

# EDMONDS CITY COUNCIL APPROVED MINUTES

## May 26, 2015

The Edmonds City Council meeting was called to order at 6:30 p.m. by Mayor Earling in the Council Chambers, 250 5<sup>th</sup> Avenue North, Edmonds.

### ELECTED OFFICIALS PRESENT

Dave Earling, Mayor  
Adrienne Fraley-Monillas, Council President  
Diane Buckshnis, Councilmember  
Kristiana Johnson, Councilmember  
Lora Petso, Councilmember  
Joan Bloom, Councilmember  
Thomas Mesaros, Councilmember  
Michael Nelson, Councilmember

### ALSO PRESENT

Noushyal Eslami, Student Representative

### STAFF PRESENT

Phil Williams, Public Works Director  
Carrie Hite, Parks, Rec. & Cult. Serv. Dir.  
Scott James, Finance Director  
Shane Hope, Development Services Director  
Bertrand Hauss, Transportation Engineer  
Rob English, City Engineer  
Jeff Taraday, City Attorney  
Scott Passey, City Clerk  
Jerrie Bevington, Camera Operator  
Jeannie Dines, Recorder

### 1. CONVENE IN EXECUTIVE SESSION TO DISCUSS A REAL ESTATE MATTER PER RCW 42.30.110(1)(b)

At 6:30 p.m., Mayor Earling announced that the City Council would meet in executive session to discuss a real estate matter per RCW 42.30.110(1)(b). He stated that the executive session was scheduled to last approximately 30 minutes and would be held in the Jury Meeting Room, located in the Public Safety Complex. No action was anticipated to occur as a result of meeting in executive session. Elected officials present at the executive session were: Mayor Earling, and Councilmembers Johnson, Fraley-Monillas, Buckshnis, Petso, Bloom, Mesaros and Nelson. Others present were City Attorney Jeff Taraday, Finance Director Scott James, and City Clerk Scott Passey. The executive session concluded at 7:00 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.

### 3. APPROVAL OF AGENDA

Council President Fraley-Monillas requested Consent Agenda Item D be moved to Item 5A.

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

### 4. APPROVAL OF CONSENT AGENDA ITEMS

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

- A. APPROVAL OF DRAFT CITY COUNCIL MEETING MINUTES OF MAY 19, 2015**
- B. APPROVAL OF CLAIM CHECKS #214358 THROUGH #214465 DATED MAY 21, 2015 FOR \$275,890.65 (REISSUED CHECK #214360 \$179.44). APPROVAL OF PAYROLL DIRECT DEPOSIT AND CHECKS #61610 THROUGH #61618 AND #61624 THROUGH #61626 FOR 471,204.58, BENEFIT CHECKS #61619 THROUGH #61623 AND WIRE PAYMENTS OF \$515,369.37 FOR THE PAY PERIOD MAY 1, 2015 THROUGH MAY 15, 2015**
- C. AWARD OF THE 2015 WATERLINE REPLACEMENT PROJECT**
- E. EDMONDS FISH HATCHERY LEASE AGREEMENT**

**5. AUDIENCE COMMENTS**

**Roger Hertrich, Edmonds**, reminded the public of the Planning Board's public hearing tomorrow night. Although he had hoped My Edmonds News would announce the public hearing, instead there was a Guest View from the Tree Board Chair on why Edmonds needs a new Tree Code. He urged property owners who feel they have rights with regard to their property to attend the public hearing. He relayed 80% of the comments on My Edmonds News were opposed to the proposed Tree Code.

**Bob Sears, Edmonds**, a resident in the Meadowdale area, said the Tree Code is about more than just trees, it is an assault on the American dream of owning your own home and the property rights and responsibility of stewardship of one's own property. He and his partner moved to Edmonds 15 years ago after falling in love with the City; now the Tree Code threatens to take away part of their dream.

**5A. PRESENTATION TO APPROVE A QUIT CLAIM DEED FOR 23727 104TH AVE W FOR THE 238TH ST. WALKWAY PROJECT**

City Engineer Rob English explained the walkway will be constructed on the north side of 238<sup>th</sup> Street; the project also includes stormwater drainage improvements. This is a quit claim of 424 square feet from a property owner on the northeast corner of 104<sup>th</sup> and 238<sup>th</sup>, a corner cut that provides the necessary radius for the new sidewalk. Approximately 1/3-1/2 of the area being quit claimed currently has street pavement on it.

Public Works Director Phil Williams explained the property owners are donating this property because they feel it is an improvement to the area. Using the assessed value of their entire property, the value of their donation is approximately \$8,000. He recognized and thanked the property owners, Denis and Melanie McDonald, for their generosity.

It was the consensus of the Council to schedule this on next week's Consent Agenda.

**6. DISCUSSION OF ATM CONCESSION AGREEMENT AT FRANCES ANDERSON CENTER**

Parks & Recreation Director Carrie Hite explained the City's code allows seasonal concessions in parks without a public hearing or Council approval. This is a year-round concession that would be located at the Frances Anderson Center. She requested Council consideration and recommended approval on next week's Consent Agenda.

Councilmember Petso asked if the agreement was substantially in the same format as the agreement for the ATM in front of City Hall. Ms. Hite said it was.

Councilmember Bloom inquired about the location, recalling the ATM at City Hall is located outside. Mr. Hite explained this ATM would be located inside the Frances Anderson Center near the vending machines which is the vendor's as well as the City's preferred location. She preferred not to have an ATM outside the Frances Anderson Center as it is not located near the Police Department like the ATM at City Hall.

It was the consensus of the Council to schedule this on next week's Consent Agenda.

## **7. DRAFT CAPITAL FACILITIES ELEMENT - COMPREHENSIVE PLAN UPDATE**

Development Services Director Shane Hope explained the Council packet contains two versions of the Capital Facilities Element, a clean version and markup version as well as a memo, Planning Board minutes and the PowerPoint provided at last week's meeting. She explained the capital facilities element is part of Comprehensive Plan update along with other elements. Drafts, with refinements, will be considered all together in early July to meet the State's deadline of mid-2015 for adoption. She explained the Capital Facilities Element guided by the State's GMA and one of the requirements is that it be consistent with the rest of the Comprehensive Plan.

