal judge. She has lived and raised her family in Edmonds for the past 22 years. She looked forward to working with the City Council.

MOTION CARRIED UNANIMOUSLY.

7. CONTINUED DISCUSSION AND ADOPTION OF THE 2015 PROPOSED CITY BUDGET

Finance Director Scott James reviewed Staff's recommended preliminary budget book changes, explaining these recommended changes to the General Fund will increase ending fund balance by \$485,915, reduce General Fund expenses by \$106,639, and increase General Fund revenues by \$379,276:

STAFF RECOMMENDED PRELIMINARY BUDGET BOOK CHANGES		
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	\$295,393
	Property Tax Levies as approved by Council (11/18/14)	\$340,036
	Increase Budget for Public Defender	(\$70,000)
	Professional Services for Supervision of Public Defender Caseload	(\$25,000)
	Impacts to General Fund Ending Cash	\$485,915
Fund 104 Drug Enforcement Fund		
	Increase to Beginning Fund Estimate	\$19,600
	Reduce Intergovernmental Services	\$5,000
	Impacts to Fund 104 Ending Cash	\$24,600
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 Cash	(\$15,000)
Fund 125 REET 2		
165	Reduce Meadowdale Playfields Budget	\$50,000
165	Reduce Annual Street Preservation Budget	\$50,000
	Move Budget from Meadowdale Playfields to City Park Budget	(\$100,000)
	Move Budget from City Park Budget to Meadowdale Playfields	\$100,000
	Impacts to Fund 125 Ending Cash	\$100,000
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	\$1,727
133	Cemetery Season Labor DP from 2014	(\$15,186)
	Impacts to Fund 130 Ending Cash	(\$13,459)
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 Cash	\$19,871
Fund 422 Storm Utility Fund		
	Medical Savings	\$11,151
	Impacts to Fund 422 Ending Cash	\$11,151
Fund 423 Sewer Fund		

	Medical Savings	<u>\$31,870</u>
	Impacts to Fund 423 Ending Cash	\$31,870
Fund 511 Equipment Rental Fund		
	Medical Savings	<u>\$4,660</u>
	Impacts to Fund 511 Ending Cash	\$4,660

Mr. James reviewed Council's preliminary budget book changes, advising Items 2, 3 and 4 are potential candidates for funding from the \$20,000 Boards and Commission grant program:

COUNCIL'S PRELIMINARY BUDGET BOOK CHANGES		
Proposal #	Description	Cash Increase (Decrease)
General Fund		
1	Council Meeting Video Taping	(\$6,500)
2	Historic Preservation Commission 2016 Calendar (ongoing)	(\$5,000)
3	Tree Board Minute Takin	(\$1,400)
3	Planning Board Video Taping	(\$2,000)
4	Downtown Restrooms	(\$14,000)
6	Add Crime Analyst (\$90,000 ongoing and \$5,000 one-time)	<u>(\$95,000)</u>
	Impacts to General Fund Ending Cash	(\$123,900)
COUNCIL'S ALLOCATION OF \$250,000		
	Beginning Balance	\$250,000
7	Veterans Park Design	(\$10,000)
8	Train Trench Study	(\$50,000)
9	Highway 99 Area Study Phase 1	(\$100,000)
10	Building & Facility Maintenance Needs Study	(\$20,000)
11	Emergency Access Study, Bell and Pt. Edwards	<u>(\$50,000)</u>
	Subtotal of Allocation	(\$230,000)
	Amount of Requests Exceeding Balance to Allocate	\$20,000
Net Impacts of Council Changes to General Fund Ending Cash		(\$103,900)
Fund 126 REET 1		
	Remove Decision Package #39	\$260,000
	Impacts to Fund 126 Ending Cash	\$260,000

Mr. James reviewed 2015 financial challenges, increases by the following agencies:

Fire District 1 Services Contract	(\$978,000)
Prisoner Care	(\$163,950)
ESCA/SERS	(\$9,300)
SNOCOM	(\$45,332)
Impacts of New Ongoing Costs to General Fund Ending Cash	(\$1,196,582)

Mr. James reviewed the net impact to General Fund Ending Cash

Description	Cash Increase (Decrease)
Staff Recommended Changes Increase General Fund Ending Cash	485,915
Council's Proposed Changes Decrease General Fund Ending Cash	(123,900)
Unallocated Balance of \$250,000 Increases General Fund Ending Cash	\$20,000
Impacts of New Ongoing Costs to General Fund Ending Cash	(\$1,196,582)
Net Impacts to General Fund Ending Cash	(\$814,567)

Mr. James reviewed recommended Council action:

- Motion to approve staff's recommended preliminary budget book changes as presented.
- Discussion and action to approve Council's Preliminary Budget Book Changes.
- Discussion and action to approve Council Allocation of the \$250,000.
- Motion to adopt an ordinance adopting the 2015 City of Edmonds budget as presented and amended.

Main Motion #1 and Action

COUNCILMEMBER PETERSON MOVED, SECONDED BY COUNCILMEMBER PETSO, TO APPROVE STAFF RECOMMENDED PRELIMINARY BUDGET BOOK CHANGES. MOTION CARRIED UNANIMOUSLY.

Main Motion #2

COUNCILMEMBER PETERSON MOVED, SECONDED BY COUNCIL PRESIDENT BUCKSHNIS, TO SET ASIDE \$100,000 OUT OF THE COUNCIL'S ALLOCATION FOR MATCHING FUNDS TO HELP FUND THE ALTERNATIVES ANALYSIS.

Councilmember Peterson commented in light of the Council's action regarding the CFP and CIP as well as discussions with the City's legislators, a key legislators recommended when asking the legislature for funding for a study, the City needed to have some "skin in the game." This is approximately 10% of a \$1 million study.

Councilmember Petso asked whether this was in addition to the other items on the list. Councilmember Peterson said his thought was it would not be in addition, that it would replace Items 8 (Train Trench Study) and 11 (Emergency Access Study, Bell and Pt. Edwards) as the alternatives analysis will include those items.

Councilmember Petso said one of the reasons she voted against separating the emergency vehicle and pedestrian access was because it would be addressed in the budget. She asked if there was a way to make this contingent. The reason the City needs to do a train trench study (Item 8) and emergency access, Bell and Pt. Edwards (Item 11) is because waiting for the legislature to give the City money did not work last time; the City did nothing related to emergency access in 2014 because the City was hopeful the legislature would provide funding which did not happen. She suggested rephrasing so that if the legislature does not provide funding, these two items would be funded. Councilmember Peterson responded if a State transportation package does not materialize in 2015, those funds would be available in the budget and could be reallocated via a budget amendment. Mr. James explained the allocation specifies the use. If the motion is approved, the funding will be taken from those two items; a budget amendment could reallocate the funds.

