

EDMONDS CITY COUNCIL DRAFT MINUTES

December 8, 2015

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

ELECTED OFFICIALS PRESENT

Dave Earling, Mayor
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

Ari Girouard, Student Representative

STAFF PRESENT

Al Compaan, Police Chief
R. Speer, Police Officer
Phil Williams, Public Works Director
Carrie Hite, Parks, Rec. & Cult. Serv. Dir.
Patrick Doherty, Econ. Dev & Comm. Serv. Dir.
Shane Hope, Development Services Director
Scott James, Finance Director
Deb Anderson, Accountant
Rob English, City Engineer
Jeff Taraday, City Attorney
Scott Passey, City Clerk
Jerrie Bevington, Camera Operator
Jeannie Dines, Recorder

1. ROLL CALL

City Clerk Scott Passey called the roll. All elected officials were present.

2. APPROVAL OF AGENDA

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

3. APPROVAL OF CONSENT AGENDA ITEMS

Councilmember Buckshnis requested Item A be removed from the Consent Agenda.

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

B. APPROVAL OF CLAIM CHECKS #217395 THROUGH #217508 DATED DECEMBER 3, 2015 FOR \$547,158.83. APPROVAL OF PAYROLL DIRECT DEPOSIT AND CHECKS #61974 THROUGH #61985 FOR \$495,324.94, BENEFIT CHECKS #61986 THROUGH #61993 AND WIRE PAYMENTS OF \$546,088.13 FOR THE PAY PERIOD NOVEMBER 16, 2015 TO NOVEMBER 30, 2015

C. ACKNOWLEDGE RECEIPT OF A CLAIM FOR DAMAGES FROM WILLIAM MARTENSON (\$1,000.00)

ITEM A: APPROVAL OF DRAFT CITY COUNCIL MEETING MINUTES OF NOVEMBER 20TH, NOVEMBER 24TH, AND DECEMBER 1ST, 2015

Councilmember Buckshnis pulled this item to abstain from the vote on the November 24, 2015 minutes due to her absence from the meeting.

COUNCIL PRESIDENT FRALEY-MONILLAS MOVED, SECONDED BY COUNCILMEMBER JOHNSON, TO APPROVE ITEM A. MOTION CARRIED (6-0-1), COUNCILMEMBER BUCKSHNIS ABSTAINING.

4. AUDIENCE COMMENTS

Roger Hertrich, Edmonds, asked whether the Council was having a public hearing on the budget tonight. Mayor Earling said there is nothing on the agenda for a public hearing on the budget. Mr. Hertrich referred to “several attempted hearings” on the budget and the CFP combined. In the past, there have been separate hearings on the budget and the CFP, allowing citizens three minutes to comment on each. This year the public is allowed only three minutes to comment on both. He expressed concern that combining the hearings reduced the opportunity for public participation and did not give the public enough opportunity to present their concerns or the Council the ability to hear from citizens. He recommended the Council adopt a policy to have separate public hearings on the budget and the CFP so citizens have ample opportunity to speak.

5. PUBLIC HEARING

A. PUBLIC HEARING* AND POTENTIAL ACTION ON ORDINANCE BANNING INSTALLATION OF CRUMB RUBBER ON PUBLICLY OWNED ATHLETIC FIELDS WITHIN CITY LIMITS FOR ONE YEAR (*PUBLIC COMMENTS WILL BE LIMITED TO 2-MINUTES PER PERSON)

Mayor Earling advised as there have been several public hearings on this issue, a decision was made to limit comments to two minutes. He described the procedure for the two minute timing.

Councilmember Petso commented typically a change in the rules would be done via a vote of the Council. As there did not seem to be an extraordinary number of people in the audience to comment, she suggested the time limit be the usual three minutes.

Council President Fraley-Monillas explained a decision was made to limit comments to 2 minutes due to the assumption there would be 25-50 people present to comment. Councilmember Petso said as there are not, it would be reasonable to allow speakers three minutes.

COUNCILMEMBER BLOOM MOVED, SECONDED BY COUNCILMEMBER PETSO, TO REVERT TO THREE MINUTES AS USUAL FOR THE COMMENT PERIOD. MOTION CARRIED UNANIMOUSLY.

Development Services Director Shane Hope said the City Council is aware of concerns raised about crumb rubber/SBR, a material used for sports field surfaces and other uses. Citizens have spoken both for and against the use of crumb rubber over the past several months. The Council has reviewed and discussed the issue a number of times. At this time the City does not have evidence that crumb rubber on sports fields causes cancer or other serious health conditions; however, the City is aware the current information is not conclusive and that the issue will be studied further. Therefore, the Council wishes to take a cautious approach in the interim and at its December 1, 2015 meeting directed the City Attorney to prepare an ordinance that would the installation of ban crumb rubber on publicly owned playfields within

Edmonds for one year. During that period of time, the City will review information including any new studies about the impacts of SBR and, depending on what is learned, the Council can extend the ban, make it permanent, lift it or change it.