Capital facilities means real properties, buildings and other significant physical improvements such as:

- Schools and library
- Civic buildings
- Public parks and recreation facilities
- Water supply and sewage treatment facilities
- Public transit stations

The purpose of the Capital Facilities Element is to ensure adequate capital facilities to meet existing and future needs. Components of the Element include:

- Inventory of existing capital facilities and maps of major capital facilities owned by the City and other public entities and a map of Edmonds School District's inventory
- Goals and policies for meeting future needs
- Capital improvement projects for 6-year period
  - With projected financing
- Public facility needs for 20 year period

The current proposal for the Capital Facilities Element includes:

- New introduction
- New maps and inventory of existing capital facilities
- "Housekeeping" changes to goals and policies
- New performance measure (to be reported annually) related to project delivery, based on comparison of expected results from approved CFP to actual results.
- 6-year financial plan of capital projects (based on adopted 2015-2020 CIP)
- Description of longer term projects (based on adopted Capital Facilities Plan)

Ms. Hope highlighted the Capital facilities Plan (CFP) section:

1. General projects
  - 2015-2020 (with projected funding)

- Long term needs
- 2. Transportation Projects
  - 2015-2020 (with projected financing)
  - Long-term needs
- 3. Stormwater projects
  - 2015-2020 (with projected financing)
  - Long-term needs

Ms. Hope noted the City’s Capital Facilities Element will not include Edmonds School District’s Capital Facilities Plan, following the intent to make the City’s Comprehensive Plan more focused on City facilities. She relayed staff’s response to Council inquiries at the last meeting:

- *Is the description of the Community Park/Athletic Complex at the former Woodway High School was still appropriate.* She relayed Parks & Recreation Commission Carrie Hite indication that it was still consistent and summarizes the basic intent/ideas and did not differ from what has been included in the plan for several years.
- *The Edmonds Crossing project does not reflect the Willow Creek alignments currently under consideration.* Add a note to recognize it is a concept.
- *Timing of the Senior Center project.* The timeframe and the dollar amount could be changed. For example to \$2 million in 2017. As the project progresses, the timeframe and amounts can be changed the following year.
- *Timing of the Civic Playfield.* In discussions with Ms. Hite, she recommended the amount in the CFP be changed to \$1-2 million and to keep the amount for improvements (\$3 million) the same.

She advised final refinements to the element will include:

- Consolidating background narrative and CFP into one Capital Facilities Element
- Adding list of existing City-owned capital facilities with acreage of parcels and/or floor area of buildings

She highlighted review of the Capital Facilities Element to date:

May 26	City Council discussion of draft Capital Facilities Element
June 10	Open House
June/July	Planning Board and City Council public hearings and discussion of the final proposed 2015 Comprehensive Plan Update (including the Capital Facilities Element and all other elements)
July	Final decision

Councilmember Petso referred to packet page 148, observing all projects have either a dollar amount or “unknown” except for the year-round market. She requested “unknown” be added to the year-round market. Ms. Hope agreed.

Councilmember Petso referred to packet page 155, the playfield at the former Woodway High School, and asked whether lighting should be removed from the description since the School District withdrew their application for lights. If the intent was to include details, she asked whether Council should discuss what other details to include in the project description or was it better to remove the details and simply state an athletic complex. Ms. Hope suggested removing reference to lights as that level of detail was not needed. Ms. Hite relayed her understanding from discussions with the School District that they intend to apply for lights in the future. If the lights are not included in the detail, it does not prohibit the City from that discussion but if “lighted fields” was removed, she suggested making the description very generic with no details.

Councilmember Petso referred to packet page 154, a project related to the SnoIsle Library, that includes reference to SnoIsle's Capital Facilities Plan. She said that is in contrast to removing reference to the Edmonds School District's Capital Facilities Plan. Ms. Hope agreed it could be removed.

Councilmember Petso referred to the Sunset Walkway project and asked whether there was now consensus on the Council to return the project to a walkway by removing the multiuse aspect of the project. Councilmember Buckshnis responded it is still in a trial period. Councilmember Petso pointed out the Council's decision on the Comprehensive Plan will occur prior to the conclusion of the trial process. She described seeing a cyclist riding in the road southbound, noting it probably does not matter what cyclist are told to do. She also recently learned there is a standard for the width of a multiuse walkway and the proposed walkway on Sunset is narrower. She asked whether the Council would be interested in a motion in July to return that to a walkway project.

Observing there is no consensus and the trial period has not concluded, Council President Fraley-Monillas asked whether the project description could be changed in the future. Ms. Hope answered it could be changed next year.

Councilmember Nelson referred to the performance measure, comparing actual results with expected results, and suggested it be reworded to make what is being measured clearer. Ms. Hope agreed, noting each major chapter of the Comprehensive Plan includes an easily measured performance measure that relates to the Element and sustainability.

Councilmember Johnson inquired about the history of the art museum project which has been in CFP for several years such as the next step for implementation. The CFP has included \$5 million in concept and there is a private museum opening soon. Councilmember Buckshnis added she read the 2014 Cultural Plan and Goal 4 no longer includes a museum but states enhancing space and experience of a museum. Ms. Hope explained the art museum being discussed is likely different in concept than the one envisioned in the CFP. Ms. Hite commented there was a lengthy discussion during the update of the Cultural Plan; the language regarding an art museum was made more generic but the goal of an art center/museum was not eliminated. The City was aware of the plans for a private art museum when the Cultural Plan was adopted. She recommended the Arts Center/Art Museum remain in the CFP until the Arts Commission further defines it and until the private art museum opens to see if there is still a need to pursue that. The \$5 million amount is a placeholder and is not tied to any plans.

Councilmember Buckshnis referred to language in the Cultural Plan, past CCPs focused on the need to develop spaces; today our emphasis is to get the most out of each and every space, and agreed with the way that was written. Ms. Hite said the community was clear in developing the Cultural plan and PROS Plan that they were interested in partnerships and collaborations and using existing resources instead of building or creating new spaces.