Councilmember Mesaros observed if the legislature does not provide funds for an alternatives study, the Council could choose to move forward on those two studies. Mr. James agreed.

Councilmember Bloom asked whether funding for the train trench study and emergency access study could be contingent on whether the \$100,000 is used for a match for funds the legislature allocates. She asked whether the Council could approve all three. Mr. James said that is up to the Council.

Councilmember Fraley-Monillas asked for clarification that the \$100,000 would be from the \$50,000 for a train trench study and \$50,000 for the emergency access study, Bell and Pt. Edwards. Mr. Peterson answered yes, noting the Council's action on the CIP included those in the alternatives analysis.

Council President Buckshnis expressed support, recalling this is similar to what was done for the Marsh, setting money aside to use for matching funds for grants. This will motion will replace two specific items and making them general to match the CIP/CFP. She reported on meetings with five legislators who have indicated there probably will be a transportation package this year. It is important for the Council to show their support for the alternatives analysis that will include emergency access.

Councilmember Bloom did not support removing the other two studies. Her understanding of Mr. James's explanation was the Council could approve the two studies and as well as Councilmember Peterson's motion. She would not support the motion if it required removing the other two studies.

Councilmember Fraley-Monillas commented \$100,000 would be set aside in anticipation of the legislature allocating funds for an alternative study. If the legislature does not provide any funding, the \$100,000 could be used to fund the studies in Item 8 and Item 11. Councilmember Peterson explained it would be up to Council to direct staff to make a budget amendment. Mr. Taraday explained the Council adopts the budget at the fund level. Although the budget book and level of detail is indicative of administration's intent regarding how the funds will be spent, it is not binding. In addition, the CIP and budget are intended to be consistent; the Council already adopted the CIP.

Councilmember Fraley-Monillas referred to an email from Councilmember Bloom withdrawing her request for \$300,000 for the code update. She suggested taking the \$100,000 from that. Councilmember Peterson said he was looking for something revenue neutral. If the \$300,000 code rewrite were funded from the \$250,000 provided for Council allocations, the allocations would greatly exceed \$250,000. His intent was for the Council to remain within the \$250,000.

Call for the Question

COUNCIL PRESIDENT BUCKSHNIS CALLED FOR THE QUESTION, SECONDED BY COUNCILMEMBER MESAROS. UPON ROLL CALL, CALL FOR THE QUESTION FAILED (4-3) FOR LACK OF A SUPER MAJORITY; COUNCIL PRESIDENT BUCKSHNIS, COUNCILMEMBERS JOHNSON, MESAROS AND PETERSON VOTING YES; AND COUNCILMEMBERS BLOOM, PETSO AND FRALEY-MONILLAS VOTING NO.

Councilmember Bloom asked for clarification whether motion was to remove the train trench study and emergency access study. Councilmember Peterson did not recall if he stated that in his motion but that was where he had envisioned the funding would come from. Mr. James relayed his understanding of the motion: to allocate \$100,000 for the alternatives analysis by reallocating Items 8 and 11 to pay for the study. Councilmember Peterson agreed that was his intent.

Councilmember Bloom did not support the motion; she wanted to fund those two items in the event the legislature did not provide funds for the alternatives study.

Councilmember Fraley-Monillas suggested retaining funding for the two studies and if the legislature provides funding for the alternatives study, the funds for the train trench and the emergency access study could be used for the \$100,000 match.

Council President Buckshnis pointed out the Council was already \$100,000 over the \$250,000 provided for Council allocation. The money remains in the fund balance; if the legislature does not provide funding for the alternatives analysis, the money can be reallocated.

Councilmember Fraley-Monillas clarified her suggestion was to leave the allocation to the train trench study and the emergency access study until the legislature makes a decision regarding funding for an alternatives study. If the legislature provides funding for an alternatives study, the \$100,000 could be allocated toward the study.

Councilmember Peterson commented after meeting with the legislative team, the City needs to indicate it is serious about the study. This would be doing it backward and does not indicate a strong commitment. Councilmember Fraley-Monillas suggested including language stating the intent. Councilmember Peterson disagreed, stating the force of the City's commitment is much stronger the way he suggested in his motion.

Councilmember Petso was hopeful the motion will be defeated and replaced by a motion to do as Councilmember Fraley-Monillas suggested because she believed that was what staff would do anyway.

Councilmember Bloom supported Councilmember Fraley-Monillas' suggestion, reiterating the City has waited too long to deal with emergency vehicle and pedestrian access and continuing to wait does not make sense.

Amendment #1

COUNCILMEMBER FRALEY-MONILLAS MOVED, SECONDED BY COUNCILMEMBER PETSO, TO TAKE OUT THE TRAIN TRENCH STUDY AND EMERGENCY ACCESS STUDY, ADD \$100,000 WITH A FOOTNOTE THAT STATES IF THE LEGISLATURE DOES NOT ALLOCATE ANY FUNDING, THE FUNDS WILL GO BACK TO THE TRAIN TRENCH STUDY AND EMERGENCY ACCESS STUDY.

Based on past experience, Mayor Earling said anything the Council does to cloud an issue whether it is part of the CIP or the budget, it is too easy for the legislature to question what the City is doing. It has been explained to his satisfaction that if the Council makes this allocation and the legislature does not act on it, the money is there and the Council can reallocate it however they wish. This is a placeholder to show serious intent by the City for an alternatives analysis.

Councilmember Fraley-Monillas asked what the problem was with a footnote. Mayor Earling said it has the potential to cloud the issue.

Action on Amendment #1

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

Action on Main Motion #2

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

Main Motion #3

COUNCIL PRESIDENT BUCKSHNIS MOVED, SECONDED BY COUNCILMEMBER JOHNSON, TO REMOVE ITEM 5, DOWNTOWN RESTROOMS.

Council President Buckshnis explained this is a reoccurring expense and the Council is \$103,900 over the \$250,000. She suggested the City has waited one year for downtown restrooms and could wait another year.

Councilmember Petso questioned removing this item if the overall increase to the General Fund is \$485,000. Council President Buckshnis responded the Council was provided \$250,000 to allocate to one-time items; the \$14,000 is a reoccurring cost for temporary restrooms and the cost will continue to escalate. Although Councilmember Petso viewed it as a \$485,000 surplus, she viewed it as an \$810,000 deficit due to the unknowns such as Fire District 1.