The City Attorney prepared an ordinance that provides for a one year ban while further analysis on the effects of crumb rubber on human health and the environment is conducted. In addition to the ordinance included in the Council packet, the City Attorney prepared an alternative draft that adds more specific language stating that during the ban crumb rubber cannot be installed on existing fields that have crumb rubber if substantial renovations are done. Following tonight's public hearing the Council can discuss, take action to adopt the original ordinance in the packet or the alternative ordinance, and make any amendments.

Councilmember Bloom referred to the revised draft ordinance and asked if that could be posted or made available to the public or could the changes be described. City Attorney Jeff Taraday explained after the original draft was sent to Council, he requested Council feedback. The revisions to the ordinance are intended to address some of the Council feedback. He summarized the changes:

- Added a whereas clause that references the EPA Q&A on its website, one particular Q&A that responds to the question, What advice does EPA have for communities who are concerned about tire crumb?
- Amended the definition of SBR to clarify it is not solely used for infill material but also can be used as a base layer.
- Add paragraph C to Section 2 that reads, "Install SBR on existing publicly-owned SBR athletic fields within the City of Edmonds as part of a substantial renovation of such existing SBR fields, provided that for maintenance purposes, infill top dressing of existing SBR fields shall be allowed as needed to keep an appropriate amount of the fiber exposed and to maintain property infill depth."

Councilmember Buckshnis expressed concern with the lack of compilation of literature and documentation to support a decision. She observed the ordinance referred to monitoring the status of ongoing and new research and asked about the compilation of details to support a decision in case a lawsuit occurs. With her background in regulatory issues, she wanted to ensure all bases were covered. Mr. Taraday referred to Section 3 of the Ordinance that outlines in addition to the monitor provision in 3A, a report will be provided to the Council sometime in 2016. As far as the defensibility of this ordinance, he said time will tell but felt the whereas clauses were strong enough to support a one year ban. Councilmember Buckshnis agreed.

Councilmember Johnson asked if the Council should encourage speakers testifying at the public hearing to cite their references or submit reports to add to the testimony. Mr. Taraday responded Councilmembers may refer to studies during their deliberation, there has already been a lot of that discussion and citizens have provided detailed information and cited studies; all of that is part of the legislative record. He summarized it did not hurt for the public to cite specific things but it was not required.

Mayor Earling opened the public participation portion of the public hearing.

Laura Johnson, Edmonds, commented this has been a learning experience for everyone; she has learned a lot about turf, science, marketing, and politics and has been given many chances to improve her public speaking. Today she attended a presentation on turf safety and options. The presentation was attended by about 40 burly guys and industry representatives, some of them second generation turf lineage and a few big names in the turf industry. She was surprised to learn they were all there for the same reason, concerns about crumb rubber and the desire to provide the safest fields. Field maintenance guys, school facility representatives being proactive about parent concerns, industry guys; their concerns included

possible toxicity of crumb rubber, extreme heat in the summer on crumb rubber fields and certain physical injuries increased by crumb rubber fields. She learned a lot about concussions and advances made in turf safety. Heat is a huge issue; on an 80 degree day, the field can reach 140 degrees, a dangerous temperature especially for children. It was a great presentation; she made wonderful contacts and brought back many samples to share. They offered to provide a similar presentation for Edmonds and she suggested inviting local cities, parks and recreation, and school districts. She thanked the Council for doing their due diligence on the matter of turf safety and for looking at the big picture. She encouraged the Council to approve a one-year or longer ban on the use of SBR crumb rubber on children's playgrounds and athletic fields.

Steve Margo, Edmonds, recalled he spoke to the Council in July about his son playing goalkeeper and his experience as a soccer coach. As most of son's games with SnoKing would be on crumb rubber fields, they elected not to have him play soccer, the only sport he enjoys. There are a few fields like Civic Field that are not crumb rubber. He thanked everyone for fighting against crumb rubber and the Council for listening. He was encouraged the City was on the right track.

Jen Carrigan, Edmonds, commented it has been a long nine months. She thanked the Council for listening and being willing to learn and be informed along with citizens throughout the process. She would not be here if she did not believe based on emerging evidence that real lives will be impacted by the Council's decision. She was grateful for the Council hearing them and appreciated their willingness to take a stand for children's safety and the wellbeing of the environment via a ban on crumb rubber in Edmonds for one year or longer. She was proud of decision-makers and was proud to part of the community in Edmonds.