## **8. DISCUSSION ON DRAFT 2015 TRANSPORTATION PLAN**

Public Works Director Phil Williams offered to have staff and the consultant respond to Council questions. Transportation Engineer Bertrand Hauss referred to an email he sent this morning in response to Council questions including average collision rates.

Councilmember Petso referred to conducting traffic counts in November, relaying her research on the internet indicated guidelines for using March to October as well as not using a seasonal adjustment of more than 30%. She suggested using a November traffic count could result in understating actual traffic conditions at an intersection. She asked if using November traffic counts was within the range of industry standard. **Don Samdahl, Fehr & Peers**, answered it is within the industry standard. He agreed counts vary month to month, day to day and week to week; it was typical to conduct traffic counts from fall to

the week before Thanksgiving and then after January. He noted traffic counts were not typically done during the summer because the goal was to get the average peak condition not the peak of the peak.

Councilmember Petso asked whether a seasonal adjustment was applied. Mr. Samdahl answered for existing conditions, they used the actual count; for future conditions, they used the travel model which forecasts into the future what a typical peak condition would be so it is not specific to any particular month. Mr. Williams commented the 2009 plan used a similar timing; it makes sense to have it done about the same time of year in order to compare the 2009 plan data to today.

Councilmember Petso referred to a statement on packet page 3-25, "Supply is current adequate to accommodate parking demand" and asked whether there were any facts to back that up. Without data reasonable minds could differ whether downtown parking was adequate to accommodate demand. If there is no data, she suggested deleting that sentence. Mr. Hauss advised a parking study was done 10 years ago; there is no more recent data. That statement is an assumption and not based on concrete data and could be removed.

Councilmember Petso referred to intersections for which a sub-target level of service (LOS) is predicted but there is no project to address the loss in LOS. She identified the intersections of 196 & 76<sup>th</sup>, SR-104 & 76<sup>th</sup>, and 244<sup>th</sup> & Highway 99 as intersections where the plan projects a LOS E but there are no projects to improve it. Mr. Williams referred to Mr. Hauss' email that addressed that question; two of the three intersections Councilmember Petso identified are State routes so the State sets the LOS. Staff has considered improvements for State intersections that are inside the City that do not meet the City's LOS but there is no compelling legal reason for a project. For intersections the City is the legal entity, it is obliged to identify a project that could be implemented to address that future LOS deficit. Lynnwood owns all four corners of the 196 & 76<sup>th</sup> intersection; they manage the signals and recently made changes to the channelization.

Councilmember Petso asked why that intersection is listed if nothing will be done about it. Mr. Hauss answered the intersection of 196<sup>th</sup> & 76<sup>th</sup> is on a Highway of Regional Significance so the standard is LOS E. He referred to Figure 3-10 where that intersection is identified as LOS E in 2035 which meets the LOS standards for a Highway of Regional Significance.

Councilmember Petso pointed out the City has plans for a project at SR-104 & 238<sup>th</sup>. She asked why a project was not planned for SR-104 & 76<sup>th</sup>. Mr. Williams answered SR-104 is a Highway of Statewide Significance; there is no LOS that is obliged to be met. That does not mean a project cannot be done there but a specific project does not have to be listed in the plan. The City of Shoreline is doing a project on all 4 corners of the intersection at 244<sup>th</sup> & Highway 99 including channelization improvements which should help the LOS. It is an optional project, it is not required.

Councilmember Petso referred to SR-104 & 76<sup>th</sup> and asked whether it could be treated the same as SR-104 & 238<sup>th</sup> or SR104 @ Westgate. Mr. Williams answered yes. Councilmember Petso asked why there is no project for SR-104 & 76<sup>th</sup> when the LOS is projected to be E. Mr. Williams referred to the first project on page 4-11, 244<sup>th</sup> Street SW (SR 104) / 76<sup>th</sup> Avenue W (50% split cost with Shoreline), \$3 million cost 2022-2035. The project will widen 244<sup>th</sup> to add a second westbound left turn lane with 325 feet of storage.

Councilmember Petso referred to 244<sup>th</sup> & Highway 99 for which the City does not set a LOS standard but will work with and notify the State when the intersection does not operate at LOS E. That intersection is projected to be LOS E; she asked whether there was a plan for working with the State. Mr. Samdahl answered with the improvements currently being made and the existing traffic volumes that intersection operates at LOS D, the standard for Highways of Statewide Significance. With no additional

improvements in 2035 that intersection goes to LOS E which technically is beyond the State standard; no additional improvements are identified.

Councilmember Petso asked whether the intent is to wait until the intersection exceeds the LOS before considering a project. Mr. Samdahl said that could be discussed with Shoreline and the State. There are several other intersections on Highway 99 between Edmonds and Seattle that do not meet the State's standard. That does not mean something should not be done but it is not an unusual occurrence. As the improvements Shoreline is making should operate well for several years, no additional projects are identified that Edmonds commits to funding. Mr. Williams added this is based on modeling. There are a lot of unknowns when projecting traffic volumes 2022-2035. He suggested watching the intersection and gathering data to determine when the intersection LOS will fail and initiate a project at the right time.

Council President Fraley-Monillas asked if any of this be addressed with the phases of the Highway 99 project. Ms. Hope answered that may provide another opportunity for monitoring as well as the next round of planning. Mr. Williams referred to a \$10 million funding request of the Legislature for Highway 99, noting were the type of things that could be addressed if additional resources were available.

Councilmember Petso referred to page 4-4, 238<sup>th</sup> / 100<sup>th</sup> signal upgrades, rebuild complete signal system and install video detection. Mr. Williams said it was video detection to operate the signal, not a red light camera.