Councilmember Petso asked whether the \$14,000 was an ongoing expense related to a new restroom or for temporary restrooms in 2015. Parks & Recreation Director Hite explained this item was requested by Council President Buckshnis who is passionate about providing downtown restrooms. Constructing a downtown restroom would cost \$250,000 - \$300,000. At Council President Buckshnis' request, she researched the cost of locating porta-potties downtown. Councilmember Petso observed there was \$20,000 remaining of the \$250,000 for allocation to one-time items. She suggested moving downtown restrooms to the \$250,000 allocations. Council President Buckshnis said she did not see it as a one-time item for 2015. She sees the Council allocations as a deficit of \$103,900.

Councilmember Petso referred to the balance to allocate of \$20,000 which would cover this item. Council President Buckshnis pointed out adding the Council budget book changes to the \$250,000 one-time expenses totals \$330,900 which is in excess of the \$250,000. Councilmember Petso explained the Council allocation was for one-time expenditures; if the downtown restrooms were changed to a one-time expenditure, it would fit within the Council's allocation. Council President Buckshnis summarized her motion was to remove it and to wait another year.

Action on Main Motion #3
MOTION CARRIED UNANIMOUSLY.

Main Motion #4
COUNCILMEMBER PETSO MOVED, SECONDED BY COUNCILMEMBER JOHNSON, TO INCLUDE ITEMS 2 (HISTORIC PRESERVATION COMMISSION 2016 CALENDAR (ONGOING), 3 (TREE BOARD MINUTE TAKING) AND 4 (PLANNING BOARD VIDEO TAPING) IN THE BOARDS AND COMMISSIONS GRANT PROGRAM RATHER THAN IN THE BUDGET AS SEPARATE ADDITIONS.

Mayor Earling reminded the Boards and Commission would need to apply for the grants annually.

Councilmember Peterson said his intent for the \$20,000 Board and Commission Grant Program was for it to be used for matching grants to encourage Boards and Commissions to seek money from other sources.

Council President Buckshnis suggested the \$1,400 for Tree Board minute taking and \$2,000 for Planning Board Video Taping be included in the budget next year.

Action on Main Motion #4
MOTION CARRIED UNANIMOUSLY.

Main Motion #5 and Action
COUNCILMEMBER PETSO MOVED, SECONDED BY COUNCIL PRESIDENT BUCKSHNIS, TO APPROVE ITEM 1, COUNCIL MEETING VIDEO TAPING. MOTION CARRIED UNANIMOUSLY

Main Motion #6
COUNCILMEMBER PETSO MOVED, SECONDED BY COUNCILMEMBER BLOOM, TO APPROVE ITEM 6, ADD CRIME ANALYST (\$90,000 ONGOING AND \$5,000 ONE-TIME).

Councilmember Fraley-Monillas asked what this position will do, the funding source, whether it was an ongoing expense and if so, why it was not included in the Police Department's budget. Police Chief Compaan explained the Crime Prevention position was cut in 2009; the department has operated without that position since then. If this position is reinstated, he proposed reconfiguring the job description so that it would have equal focus as a crime analysis and crime prevention officer, to allow the department to be more tactical in its response to regional crime problems. Edmonds is one of the few agencies, maybe the

only in the Puget Sound area that does not have such a position. The position is also valuable in communicating with other agencies and working on crime problems that do not respect jurisdictional lines.

Chief Compaan explained this was one of five decision packages the Police Department submitted in the early stages of the budget process. Due to the uncertainties of the General Fund position, the funding source for this civilian position, Mayor Earling and he reviewed the five decision packages and made a decision to include two of the five that are one-time small equipment needs for the department. The remaining decision packages were ongoing expenses. Although he appreciated Councilmember Petso's efforts to resurrect this decision package, without a stable funding source he was concerned future General Fund problems would not allow the City to continue funding this position which did not serve the incumbent, department, or citizens well. Although he would love to have the position, he was cognizant of the City's General Fund position. He encouraged the Council to seriously consider the funding source so that there would be some security in the position.

Councilmember Fraley-Monillas asked what the crime analyst would do. Chief Compaan answered the analyst would look at crime trends in Edmonds and regionally and interface regularly with Shoreline, Lynnwood, Everett, Mountlake Terrace, and Seattle. A lot of Edmonds' serious crimes are committed by people who do not live in Edmonds and who are committing crimes elsewhere. For example the recent auto theft problem has been caused by regional players. The analyst would regularly interface with other agencies, interface with counterparts in other agencies, attend regional meetings that staff has only been able to attend sporadically due to the staffing situation, and provide information to allow the department to be more tactical in its response to crime problems.

Councilmember Fraley-Monillas asked if the Police Department was involved in other regional efforts. Chief Compaan answered yes, such as the regional narcotics unit, regional SWAT unit and detectives regularly interface with other agencies. The department's detectives do what they can to keep the bigger picture in mind; the crime analyst would interface with the detectives and provide them information regarding the bigger picture that the detectives currently may not have the time to devote their attention to.

Councilmember Fraley-Monillas recognized long term funding is a valid concern. She asked if he would prioritize this position over existing positions in the department; if it was an important enough position to be a cost neutral swap. Chief Compaan answered this position would be an additional position, a civilian position. He was not looking to trade away an existing position; the department is already operating with significantly fewer positions than the department had ten years ago.

Councilmember Fraley-Monillas expressed concern the Council could not provide a guarantee that the General Fund could maintain this position beyond one year. Chief Compaan recognized the Council passes annual budgets but he wanted some assurance from Council that there was buy-in into the position going forward. He recognized the department's 53 officers are funded on an annual basis as well but budget and forecasting models indicate there is a pretty good chance those positions will continue to be funded. With regard to other needs, Compaan explained he submitted two additional decision packages, an additional police officer and another for the money to promote an existing FTE to sergeant to get the street crimes unit up and running. That program was cut several years ago and also hampers the department's ability to be tactical and work quality of life crimes such as street drugs, auto theft, prostitution, vehicle prowls, professional shoplifters, etc. The officers do a good job handling 911 calls but the department is lacking some of the structure to be as responsive as he would like. He placed the crime analysis at a higher level of need than even an additional police officer or a sergeant for the street crimes.

Councilmember Fraley-Monillas asked whether he has discussed long term funding of this position with Mayor Earling. Chief Compaan answered absolutely, but Mayor Earling has the same concerns. Ultimately it is not up to the Mayor or him; it is ultimately up to the Council to allocate the funding. Mayor Earling responded every department has needs for additional staff. He made a decision to develop a cautious budget due to the upcoming challenges as well as other agencies that plan to increase their fees such as Puget Sound Regional Council and Puget Sound Air Quality Control. As much as he hated to, he took the position in the budget not to add any new ongoing expenses related to labor.