David Anderson, PhD in Toxicology from the University of Washington who did studies on the effect of nuclear power plant effluence looking at multiple toxins, said he was here primarily because a grandmother, Senator Maralyn Chase, asked him to come because she could not understand the science. She asked him to find a paper she could understand. Dr. Anderson cited an Italian study he found that said a person eating a certain food with a carcinogen in it gives the body a dose. The objective of the study was to determine how much a person inhaled on a turf field and compare that to the dose a person would get if they ate the product. Combining all the carcinogens in a toxic equivalence found a person was getting 1,000 times the acceptable level if they ate the carcinogens. The study said it is not negligible if it is breathed above the field surface if it was the normal temperature; the temperature makes a difference. He also attended the same presentation Ms. Johnson attended and learned Allied Parks & Recreation are installing fields that do not have infill or crumb rubber; NYC Parks & Recreation and Montgomery County, Maryland are not installing SBR; University of Nebraska and University of San Francisco are installing GeoTurf and Yale is requesting bids to replace a 3-year old crumb rubber field with GeoTurf or an organic infill. He summarized Edmonds is not the first to determine crumb rubber is a bad idea; others are doing it and there are materials to address the problem.

Cassie Goforth, Edmonds, and her son Jeff, thanked the Council for taking this step, being willing to entertain it and being willing to look at the possibility of a ban on crumb rubber. She did not understand how the School District could think it was a good idea to use this substance when so many benign substances were available. She found it frustrating to write letters without a satisfactory reply. She was encouraged there was a governing body willing to look at the data and listen to toxicologists and PhDs share their expertise. She understood there was a possibility of a one year or longer ban, commenting in her experience longitudinal studies provide the best data. She encouraged the Council to consider a three-year ban when data will be available from a study being done in California. She thanked the Council for taking the time and process to benefit the community. She was proud Edmonds was on the forefront of this important issue and protecting children.

Senator Maralyn Chase, Edmonds, said it was important to continue to bring the latest information forward. She provided a November 17, 2015 report from the EPA, Tire Crumb Q&A which is consistent with the action the Council is proposing to take. The EPA recommends communities look at alternatives for playfields until the science is in. She appreciated Dr. Anderson's comments about her inability to understand the science. The EPA report references the California study; there is a lot of hope riding on that study across the country including from Congress. She felt it was important for Edmonds to take a stand until the latest science is available. The EPA report makes it clear that state and local governments are responsible for governing crumb rubber. She could not propose to her colleagues in Olympia that the science was in; it is not and the state must wait until the latest information is available. Another issue that hasn't been address is what happens to people working on the fields when it gets very hot; her understanding was there had only been one death attributed to overheating. She was hopeful the California study will provide the necessary information in one year but recognized it may be three years. She thanked the Council for their diligence and said she was proud to live in Edmonds.

Emma Johnson, Edmonds, said toxins are really bad and we really don't know if it is safe to put them on fields. She thanked the Council for taking measures to keep the public safe and said we shouldn't be experimenting on children with regard to things this serious.

Alexandra Markiel, Brier, said her mom's PhD is in health service research so she has some knowledge about the risks associated with using surrogate endpoints in clinical trials. She cited a drug that was approved based on observed improvements and ECG tests. A postmark test comparing the efficiency of new drugs to older drugs had to be discontinued prematurely when monitoring indicated the drug significant increased mortality. It was estimated over 80,000 patients died as a result of the use of the drugs. The relevance is no computer model or risk assessments can fully predict how the human body will react to a chemical or chemical mixture. The only way to truly estimate the safety of crumb rubber is trials on live animals. Since millions of children have already been exposed, data on their health should be collected. To calculate the blood cancer risks in 15-24 year old goalies it is necessary to have a complete accounting of all the 15-24 year old goalies who have developed cancer over a given time period. This allows for a calculation of the incidence of blood cancer in this group which can then be compared to the incidence of blood cancer of 15-24 years olds in the general population. If there is no difference, it can be concluded that crumb rubber does not increase the risk of blood cancer in this age group. She relayed numbers her mom ran to demonstrate precisely how much data would need to be reviewed assuming the incidence of blood cancer in 15-24 year olds is 20 cases per 100,000 individuals. She urged the Council to vote for kids, be bold and remember citizens voted them into office to represent their interests and citizens have made their opinions very clear on this issue.