Councilmember Nelson referred to Project 8 on Table 3-10, 212<sup>th</sup> Street SW and SR 99. The table indicates the LOS is currently F and is still F with improvements. He observed the improvements would reduce the delay from 2 minutes and 30 seconds to 1 minute 27 seconds. He asked if it was a cost or the nature of the roadway. Mr. Samdahl agreed the improvements considerably reduce the delay. The only other action they identified that would make it operate better is to add dual left turn lanes on Highway 99 which would be a considerable cost due to right-of-way impacts. It was felt the magnitude of that project was not consistent with the overall objectives of the Highway 99 vision. It certainly could be considered further after the other study is complete. Mr. Williams commented should the City receive \$10 million from the State, there would be discussions regarding Highway 99 frontage in Edmonds as well as ways to stimulate the retail environment which may be in conflict with projects to move more cars in the corridor.

Councilmember Nelson referred to Mr. Hauss' email regarding the collision rates, noting the data suggests Edmonds drivers are better drivers than other cities' drivers with regard to collisions. Mr. Samdahl answered he had no idea, that was data the State provided.

Councilmember Buckshnis referred to Project 22 on Figure 3-10, which has a LOS F on a Highway of Statewide Significance. Mr. Williams answered Shoreline is making interim improvements on all four corners; the intersection is still projected to have a failed LOS by the end of the planning period. Mr. Hauss explained the improvements include the addition of north and southbound Business Access and Transit (BAT) lanes north of SR-104 to 220<sup>th</sup> and a right turn lane westbound. The project will be completed by the end of 2016. Mr. Williams acknowledged that will not solve the future LOS problem.

Councilmember Johnson referred to the financing plan that Randy Young presented last week. There are costs of \$133 million of which \$60 million have existing funding sources and a revenue shortfall \$73 million. She suggested summarizing the actions the Council has taken to meet those shortfalls. The menu of options includes options the Council has already attempted such as the proposition to add \$40 to the TBD license fee that was defeated 2 to 1. The City does not have a business license fee. A previous Council considered and rejected red light cameras but there is some interested in school zone cameras. Transportation levies have also been attempted and have not been successful. Local improvement districts

have potential but require extensive staff time. She suggested an executive summary of the history related to those funding sources.

Councilmember Bloom referred to the goal to locate fiber optics when improvements are done and asked whether that is routinely done. Mr. Williams answered it is not routinely done; fiber is addressed in projects such as on Highway 99 where signal connectivity is an issue. Private sector companies such as Comcast are also accommodated during projects. Opportunities to underground above-ground utilities are also considered although it is often difficult to identify funding or enthusiasm for such projects, referring to complexities encountered on 228<sup>th</sup> as an example. When power lines are undergrounded the other utilities including fiber are also undergrounded. Councilmember Bloom summarized her understanding of Mr. Williams' explanation was the decision was made on a case-by-case basis depending on the cost and feasibility. Mr. Williams agreed, recalling there was great cooperation in undergrounding the utilities at Five Corners.

Councilmember Petso recalled the Council requested a Complete Streets Study for the SR-104 corridor and asked when that study will be complete. Mr. Samdahl answered they are working on it now; it will be available for staff review in 2-3 weeks. Mr. Hauss anticipated it will be to Council in early July. Councilmember Petso preferred to see it before the Council takes action on Comprehensive Plan if that is possible.

Councilmember Petso referred to page 4-4 and \$700,000 for future Transportation Plan updates. She asked how many plans that would fund. Mr. Williams answered updates are done every 6 years at a cost of approximately \$150,000 each. Councilmember Petso asked whether Table 4-1 identifies every transportation project until 2035. Mr. Williams answered that is the goal; it is everything that can be envisioned with the knowledge available today but things change which is why it is updated every six years. Councilmember Petso suggested an option would be a financial projection that included the next Comprehensive Plan update rather than each subsequent possible update for a determined time period. She noted the City's transportation needs were so severe there was no need to exaggerate them. Mr. Williams said the State requires a 6-year plan and a 20-year plan; everyone understands it gets a little hazy in 20 years.

Councilmember Petso referred to an item on page 4-4, Debt Service on 220<sup>th</sup> Street SW Project (provide revised amount). She asked whether the amount in the plan was the revised number or did it need to be revised. Mr. Hauss answered that is revised number; it is an annual amount until 2021-2026.

Councilmember Petso referred to the second bullet on page 4-12 that states, "If a higher funding level of TBD is put forward and approved by voters, coordinate with PSRC to include projects in the regional transportation plan so that they will be eligible for funding." She asked why the City's cooperation with PSRC was dependent on a higher TBD fee. Mr. Williams suggested rewording that item; the idea is if voters approve funding source, the funds can be used to support projects and those projects will need to be added to the State's TIP. Councilmember Petso observed that would apply regardless of the funding source. Mr. Samdahl recommended removing the first clause and stating only "Coordinate with PSRC to include projects in the regional transportation plan so that they will be eligible for funding."

Councilmember Petso referred to the issue raised by Councilmember Nelson regarding an intersection that is at LOS F and may remain at LOS F even with improvements. Her understanding of concurrency was failed intersections stop development that depend on that intersection. City Attorney Jeff Taraday answered if it is a State highway there is a different legal scheme because the City cannot enforce its concurrency ordinance on State highways. If it is a City street, it would be out of compliance with GMA but the City has a six year period to be in compliance. If the planning horizon more than six years in the future shows failed LOS and it cannot be improved to the LOS standard, the City could change its LOS to

reflect the reality of the situation. Councilmember Petso asked if development could be restricted. Mr. Taraday answered restriction on development is an option under concurrency but there are obviously legal risks associated with that. Consideration would need to be given to whether that was appropriate under the circumstances. Ms. Hope agreed the City could not enforce concurrency requirements on State highways. However, for City streets, GMA states concurrency applies when development occurs and they cause the LOS to go below the adopted standard. Just because the City cannot achieve the LOS does not restrict development. Mr. Taraday summarized it means development should have been denied 20 years ago. Mr. Williams commented instead of establishing a LOS for each intersection, some communities establish a LOS for the corridor.

Councilmember Bloom referred to Councilmember Petso's question about the statement on page 3-25, "Supply is currently adequate to accommodate parking demand," and asked whether that statement could be removed or did the parking demand need to be reevaluated. Mr. Hauss agreed with removing sentence.