Councilmember Petso referred to the list of General Fund change, explaining the reason she delayed proposing this position although she had mentioned it early in budget deliberations was the need to identify funding. The list of changes provides approximately \$500,000 of additional General Fund revenue which was not available to the Mayor at the time the budget was prepared. She figured the Council could fund an approximately \$100,000 position in the Police Department out of the \$485,000 to provide improved response to protect citizens as well as officers responding to calls. The only assurance she could provide Chief Compaan was those funds were ongoing and would be available in the future because they were related to a tax increase the Council adopted. She also assured this position would not be her first choice for a cut from the General Fund budget. Traditionally cuts are made to street transfers, paving, one-time expenditures are pared, etc. If the budget was sound in the first place and there was nearly \$500,000 in additional revenue, she was not terribly concerned about adding \$100,000 in additional expenses. She understood if the budget was so aggressive, she did not characterize it as conservative, that the Council was not comfortable with adding expenses even after finding an additional \$500,000 of ongoing revenue.

Councilmember Peterson referred to Councilmember Petso's comment that this would not be high on her list of priorities to cut, he recalled in previous budget discussions the intent was to balance expenses with a cut. He noted her reference to cutting paving in the past, agreeing the Council had decimated paving in the past and is paying the price for that now. Although he would love to have a crime analyst he was concerned with funding it absent an offsetting cut. Seeing what is happening statewide with revenues and more expenses required of cities for projects and ongoing maintenance, he understood the conservative nature of the budget.

Mayor Earling asked Mr. James to comment on the \$485,000 increase to the General Fund Ending Cash. Mr. James pointed out the crime analyst position was not cut from the budget; it was a decision package that was not included. He noted much of the \$485,000 is property tax; of that \$340,000 is restricted to EMS, leaving only approximately \$140,000. He pointed out the budget already spends more than the City is collecting; he recommended caution with a budget that is using ending fund balance as this budget is. He understood the value of extra staff, noting other departments also requested additional staff. He referred to 2015 financial challenges as well as other challenges such as the elimination of liquor profits. He anticipated the State would be looking for additional funds to balance their budget. The Council and staff are in this together; the Council's part may be not funding nice-to-have positions.

Councilmember Petso explained the reason she did not identify a cut was the nearly \$500,000 in ongoing revenue that could be used to fund this position. She noted the budget seems to draw approximately \$2.3 million from ending cash in terms of excess budgeted 001 Fund expenditures over 001 fund revenues. She had assumed that was okay due to some expectation that the Fire District 1 expenditure would be only one-time and there would be salary savings during the year. She asked whether the budget actually planned to use \$2.3 million from reserves. Mr. James answered as presented, the budget shows the General Fund budget will be drawn down \$2.7 million. The 2.7 million includes \$800,000 for a one-time payment to Fire District 1. That one-time payment is also anticipated in 2015. Fire District 1 will be voting soon to allow cities two years to make payments but a final decision has not been made regarding the amount of the payment. The \$300,000 for EMS is ongoing, reducing the \$2.7 million to \$1.2 million.

Councilmember Petso commented typically during the course of the year there are substantial salary savings due to people leaving or expenditures that are not made. She asked if that was relied on in the 2015 budget to make up the \$1.1 million shortfall or was the plan to have a \$1.1 million shortfall. Mr. James referred to the financial plan that goes out to 2019 (pages 15 and 16 in the budget book) that shows the city is drawing down its cash reserves. The fund balance is approximately 11.4% of revenues, still a healthy number.

Councilmember Fraley-Monillas commented although a crime analyst would be nice, but if she had her druthers to add a position, she would prefer to add a patrol or traffic enforcement person. Those are areas that benefit all citizens and the City falls short in its traffic emphasis.

Councilmember Bloom did not see the crime analyst as a nice-to-have position and supported funding the position due to reports of escalating crime. In her first year in office the Council voted not to fund the crime prevention program and did not fund it last year. She encouraged the Council to seriously consider funding this position and making a commitment as best they can to funding it in the future to build the City's crime prevention program.

Council President Buckshnis referred to the list of staff's recommended preliminary budget book changes, Council's preliminary budget book changes, Council allocation of \$250,000 and new ongoing public safety costs for the General Fund that decrease the General Fund ending cash by \$814,567. She recalled in earlier discussions that amount was \$710,000. Mr. James advised the \$710,000 was the \$1,196,582 offset by the \$485,915 increase in General Fund ending cash.

Council President Buckshnis observed some of the amounts owed to Fire District 1 have come from contingency reserves. Mr. James agreed. Council President Buckshnis noted the budget does not reflect the new amount Fire District 1 has indicated the City will need to pay \$985,000. Mr. James answered the budget includes \$800,000 the City was supposed to pay this year that will be paid next year.

Council President Buckshnis said she wishes the Council could add four more police officers and agreed with Councilmember Fraley-Monillas that boots on the ground were more efficient. She concluded this was a sound budget and she could not support an ongoing expense for a crime analyst due to uncertainties.

Councilmember Johnson said she was sympathetic to the concept of street crime personnel, crime prevent officer and crime analyst but was concerned with the list of 2015 financial challenges that total \$1,196,582. Mr. James advised this list is four increases for which the City does not have ongoing new sources of revenue to fund. Council approval of the property tax increase helps but it does not cover these expenses. Councilmember Petso observed those costs were included in the 2015 budget. Mr. James highlighted them because they are new ongoing costs that do not have any new ongoing revenue sources.

Councilmember Mesaros observed this would be a great position to add along with a street crimes unit and he would love to work toward restoring the City's past public safety levels. The Council may be able to take the risk of funding this position for 1 year but not for 3-5 years; therefore he would not support it.

Councilmember Peterson asked for clarification, the increase to General Fund ending cash of \$485,915, \$340,000 of that is restricted to EMS. Mr. James agreed. Councilmember Peterson concluded he would not support the motion.

Action on Main Motion #6

MOTION FAILED (2-5), COUNCILMEMBER BLOOM AND COUNCILMEMBER PETSO VOTING YES.

Main Motion #7 and Action

COUNCILMEMBER PETERSON MOVED, SECONDED BY COUNCILMEMBER MESAROS, TO INCLUDE ITEM 7, VETERANS PARK DESIGN. MOTION CARRIED UNANIMOUSLY.