Councilmember Bloom thanked everyone who read article from People for Bikes.org that she sent out, "The Feds Jump on Board: Projected Bike Lanes Are Now Official Federal Policy." She asked Mr. Hauss to clarify his response that protected bike lanes do not work on streets with driveways. Mr. Hauss explained for example if there is 100 feet between driveways, there would be a curb cuts in the C-curb which creates a safety hazard. The article cites large cities that have protected bike lanes but they are not in areas where there are driveways. Councilmember Bloom asked if there were any streets in Edmonds that do not have driveways where a C-curb could be considered in the future. She suggested including a policy to implement protected bike lanes where possible. Mr. Hauss suggested it was preferable to be consistent throughout the entire system rather than protected lanes in one area and general bike lanes in another. For example going from a protected bike lane to a general bike lane at a crossing raises safety concerns.

Councilmember Bloom questioned why Edmonds was not considering protected bike lanes if the federal government supports them. Mr. Williams said "where possible" could be added. He was not sure there were many locations in Edmonds where that would be possible any time soon. A protected bike lane raises other issues in addition to curb cuts; it almost requires a complete redesign of the street and raises issues with drainage, snow removal and other operational considerations. Mr. Samdahl commented the word "protected" means many things; some cities are providing buffered bike lanes which are typically a painted 1-2 foot buffer to provide separation but not a physical curb.

Councilmember Bloom said the federal guidelines are related to an actual buffer not just paint. She understood it would be more expensive and takes more space but she wanted to have it included as a goal. Mr. Williams said the article includes a priority list of things to protect bicyclists and to encourage bicycling such as sharrows, on-street bike lanes, buffered bike lanes, protected bike lanes, etc.; there are a wide variety of treatments. He suggested referring to that priority list subject to funding, constructability, applicability to the circumstance, etc.

Councilmember Petso referred to page 3-15 and a proposed bike lane on 9<sup>th</sup> Avenue from north of Main to south of Westgate. She noted many of improvements made in recent years have been to increase vehicle travel lanes on that street such as striping at Walnut and a signal at 220<sup>th</sup>. She asked whether the intent was to combine cars and bikes in that area or acquire additional right-of-way to provide space for bikes and vehicles. Mr. Williams acknowledged the interim, nearly no cost project at Walnut & 9<sup>th</sup> that helps move vehicles through the 4-way stop precludes marked bike lanes for the distance of that improvement. A future interim project could extend that 4-lane treatment to Main to improve automobile performance at 9<sup>th</sup> & Main. Staff does not recommend that at this time due to the potential impact on a future bike corridor on 9<sup>th</sup> Avenue as well as impacts on parking. The plan contains a permanent solution

such as signal or roundabout in the out years. The intent is inexpensive fixes to postpone that project as long as possible.

Councilmember Petso asked whether the exhibit should be altered to show a sharrow until a determination is made regarding how to fit vehicle and bike improvements in the same stretch of road. Mr. Williams answered suggested adding interim improvements to 9<sup>th</sup> Avenue and staff could return with a specific proposal. He acknowledged 4-lanes on 9<sup>th</sup> may not be the answer; it may be a combination of 2 lanes with bike lanes and 4 lanes with sharrows. Councilmember Petso expressed concern with the proposal for bike lanes from Main through the intersection south of 238<sup>th</sup> as it sounds like bikes versus cars in that stretch. She suggested a sharrow would not prevent installation of a bike lane in the future. Mr. Williams responded he did not characterize it as bikes versus cars, although he recognized tensions between the two uses need to be balanced. Dedicated bike lanes can be installed south of Westgate; there may need to be sharrows to get bikes through the intersection and then back to a bike lane to the north. He assured staff will give the solution more thought before an idea is proposed.

Councilmember Johnson referred to a transit priority corridor for SR-104, recognizing it as a good comprehensive concept. The proposed plan does not include an explicit policy requesting the expansion of Swift on SR-104 down to the multimodal station. Since this is a long range plan and the City coordinates with Community Transit and Snohomish County, it may be appropriate to provide explicit policy direction due to the promotion of Westgate as multi-modal corridor. Mr. Williams agreed Community Transit has been active partner; he offered to talk with them about that.

Councilmember Nelson commented bikes and cars should be able to commute in harmony. He supported bike lanes on 9<sup>th</sup> as far as possible without debilitating traffic.

**9. PRESENTATION OF PROPOSAL TO APPROVE A MANAGEMENT RESERVE FOR THE 2015 SANITARY SEWER REPLACEMENT PROJECT**

City Engineer Rob English explained authorization for a management reserve was omitted when the 2015 Sanitary Sewer Replacement Project was awarded at the May 5 City Council meeting. This is a request for a 10% management reserve, \$110,000, to cover unforeseen conditions or change orders that may arise during construction of the project.

It was the consensus of the Council to schedule this on next week's Consent Agenda.

Mayor Earling declared a brief recess 8:30-8:35

**10. CONTINUED DISCUSSION AND POTENTIAL ACTION REGARDING THE POTENTIAL ACQUISITION OF THE EDMONDS CONFERENCE CENTER**

Finance Director Scott James displayed a photograph of the conference center and a floor plan, explaining it has 2 floors, 3 meeting rooms with a capacity of 400, and parking behind the center for 24 vehicles. The conference center website includes parking recommendations which refers to 35 spaces in the Public Safety parking lot, the Edmonds United Methodist Church as a shuttle parking lot, as well as on-street parking. He reviewed opportunities and trade-offs:

Opportunities:

- Control
  - With ownership, City controls the use of the facility
    - City has a larger degree of flexibility in services that can be offered
  - Meeting space is increased
    - Increases the potential to bring City-business related conferences to Edmonds
    - City has more space for art/cultural programs and activities

- Office space is increased
  - City would have increased flexibility to rent lease office space to current/future tenants
  - Could provide future space for City staff
- Location:
  - Building located on 4<sup>th</sup> Avenue Corridor which has been promoted as arts corridor

Trade-offs:

- Primary trade-off is City will expend both capital and operating funds allocated for other purposes, as the acquisition and operation of the conference center is not included in any of the City's future plans or budgets.
  - List of potential capital funding trade-offs can include:
    - a. Civic Field acquisition from school district (\$1 million)
    - b. Frances Anderson Center stage
    - c. City Park Spray Pad (\$854,000)
    - d. Fishing Pier rehab (\$100,000 in matching grant funds)
    - e. Edmonds March Daylighting of Willow Creek (set aside for grant match).
    - f. Former Woodway High School field project (\$650,000)
    - g. Transportation projects (\$1,516,000)
    - h. Senior Center building contribution
    - i. Meadowdale preschool play area (\$5,000)
    - j. Boys & Girls Club contribution
- Building currently in need of some very expensive and extensive repairs, the fully extent is unknown

Mr. James referred to a condition assessment report, Leak Investigation Report and Recommendation for the Edmonds Conference Center, issued August 14, 2014 by Allana Buick & Burrs. He displayed a slide included in the report that identifies five known leak locations and photographs of some of the leak locations and damage to the building.

He reviewed financial risks and rewards associated with commercial ownership (assumes would continue to be operated as conference center):

- Pros of buying:
  - Control of tenant selection
  - Potential to reconfigure the building
  - Ownership of the property
  - Income potential
- Cons of buying:
  - Time commitment
  - Professional help required
  - Bigger initial investment
  - More risk

He identified next steps:

- Letter of intent will be filed with the State prior to their deadline
- The City will have to:
  - Conduct an appraise of an estimated cost \$2000 - \$5000
  - Decide how we are going to pay for purchase
  - Decide how we are going to pay for repairs
  - Decide how we plan to utilize the building
  - Decide how we plan to manage and market the building
  - Decide what trade-offs we are going to make to offset the new costs
  - State has ordered a title report and will provide as soon as received

He displayed photographs of the conference center entrance, the Chrysanthemum Hall, and pending building repairs.

Councilmember Bloom referred to the need for an appraisal, noting an appraisal was done by Edmonds Community College (EdCC) as well as an estimated property value and a damage repair estimate. Mr. James answered the condition assessment report is only an assessment of the building, it is not an appraisal of the building and the property. The assessment report provides some remedies and potential costs but an appraisal has not been done.

Councilmember Mesaros asked whether an appraisal needed to be done prior to the City making an offer or could the City's offer be contingent on an appraisal. Mr. James said it behooves the City to get an appraisal so a value is established before an offer is made. If the City makes an offer, it can be subject to any limitations the Council wishes.

Councilmember Bloom referred to the list a lot of capital funding trade-offs, commenting a number of them could utilize other funding sources. For example, the Civic Field acquisition is considered open space so the City could seek funding from Washington Conservation. Mr. James explained the list was potential capital projects that could be impacted by the purchase of the conference center. The 2015 budget includes \$3 million for the Civic Fields purchase of which \$2 million is a grant. The remaining \$1 million is in the form of a loan, bonds, or existing City resources. All the other projects on the list are in the budget with the exception of the Frances Anderson Center stage, the Senior Center and the Boys & Girls Club. Mr. James said those are examples of capital projects that could be affected; funds for purchasing the conference center have to come from somewhere. Even if the funds were borrowed, borrowing would potentially impact what is spent on other projects as well as have future impacts.

Councilmember Petso asked whether there were any known funding sources to assist with repairs to the building. For example, some government organizations received funds if they set up a facility for emergency use or have obtained community development grants. Mr. James said that has not been researched; grant funds may be available. The legislature has already met and made decisions regarding capital funding requests.

Council President Fraley-Monillas said the City would probably need to know how it planned to use the facility before seeking grants or other funding sources. Mr. James agreed any granting agency would be cautious about providing funds until they knew how the building would be used.

Councilmember Bloom referred to Mr. James' comment that the conference center has historically operated at a loss. She noted there is limited information available, only last year's profit and loss was provided and EdCC's marketing efforts are unknown. It was her understanding that 75% of EdCC's bookings are educational which is at the lower, nonprofit rate and only 25% are at the private rate. Further, people have known about the potential sale for quite a long time so bookings have dropped off significantly. She asked whether there was any way to project potential income generation rather than using past experience. Anticipating the building would continue to be used for conferences and other bookings, she asked whether a spreadsheet could be created to project how much the building would need to be leased to private parties to breakeven rather than using what has not worked for EdCC. Mr. James recalled Mr. Doherty talked with the conference center staff about their marketing efforts. The conference center has a daily and hourly rental rate for each room; staff could guestimate revenue generation. He cautioned City staff is not experienced with operating a conference center so the numbers in a spreadsheet would not be based on experience and he was not certain how meaningful the numbers would be. Councilmember Bloom commented partnering with the Edmonds Center for the Arts (EDC) is also a possibility.

Councilmember Buckshnis commented if the City purchased the conference center, a consulting firm would need to be hired to manage it. She asked Mayor Earling about staffing and potentialities of owning a conference center. She noted the Lynnwood Conference Center which is a much nicer facility with a much larger kitchen would be in direct competition. Mayor Earling suggested he provide comment after Council questions have been answered.

Council President Fraley-Monillas suggested checking with the Yacht Club, Senior Center and the Library regarding room rentals. She suggested reducing the rental amount by half because those venues have views.

Councilmember Johnson observed the City has a tight timeline; the Council authorized a letter of intent that is due by June 1. It has been suggested an appraisal be done prior to an offer and the offer is due June 10/11. Mr. James answered the letter of intent is due June 1 and an offer is due 10 days later. He suggested an offer could be subject to an appraisal as he did not think an appraisal could be done in that amount of time.

Councilmember Petso suggested checking the rental rates at Embassy Suites which does not have extensive catering or a view. She relayed a citizen's suggestion for a public meeting similar to the meeting Councilmember Bloom held regarding Westgate. If the Council identified potential dates, she offered to contact Faith Community Church to arrange a Town Hall/public meeting. That citizen also suggested a Town Hall/public meeting at the conference center would be a vastly superior option.