Main Motion #8 and Action

COUNCILMEMBER FRALEY-MONILLAS MOVED, SECONDED BY COUNCILMEMBER JOHNSON, TO INCLUDE ITEM 10, HIGHWAY 99 AREA STUDY PHASE 1. MOTION CARRIED UNANIMOUSLY.

Main Motion #9 and Action

COUNCILMEMBER JOHNSON MOVED, SECONDED BY COUNCIL PRESIDENT BUCKSHNIS, TO INCLUDE ITEM 11, BUILDING & FACILITY MAINTENANCE NEEDS STUDY. MOTION CARRIED UNANIMOUSLY.

Council President Bucksbnis asked about removing Decision Package 39 \$260,000 related to Fund 126 REET 1. Mr. James explained Decision Package is in the budget and is related to the Annual Street Preservation Program. The Council approved \$1.2 million for the project in 2014; staff withheld \$260,000 to use as a match for a federal grant to overlay 220th in 2015. The proposal is to remove it from the budget and not fund it in 2015.

Council President Bucksbnis asked for clarification, whether the \$260,000 would remain in REET 1. Public Works Director Phil Williams explained the total to pave 220th is expected to be \$1.084 million. The proposal was to carry over the \$260,000 budgeted in 2014 into 2015 as the required match.

Main Motion #10

COUNCILMEMBER PETSO MOVED, SECONDED BY COUNCILMEMBER FRALEY-MONILLAS, TO ELIMINATE DP #39.

Councilmember Petso said her preference was to pull funds for paving from the 2015 paving allocation rather than from the 126 Fund. The 126 Fund is a capital fund for property acquisition, not just for parks but for parking lots, preservation of critical areas, etc. She preferred not to fund paving from the 126 Fund.

Action on Main Motion #10

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

Councilmember Johnson referred to Decision Package #44, \$15,000 for ongoing funds for equipment for the fleet. She recalled last year \$9,767 was allocated via DP #45 for an automotive diagnostic machine. Mr. Williams explained this was a Council suggestion last year; to have \$15,000 available in the B Fund that could be used to purchase tools or diagnostic equipment. The Council suggested instead of having small decision packages every year, to allocate an amount each year. Councilmember Johnson noted there is also a small equipment line item. Mr. Williams said that amount could be increased instead.

Main Motion #10 and Action

COUNCIL PRESIDENT BUCKSHNIS MOVED, SECONDED BY COUNCILMEMBER PETERSON, TO ADOPT ORDINANCE NO. 3985, ADOPTING THE 2015 CITY OF EDMONDS BUDGET AS PRESENTED AND AMENDED. MOTION CARRIED UNANIMOUSLY.

Mr. James thanked the Council for their work on budget and for asking the hard questions. Mayor Earling commended Mr. James for the fine job he did working through budget.

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

Finance Director Scott James provided an overview of the proposed 4th quarter budget amendment:

- 16 Decision Packages
- 8 Decision Packages already discussed by City Council (pages 10-17)
- 8 new Decision Packages (pages 18-25)
- Overall revenues will be reduced by \$737,049
- Overall expenditures will be reduced \$684,640
- Ending Fund Balance decreased by \$52,409

He provided a summary of the cash impacts by fund (page 9 of the packet). He reviewed new decision packages:

- Police Department
 - Drug Enforcement Task Force Overtime
 - Reimbursed by federal grant
- Police Department
 - Dive Team Overtime
 - Reimbursed by federal grant
- Police Department
 - Increase Professional Services Budget by \$438 and Small Equipment budget by \$4,435
 - Reimbursed by the Edmonds Police Foundation
- Parks & Recreation Department
 - Replace gymnastics floor
 - Edmonds Arts Festival Foundation contribution: \$3,500
 - Hubbard Family foundation contribution: \$2,750
- Parks & Recreation
 - Moves Parks & Recreation budget from savings for the Aquatics cost center due to the partnership with the YMCA
 - Moves the budget savings to recreational professional services and personnel budget
- Debt Service Administrative Fees not included in 2014 budget
- Sister City Expenses
 - \$415 for promotional expenses (page 24)
 - \$427 to help pay for Student Exchange Program expenses (page 25)

Mr. James displayed Exhibit A, Budget Amendment Summary; Exhibit B, Budget Amendments by Revenue; and Exhibit C, Budget Amendments by Expenditure. He summarized revenues are decreased by \$737,049, expenses are decreased by \$684,640 and the ending fund balance is decreased by \$52,409.

Councilmember Petso recalled earlier in the meeting Mr. Williams mentioned \$10,000 for the SR 104 crosswalk would be paid out of the General Fund. However, the 4th quarter budget indicates it will be paid out of the 126 Fund, the fund that can be used for property acquisition. She asked whether that needed to be amended to indicate the General Fund. Mr. James advised the \$10,000 was being paid from REET 2, Fund 125.

COUNCILMEMBER PETERSON MOVED, SECONDED BY COUNCILMEMBER MESAROS, TO APPROVE THE 2014 4TH QUARTER BUDGET AMENDMENT ORDINANCE NO. 3986. MOTION CARRIED UNANIMOUSLY.

Mayor Earling declared a brief recess.

9. SOCIAL MEDIA USAGE POLICY

Economic Development & Community Services Director Patrick Doherty recalled the policy previously was presented at a study session and a request was made to bring it back to the full Council. He referred to one change in the policy; the City Attorney requested he be involved in any decision to remove an inappropriate comment. Every department will have a content contributor. Contracted services in the budget in 2015 will provide the day-to-day oversight of the Facebook page, monitor comments, post feature stores and achieves and once department contributors are trained, can also post information. He clarified the Facebook page was intended to contain feel-good stuff, positive items, achievements, upcoming events, etc. It is not intended for public meeting agendas or to raise polemic discussions.

Councilmember Mesaros inquired about the launch date. Mr. Doherty advised once the policy is approved, it will be launched at least by the first of the year.

Councilmember Bloom asked who the Public Information Officer (PIO) is. Mr. Doherty said the policy references the PIO or someone to carry out those duties. The City does not have that position; the person carrying out those duties will either be him or the budget includes a part-time contract person to provide that function under his leadership.

Councilmember Petso referred to the provision that members of boards and commission and councilmembers are not permitted to post on the City's social media. She asked whether that would make it more difficult to get people to volunteer for boards and commissions. Mr. Doherty explained the intent of social media was to enhance and engage the general public. For a small number of people who volunteer for boards or commissions it may be a hindrance; they can still respond via other blogs and websites. The Open Public Meetings Acts prohibits discussions that could exceed a majority of a body. If a minority were allowed to participate, it would not be fair to the remaining members who would be prohibited from participating.