Councilmember Mesaros explained one of the reasons he voted in favor of submitting a letter of intent was to get more information. He also wanted the Council to think outside box; the property itself is great asset and the building is a detriment to the asset due to the necessary repairs. Rather than looking at this as operating a conference center, he suggested looking at it as a way to acquire an asset for less than market value. If there is an opportunity to get the property "on the cheap" and then take time to ponder the best use of the asset for the City, it is worth pursuing. It was not of value to the City if the City paid anywhere near market value because the City was not in the business of operating a conference center and did not have the time to hold it to determine the best use. He was interested in acquiring it at the lowest possible price which is why he suggested not doing an appraisal before an offer is submitted because he does not envision the City's offer will be near market value.

Councilmember Nelson viewed this as more of a liability than asset. With regard to Mr. James' comment about the City being risk adverse, he said this seems risky. It did not make sense to him to seek creative ways to fund other capital projects in the budget in order to fund purchase of the conference center.

Councilmember Bloom found the idea of a Town Hall meeting interesting and suggested it would be best to hold it at the Edmonds Conference Center. She suggested it would be best if a Town Hall was supported and coordinated by staff and the Mayor. It could potentially be helpful to hear input from citizens who are supportive as well as opposed to the purchase as well as people who have ideas about what how the conference center could be used.

Council President Fraley-Monillas said she was not sure she wanted to throw good money into a project like this although Councilmember Mesaros' idea about the City owning the property possibly has some value. She was unsure why a Town Hall meeting was necessary; citizens can call, email and speak at the podium regarding this issue and they have. She did not want the Council to spin its wheels and hear from the same people who are passionate about purchasing or not purchasing the conference center.

Councilmember Bloom expressed concern about the lack of process. She was concerned that Councilmember Nelson has already decided the property is a liability. She encouraged the Council to keep an open mind and discuss potential uses. She suggested looking at the building with creativity and thought to the future with regard to the possibilities as well as the detriments. She found it disturbing that a number of Councilmembers have their minds made up and closed to any possibility regarding the future use of the conference center. The Council needs to think of the City's future which includes the arts corridor. This is a key building in the arts corridor and the EdCC and the ECA have a cooperative working relationship that includes sharing equipment and event planning. She acknowledged the building is damaged and needs repair but if the City can get it at a good price, it can be operated for a while and then a determination made regarding how it can be operated in a way that brings more economic development into the City. She said Mr. Doherty tried to have Edmonds as a location for a Lodging Tax Conference but was turned down due to the lack of conference space. She was frustrated with some Councilmembers' willingness to pass up this opportunity without doing due diligence.

In response to Councilmember Bloom's comment, Councilmember Petso said she did not expect action tonight but rather future discussions. The City is awaiting a title report and the Edmonds Public Facilities District (PFD) meets on Thursday. She acknowledged some Councilmembers' comments reflect their vote last week. She suggested Councilmembers relax and let the new information come in.

Council President Fraley-Monillas assured some Councilmembers have done what they believe to be their due diligence. Councilmembers may have differences of opinions and different life experiences that determine whether they like or do not like something. She objected to Councilmember Bloom saying Councilmembers have not done their due diligence because they are not interested in spending the City's money on purchasing the conference center.

In response to Councilmember Buckshnis' earlier question, Mayor Earling explained Mr. Doherty is on vacation this week; he is in email contact and has been working while on vacation. A few more responses have been received from the State including that a title report will be provided and that City representatives can walk through the facility. During Mr. Doherty's absence, he asked Mr. James to assist and he has done a fair amount this week and there is potentially more work to be done. He was open to gathering as much information as the City can obtain, acknowledging it can be slow working with the State. With regard to an appraisal, Mayor Earling suggested the Council not to try to get an appraisal done before the June 10 because there is no way to identify a competent appraiser or accomplish an appraisal in that amount of time. Any offer should include that as a condition.

Mayor Earling agreed there was still a lot of information that should be considered and he was open to gathering as much information as possible. He expressed concern with the unknown ongoing operational expense; the City does not have a clue what those are without a project. He agreed a proforma needs to be prepared but that cannot be done until a project is identified. The building needs approximately \$1,012,000 in repairs, likely more because that cost was established in 2014. Staff has looked at the assessment and the general feeling is the cost of repairs could be another \$500,000.

Mayor Earling was also concerned the number of parking spaces is also unknown, acknowledging the title report may provide that information. There is also no strategy for paying the purchase price. He agreed there are trade-offs the Council needs to consider; the City does not have an agreed upon price with the School District for the Civic Fields. Although a grant request has been submitted to the State for approximately \$900,000; the source of remainder is unknown. The City is currently in good financial standing. With the many unresolved issues, he was concerned this project could be a constant drain on the City and until a proforma was developed, it would be difficult to address the financial reality of the facility. He acknowledged answers may be provided that changed his mind but right now, without a definitive plan, it was difficult to assess moving forward.

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

Council President Fraley-Monillas reported the Snohomish County Health District is interested in providing the Council a briefing and she offered to schedule a presentation by Dr. Goldbaum. She reported she also attended committee meetings regarding the Sunset Walkway, Highway 99, and Boards and Commissions.

Councilmember Johnson reported the Historic Preservation Commission (HPC) is surveying potential additions to the Edmonds Historic Register. The HPC will be dedicating two new properties on the Edmonds Historic Register, Chanterelles on June 2 at 10:00 a.m. and the Palmer House on Main Street on June 11 at 10:00 a.m.

Councilmember Johnson reported she attended the Transit Oriented Development Committee at PSRC; that effort is largely focused on light rail and housing affordability around rail transit stations. Members of the Committee were asked to conduct a self-assessment regarding how they are meeting the goals and objectives of the group.

Councilmember Buckshnis reported the WRIA 8 Salmon Recovery Council included review of grant requests. Meadowdale Beach was provided \$250,000 to help with design of the removal of the barrier. There was also a presentation on how stormwater pushes toxins into storm drains; stormwater is becoming an even larger problem for the environment.

Councilmember Bloom reported the Tree Board meeting included discussion regarding the draft Tree Code and the public's reaction, an Arbor Day event, the Heritage Tree Program, issues related to public education and Tree Board Member Brightman provided an update on the Marina Beach Advisory Committee. She also attended the Boards and Commissions committee meeting and the Sunset Avenue Walkway committee meeting and Councilmember Petso and she met with Police Chief Compaan to discuss emergency vehicle and pedestrian access. She anticipated there would be reports regarding the Council committee meetings (formed at the Council retreat) in the near future.

Councilmember Buckshnis reported she also attended the Marina Beach Master Plan PAC; they are working on a hybrid of Options A and B.

Councilmember Mesaros reported the featured program at the SeaShore Transportation Forum meeting was the expansion of the SeaTac Airport. The airport is planning a major expansion in the next 3-5 years including a new international terminal and numerous new international flights. One statistics provided was every new international flight into SeaTac brings in an additional \$24 million annually. With population growth and Delta's creation of this major international hub, SeaTac will be at full capacity in 20 years which will require another regional airport. There was also discussion regarding Paine Field; the Snohomish County Council recently voted to allow regional flights at Paine Field within next 2 years. He noted there are pros and cons to regional flights at Pain Field. He has anecdotally heard a number of people are glad because they will no longer have to drive to SeaTac. Seattle City Councilmember Tom Rasmussen will host the next SeaShore Forum in Seattle on June 5. That meeting will include discussion regarding Seattle's decision to fund Metro service via levy. The surrounding communities, Lake Forest Park, Kenmore, and Shoreline, are interested in how transit in their cities will connect to that new service.

Councilmember Mesaros reported the Port is meeting tonight due to the holiday. SnoCom is holding a joint meeting with SnoPac on May 28; the implementation date for New World is June 9. New World will provide enhanced service to the community.

Councilmember Petso reports she attended Council retreat committees related to emergency access, a downtown historic district and Highway 99. She also remotely attended the Regional Transit Oriented Development meeting. The HPC meeting also included discussion regarding their objective to educate the public about historic preservation including recognizing that any structure over 50 years old is potentially eligible as historic. She urged residents to contact the HPC with questions about whether their home could be listed on the register or before doing a remodel. For example her hopes that she had a perfect example of a 70s split level were dashed when she learned the remodel that attempted to match the existing roofline and windows actually hurt its authenticity.

Councilmember Petso reported the Economic Development Commission briefly discussed the conference center. She plans to attend the PFD meeting on Thursday which will include discussion regarding the conference center.

Councilmember Nelson reported the Climate Protection Committee is reinvigorating the Green Business Program and a draft zero waste resolution was circulated. The Committee's new co-chair, Steve Fisher, is a staff member which highlights the ongoing challenge of increasing public involvement on the committee. The residential solar program resulted in a significant increase from 6 solar permits in 2013 to 39 in 2014. Snohomish County PUD is considering a similar program to encourage solar installations on commercial properties.

Mayor Earling reported the objective at this Thursday's Sound Transit meeting is to finalize the alignment for Sound Transit 3 which will connect the line from Everett to Tacoma to Redmond. It will require voter approval, likely 2016 at the earliest.

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

Mayor Earling reported on the wonderful celebration yesterday at the Edmonds Cemetery. He thanked Councilmember Mesaros, Nelson, Fraley-Monillas, Johnson and Buckshnis for attending.

Mayor Earling said he received a call from the local press about an article regarding Paine Field. He recalled the Council passed a strong resolution opposing commercial traffic at Paine Field and in support of Mukilteo's effort. He will reiterate that to the press until the Council advises him otherwise.

Councilmember Mesaros suggested that was a topic worthy of consideration. He flies three times a month and it is a long drive to SeaTac. Although most of the flights he takes would still leave from SeaTac, it would be easier to take a regional flight such as to Spokane from Paine Field. He is not the only Edmonds resident taking such flights and suggested the Council should discuss that as well as the transportation impacts. Mayor Earling said the Council could have that discussion but he intends to reiterate the City's opposition to the press.

Council President Fraley-Monillas commented the issue was not convenience but flights overhead. She recalled citizens telling the Council they do not want Paine Field opened to more flights and that they preferred to drive to SeaTac to keep planes from flying overhead.

Councilmember Bloom commented planes flying overhead also affect property values. She noted the issue is everyone's needs not just individuals' personal convenience.

Councilmember Buckshnis expressed support for the City's existing position and continuing to support Mukilteo.

## **13. COUNCIL COMMENTS**

Council President Fraley-Monillas reported yesterday was the tenth Memorial Day ceremony she has attended. She commended Mayor Earling for his speech. The event was well attended and she found the story provided by the WWII aviator amazing. She referred to the Memorial Day story written by an Edmonds-Woodway freshman, commenting she was one best speakers she had heard in a very long time.

Councilmember Johnson thanked Dale Hoggins, the Cemetery Board and the Cemetery Sexton for the hometown Memorial Day event. She reminded of the June 10 open house on all the Comprehensive Plan elements at 6:00 p.m. in the Brackett Room at City Hall.

Councilmember Buckshnis advised the Waterfront Festival is this weekend, beginning Friday at 11:00 a.m. through 7:00 p.m. Sunday. There will be great weather, beer garden, games, boats, etc.

Councilmember Bloom invited the public to the public hearing on the draft Tree Code tomorrow night at 7:00 p.m. in Council Chambers. The meeting will also be live streamed.

Councilmember Nelson thanked the Cemetery Board and everyone who organized the Memorial Day ceremony. He commented on the stories provided by Colonel Robert "Buck" who flew 137 combat missions in the South Pacific and was the only surviving member of his unit as well as stories about the 400 veterans buried in the cemetery.

Student Representative Eslami reported on an assignment in his history class to research legislative representatives. Students were reporting on Representative Strom Peterson and he could say he sat next to him on the Council.

14. **CONVENE IN EXECUTIVE SESSION REGARDING A REAL ESTATE MATTER PER RCW 42.30.110(1)(b) AND PENDING OR POTENTIAL LITIGATION PER RCW 42.30.110(1)(i)**

This item was not needed.

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

This item was not needed.

16. **ADJOURN**

With no further business, the Council meeting was adjourned at 9:42 p.m.