Councilmember Bloom referred to page 3, Item 3, Social Media Content Coordinator shall not post or link to content that; #4 states, promotes or solicits for an outside organization or group unless authorized by the Mayor or the Mayor's designee. She asked for an example of something that the Mayor or Mayor's designee might authorize. Mr. Doherty responded there are many organizations that do great and important things to engage the community. For example, the City could receive a request from an organization to post photos from an event or an announcement of an upcoming community event. Whenever the City posts something for another organization, approval of the Mayor or his designee is required. He anticipated information from an outside organization could be posted as long as it promotes the general public purpose of engaging the community and providing notice about a community event, activity or accomplishments.

Councilmember Bloom referred to #5, promotes any non-City, commercial enterprise unless authorized by the Mayor or the PIO and asked for an example. Mr. Doherty answered there would be a few community-wide events that could be proposed by a commercial enterprise. He anticipated that was a less likely possibility but did not want to overlook it. Councilmember Bloom asked why the PIO would be involved in that decision. Mr. Doherty answered the day-to-day oversight would be under his and the Mayor's leadership. As things arise, he anticipated it would be discussed by him and Mayor Earling. Councilmember Bloom asked whether additional language would be added to the policies in the future. Mr. Doherty advised amendments could be proposed as issues arise.

Council President Buckshnis anticipated this would be very effective. She asked about posting pictures or videos when some people may not want their picture to be displayed. She recalled that issue arose this year with the video of the 4th of July parade. Mr. Doherty answered the City is not a commercial entity; when people are in the public domain, there is no protection of that image. If someone asks for their

image to be eliminated, the City may need to respond. Council President Buckshnis relayed some people are extremely protective of images of their children. Mr. Doherty advised it would be difficult with a video. The City currently requires permission for any photographs taken of children. He suggested anyone submitting photographs of children be asked whether they obtained permission and not to post pictures unless they did.

Councilmember Bloom referred to Section 5.5 regarding the Open Public Meetings Act Considerations, finding the wording odd as it only references a few boards. Mr. Doherty advised those were intended to be examples.

Student Representative Eslami referred to the definition of social media which includes a number of examples but the Council has only been discussing Facebook. He asked if the City would have a Twitter page. Mr. Doherty answered the City already has a Twitter account that Public Works uses occasionally which will be made available to other departments. If there are any videos about accomplishments and activities, the City also plans to use YouTube.

COUNCILMEMBER PETSO MOVED, SECONDED BY COUNCILMEMBER BLOOM, TO APPROVE THE SOCIAL MEDIA USAGE POLICY AS PRESENTED.

COUNCILMEMBER PETSO MOVED, SECONDED BY COUNCILMEMBER BLOOM, TO AMEND THE MOTION TO REQUIRE PERMISSION BEFORE POSTING INDIVIDUAL OR SMALL GROUP PHOTOGRAPHS. AMENDMENT CARRIED UNANIMOUSLY.

MAIN MOTION AS AMENDED CARRIED UNANIMOUSLY.

11. CITY PARK PROJECT UPDATE AND APPROVAL OF PROJECT BUDGET

Parks & Recreation Commission Carrie Hite reported she has been to Council 6 times in the last 1½ - 2 years to discuss issues related to this project. At this point the problems have been solved, the permit has been issued, the contractor has provided 95% documents and cost estimates and the project is ready to go to bid. The bid documents will be presented to Council for approval of bid award.

In July 2015 the Council authorized the Mayor to sign professional services agreement with Site Workshop for completion of design, permitting, construction documents. Options considered in July included:

1. Allocate additional funds to redesign, continue to design for water reuse system. Additional cost: \$32,000
2. Cease project
3. Explore other options

A decision was made to explore other options with Site Workshop. Site Workshop explored a water recirculating system instead of a water reuse system. The Health Department requires the water pad for a water recirculating system to be within 100 feet of a restroom; this location in City Park was not within 100 feet. The Snohomish County Health Department subsequently gave the City an exemption which allowed design to continue in this location, co-locating it with the play area.

Ms. Hite displayed maps of the Prow Concept developed by Site Workshop and the use zones. Site Workshop took the project from 30% design, then to 60% and to 90% and along the way resolved water table issues. Without water reuse, the two options are recirculating or direct-to-drain. She relayed Marysville's experience; as they could not afford a water recirculating system, direct-to-drain was selected and \$30,000 included in the budget for water. Their first water bill for three months was

\$100,000. In Edmonds' design, that \$100,000 will be put into the development but it will last for many years; the water recirculating system will waste very little water.

She reported Site Workshop was able to prepare construction documents for the play area for install last summer. The playground phase has been completed and the playground was very busy this summer. The goal is to have the spray features installed by Memorial Day. She provided a photograph of the City Park playground, identifying the location of the spray ground.

Ms. Hite reviewed additions/consideration:

- Enhanced storm drainage system (\$85,000)
- Pedestrian improvements/lighted crosswalk on 3rd Avenue (\$25,000)
- Added 10% contingency/escalation
- Completed wetland mitigation with Student Conservation Association
- Bidding spray pad and construction out separately (saves \$100,000)

She reviewed the budget

- Revenue
 - CIP/REET 125, 2013/2014: \$ 500,000
 - Hazel Miller Foundation: \$ 270,000
 - RCO grant: \$ 500,000
 - Snohomish County: \$ 80,000
 - REET 125, 2015: \$ 200,338
 - Total \$1,550,338
- Expenses
 - Total to date \$ 406,526
 - Estimate of remaining expenses:
 - A/E, Construction Mgmt \$ 85,000
 - Construction budget \$ 631,610
 - Spray equipment \$ 335,342 (includes water recirculating and spray equipment)
 - Tax \$ 91,860
 - Total \$1,550,338

She reviewed the schedule:

- Bid January, award bid end January
- Start grading February
- Start installation March
- Goal open May 2015

She shared a YouTube clip of one popular feature that the spray pad will include, the mega soaker.

Councilmember Fraley-Monillas looked forward to having this for Edmonds citizens. She thanked Ms. Hite for all her work. Ms. Hite was glad all the technical issues had been solved and hoped construction would go smoothly.

COUNCILMEMBER FRALEY-MONILLAS MOVED, SECONDED BY COUNCILMEMBER BLOOM, TO ACCEPT THE CITY PARK PROJECT UPDATE AND MOVE FORWARD. MOTION CARRIED (6-1), COUNCILMEMBER JOHNSON VOTING NO.

12. PROPOSED 2015 LEGISLATIVE AGENDA

Economic Development & Community Services Director Doherty reviewed the proposed 2015 legislative agenda:

Top Priorities

1. Transportation
 - Support a statewide transportation revenue package that includes:
 - \$1.25 million for a waterfront at-grade train-crossing alternatives analysis. A one-page description of the project has been prepared that is being shared with legislators that highlights the importance of emergency access and safety.
 - \$10 million for concept design, environmental work, design development, and construction of the first phase of the multiphase SR 99 Edmonds Gateway project.
 - A local option revenue package including an increase in the Transportation Benefit District (TBD) councilmanic authority from \$20 to \$40.
 - Additional Transportation Improvement Board (TIB) funding so that more local projects can move ahead.
2. Oil and Coal Transportation by Rail
 - Monitor state legislation or rule making regarding safety measures the state can implement to ensure the safer transportation of flammable crude oil.
 - Monitor any state legislation or rule making regarding the rail transport of coal.
3. Local Revenues
 - Support reinstatement of state shared revenues to cities, including liquor profits and taxes, and the Public Works Assistance Account.
 - Support sharing recreational marijuana revenues with cities.
 - Support new revenue authority for cities, if a state revenue package is developed.
4. Capital Budget Project
 - \$250,000 toward replacement of a failing roof at the Edmonds Center for the Arts

Monitor / Support Issues

1. Capital Facilities
 - Extend the Optional Authority for Cities & Counties to Use “REET” Proceeds for Capital Facilities M&O
 - Enhance the Washington Wildlife and Recreation Program (WWRP) funding in 2015-17 Capital Budget
 - Re-establish Competitive Grant Funding for the Youth Athletic Facilities (YAF) Program
 - Support Key Recommendations of the Blue Ribbon Task Force on Outdoor Recreation
2. Climate Change
 - Monitor the climate change issue for impacts to Edmonds.
3. Public Defense Costs
 - Supports efforts to identify funding for cities facing increased public defense costs because of an unfunded mandate.
4. Edmonds Community/Senior Center
 - Support efforts by the Edmonds Community/Senior Center to secure funds for construction of a new facility.
5. Public Records Cost Recovery
 - Support public agency efforts to obtain cost recovery for harassing and abusive public records requests that can exceed a public agency’s, and Edmonds’, ability to pay for.
6. Fish Consumption
 - Monitor legislation to set new water quality rules in Washington
7. Cultural Access Authority
 - Support efforts to establish a 0.1% sales tax authority for ballot approval, for cultural organizations including the Edmonds Center for the Arts.

COUNCILMEMBER FRALEY-MONILLAS MOVED, SECONDED BY COUNCILMEMBER PETSO, TO EXTEND THE MEETING UNTIL 10:30 P.M. TO INCLUDE THE EXECUTIVE SESSION. MOTION CARRIED UNANIMOUSLY.

Councilmember Bloom referred to Public Records Cost Recovery and support public agency efforts to obtain cost recovery for harassing and abusive public records requests. She asked the definition of a harassing and abusive public records request. City Attorney Jeff Taraday commented that would likely be determined by the legislature. In the past the legislature has provide some relief for prisoner requests. He clarified it was more than just frequency; a frequency requestor is not necessarily abusive, he/she could just be a very engaged citizen. An abusive requestor would be someone making requests to obtain unnecessary records. For example someone who obtained a record from another agency and then asks the City in an effort to trick/trap them and prove they did not provide something they know exists. He noted this actually happens all the time, someone that uses the Public Records Act not to gain information but in an effort to trap government and an excuse to award penalties.

For Councilmember Bloom, Mr. Taraday was uncertain if there was a specific legislative proposal or it was the City's way of saying they support these efforts. Mr. Doherty reported Senator Chase mentioned implementing a law that would allow the City to prepare and request payment for a portion of a large request. He noted there are examples of small towns almost being bankrupted by a disgruntled individual repeatedly requesting records on very broad terms.

Councilmember Bloom asked about Cultural Access Authority and how the 0.1% additional sales tax would be used. Mr. Doherty answered it is similar to the King County for Culture Fund which is a percentage of the lodging tax that funds cultural activities, venues and organization. The Cultural Access Authority would authorize counties or cities to implement the 0.1% to support cultural activities, organizations and venues. Councilmember Bloom asked if it funded cultural activities for low income people who do not have access. Mr. Doherty answered this item on the legislative agenda was to encourage the legislature to support allowing cities and counties to offer an additional sales tax for voter approval to support cultural activities, venues and organizations. The details would be added at the time a ballot measure was proposed.

Councilmember Fraley-Monillas recalled the CIP has included a roof for the Frances Anderson Center for the past 4-5 years. She asked whether the Frances Anderson Center roof had been repaired. Ms. Hite answered a portion has been. Councilmember Fraley-Monillas expressed concern the City was asking for capital funds for the failing ECA roof but was not asking for funds for the Frances Anderson Center. Ms. Hite offered to confer with Facilities Maintenance Manager Jim Stevens regarding the Frances Anderson Center roof.

Councilmember Mesaros recalled Snohomish County received a public records request for all records going back to 1776. City Clerk Scott Passey agreed Snohomish County had received a very broad request. Councilmember Mesaros noted the county has a very limited period of time to respond. That may be an example of an abusive request.

COUNCILMEMBER JOHNSON MOVED, SECONDED BY COUNCIL PRESIDENT BUCKSHNIS, TO APPROVE THE 2015 LEGISLATIVE AGENDA.

Councilmember Petso asked for a copy of the description of the alternative study. She asked whether it described the alternatives analysis as both Dayton and Main. Mr. Doherty said it describes the problem and mentions the blockage of both Main and Dayton. He read first sentence, The City of Edmonds is seeing \$1.25 million to analyze alternatives that would resolve serious vehicular, pedestrian, public safety

issues and conflicts caused by at-grade railroad crossings located at Main and Dayton Streets at the Edmonds waterfront.

Councilmember Petso asked whether this was the first time the legislative agenda had been presented to Council. Mayor Earling explained staff has been waiting for Council adoption of the CFP/CIP. He and Council President Buckshnis and Councilmembers Johnson and Peterson have meet with several legislators. There has not been a study session held on this item. Council President Buckshnis noted the legislative agenda was reviewed by committee in the past.

Councilmember Petso expressed concern with the \$300,000 funding request for the ECA roof when the Frances Anderson Center roof also needs to be replaced. She objected to being asked to approve the legislative agenda when there has been very little time for the Council or the public to review it or to seek public input. She will not support the legislative agenda tonight and hoped the practice of taking action the first time Council sees something would cease.

Councilmember Fraley-Monillas asked whether the \$300,000 to repair Frances Anderson Center roof was in the CIP. Ms. Hite relayed Mr. James's comment that the funding was moved from 2015 to 2016. Councilmember Fraley-Monillas asked how the roof was prioritized. Ms. Hite suggesting asking Mr. Stevens if there was a higher priority next year and why the funds were moved from 2015 to 2016. Mr. Doherty relayed a bucket brigade is required in the ECA gymnasium when it rains; that is not happening in Frances Anderson Center. The Frances Anderson Center roof is old and needs to be patched and eventually replaced but making funding requests for two projects would be confusing.

Councilmember Fraley-Monillas asked about the City's ownership of the ECA building. Mayor Earling advised the City has a financial interest in the ECA building. Councilmember Fraley-Monillas observed the City does not currently own the ECA building. Mr. Doherty answered it reverts to City ownership in the future.

Councilmember Bloom asked whether the failing roof at the ECA was coupled with a FEMA grant to upgrade the gymnasium to be ADA accessible and allow the building to be used as a shelter in a disaster. Mayor Earling answered the ECA is one of sites in the City where people could gather in the event of a major disaster. Councilmember Bloom pointed out the building and restrooms at the ECA are not ADA accessible. Mr. Doherty offered to research and report to the Council.

Councilmember Bloom asked whether a decision on the legislative agenda could be delay until the first of year to obtain public feedback. She agreed with Councilmember Petso that the Council has had little time to review the agenda and no time to obtain public input. She asked for specifics regarding the Cultural Access Tax. Council President Buckshnis commented many of the same items have been on the Council's legislative agenda in the past; the only difference is Mike Doubleday is not making the presentation. She offered to recommend the next Council President schedule two reviews of the legislative agenda.

Councilmember Petso relayed work is being done at the ECA related to a restroom remodel project which will include accessibility.

If the ECA was seeking funds to redesign the restroom, Councilmember Bloom questioned they were not seeking funds to replace the roof. She recognized the City has an investment in the ECA but the City does not own the building yet. This would be in addition to the \$180,000 the Council allocated in 2015, \$170,000 allocated the previous year and \$250,000 allocated the year before that. She suggested perhaps the ECA should be seeking other funding and the City focus on the buildings it owns at this point.

Councilmember Peterson relayed the ECA/EPFD has been looking for different funding sources. The roof is a key element of the structure. If the roof fails the City will still own the building in the future. It seems logical to add that capital project to the City's capital budget request.

COUNCILMEMBER MESAROS CALLED FOR THE QUESTION, SECONDED BY COUNCIL PRESIDENT BUCKSHNIS. CALL FOR THE QUESTION FAILED (4-3) FOR LACK OF A SUPER MAJORITY; COUNCILMEMBERS BLOOM, PETSO AND FRALEY-MONILLAS VOTING NO.

Councilmember Fraley-Monillas preferred to delay a vote until her questions were answered. She was concerned about the Frances Anderson Center versus the ECA. Mayor Earling relayed his conversation with staff; the Frances Anderson Center needs attention but Mr. Stevens indicated it can last a while longer whereas the failure of the ECA roof is affecting rentals. Mr. Williams felt the Frances Anderson Center roof could be delayed a year.

Councilmember Fraley-Monillas preferred speak to Mr. Stevens and determine how he prioritized projects and why funding for the Frances Anderson Center roof was moved from 2015 to 2016.

Councilmember Petso relayed the ECA/EPFD has undertaken a small project to stop the leaks for now but she did not know the longevity of that project.

MAIN MOTION CARRIED (4-2-1), COUNCILMEMBERS BLOOM AND FRALEY-MONILLAS VOTING NO AND COUNCILMEMBER PETSO ABSTAINING.

13. DISCUSSION REGARDING CODE OF ETHICS

Mayor Earling advised this item will be rescheduled to a January meeting.

14. MAYOR'S COMMENTS

Mayor Earling announced all the Giving Tree requests at City Hall and Frances Anderson Center have been picked up. He announced Kernan Lien was selected as Employee of the Year. He wished the Community and the Council Happy Holidays.

15. COUNCIL COMMENTS

Student Representative Eslami wished everyone Happy Holidays and a Happy New Year.

Councilmember Mesaros reported on his December 4 tour of the Police Department. He thanked Officer Barker for the visit to the Prism Range and Officer Sutton for the ridealong. He attended the Seashore Forum on December 5 and was the only non-King County person at the Climate and Clean Energy Meeting on Mercer Island on December 9. The meeting was very informative and included discussion regarding climate issues that will be before the legislature this session. On December 11 he attended the SnoCom Board meeting; the New World system will be launched soon.

Councilmember Mesaros announced his reappointment of John Rubenkonig to the Economic Development Commission (EDC).

Councilmember Peterson wished everyone a Happy Holiday and looked forward to the New Year.

Councilmember Bloom announced her reappointment of Douglas Swartz to the EDC and her appointment of Jenny Antilla to the EDC.

Councilmember Fraley-Monillas thanked Doug Purcell for his work on the EDC. She will be appointing someone to the EDC soon. She wished everyone Happy Hanukkah and Happy Holidays.

Councilmember Johnson wished everyone Happy Holidays. She thanked Bill Ellis for his four years of service on the Planning Board

Council President Buckshnis reported WRIA 8 has been reviewing their legislative agenda and ILA. Snohomish County Tomorrow also reviewed their legislative agenda. She congratulated Kernen Lien on his selection as Employee of the Year. She wished everyone Happy Holidays and was thankful the budget had been passed.

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

COUNCILMEMBER PETERSON MOVED, SECONDED BY COUNCIL PRESIDENT BUCKSHNIS, TO EXTEND THE MEETING FOR 10 MINTUES. MOTION CARRIED UNANIMOUSLY.

At 10:32 p.m., Mayor Earling announced that the City Council regarding pending or potential litigation per RCW 42.30.110(1)(i). 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. Action may 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, and City Clerk Scott Passey.

MEETING EXTENSION

At 10:46 p.m., Mayor Earling emerged from the Jury Meeting Room to announce that the executive session would be extended for 10 minutes.

MEETING EXTENSION

At 11:00 p.m., Mayor Earling emerged from the Jury Meeting Room to announce that the executive session would be extended for 5 minutes.

The executive session concluded at 11:07 p.m.

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

Mayor Earling reconvened the regular City Council meeting at 11:08 p.m.

18. ADJOURN

With no further business, the Council meeting was adjourned at 11:08 p.m.

DAVID O. EARLING, MAYOR

SCOTT PASSEY, CITY CLERK