Christie Davis, Brier, reiterated it is up to Council to determine what to do. A bunch of data would be needed to determine whether crumb rubber safe. The Council's job is to protect citizens. The federal government has already failed citizens; it was their job to determine whether crumb rubber full of carcinogens was safe before it got on the market. Crumb rubber has been on the market for over 15 years; scientists, doctors and citizens have all raised concerns but they have yet to mount a study on human safety. As a result citizens like Ms. Johnson and she have spent countless hours doing research about crumb rubber, looking at potential risks, researching alternate infills and presenting this information in three minute segments to the Council, gathering signatures, written letter to newspapers, written opinion pieces, given interviews, organized community presentations and peaceful protests, all of which have taken time away from their families. She urged the Council to extend the ban to three years as no new data proving the safety of crumb rubber will be available in the next year because a study of 100,000 or more will be needed to prove it is safe. She urged the Council to hire a health effects researcher; if the Council hired an industrial hygienist or an industry toxicologist, she feared everyone would be back again in a year to debunk what they did. She submitted written materials to the City Clerk.

Kortney Hamilton, Edmonds, thanked the Council for their attention on crumb rubber infill. She hoped the Council would pass the resolution so that more data could be collected and reviewed and in the meantime no more crumb rubber infill would be installed. She understood the need for sports, having been an athlete as a child, but she recommended the City pursue non-toxic alternatives. The Council's vote to practice precautionary principle via adoption of the resolution is a vote for the health of humans and the environment. She supported a ban of at least one year if not more.

Roger Hertrich, Edmonds, complimented Councilmembers for the attention they have given to all speakers, commenting everyone has learned a lot about crumb rubber. He urged the Council to speak with great enthusiasm regarding a motion to ban crumb rubber. He preferred a three-year ban because it would allow time for more studies. If the Council adopted a one-year ban, he recommended a public hearing at the end of one year in order to renew the ban. He relayed talking to a man this week who used to play soccer on crumb rubber fields. On a 70 degree day, he was taking break on a knee and breathed in the fumes from the field and has had bronchial problems ever since. Whether they were directly related, the man felt they were because he had never had a problem before that. He summarized that is an example of what a ban will prevent.

Dave Page, Edmonds, commented the Council knows where he stands on crumb rubber. He made Mr. Wambolt a \$100 bet there would never be crumb rubber in Edmonds and had to pay on the bet; he would like a chance to get his money back. He appreciated the Council's attention and assumed Councilmembers had made their decision. He summarized there was no need for further debate unless the Council wanted a ban longer than one year.

Hearing no further comment, Mayor Earling closed the public participation portion of the public hearing.

Councilmember Mesaros suggested the following revisions to the ordinance:

- Revise the first whereas to read, "...the lack of full scientific certainty is not a reason for postponing measures to prevent the any potential damage; and"
- Revise second to last whereas on the first page, "...these chemicals may have synergistic effects and are present in levels that may pose a health risk; and"

Councilmembers agreed with the above revisions.

Council President Fraley-Monillas asked what would be required to extend the ban if at the end of one year the Council did not have concise or complete information. Mr. Taraday answered another ordinance would be required to extend the duration. Observing the ordinance has a sunset clause in Section 4, Council President Fraley-Monillas asked if an automatic review could be added prior to the sunset date so there is notification of the upcoming sunset date because if the ordinance was not extended, as written the ban would expire as of the sunset date. Mr. Taraday said a possibility would be to add a subsection D to Section 3 establishing a month within which a public hearing would be held. Council President Fraley-Monillas observed the ban begins January 11 and extends through January 2017. She suggested a review on December 1. Mr. Taraday clarified the ordinance takes effect 30 days after final passage; if adopted tonight, the effective date would not be January 11. He preferred to have a specific date for expiration rather than a year from the effective date. Council President Fraley-Monillas suggested the ordinance require notification one month before the ordinance is due to expire.

Council President Fraley-Monillas asked what happens if the City miraculously learns something one way or the other in six months, such as the EPA says crumb rubber is not allowed anywhere or says it's safe and can exist anywhere. She asked whether the Council could then lift the ban or make it permanent. Mr. Taraday responded like any ordinance, this ordinance can be amended at any time. If something definitive

is revealed much earlier than expected, the Council could take action in response and that could occur before expiration of the ordinance.

Councilmember Buckshnis asked whether the City had ever done a moratorium for 18 months so that it expired in the summer instead of the end of the year. She was concerned with jamming everything into end of the year. She supported gathering data to ban crumb rubber indefinitely. Mr. Taraday reiterated this is not a GMA moratorium and the Council is not bound by the time limits on GMA moratoria. The duration of the ban was the result of Council deliberation and voting at the last meeting; if the Council wants an 18 month ban instead of 12 months, that is entirely up to the City Council.

Councilmember Bloom referred to the definition of publicly-owned athletic fields in the ordinance, noting there is not a definition of athletic field. She asked whether the definition of publicly-owned athletic fields included playgrounds. Mr. Taraday answered no, if by playground she meant things that little kids would play on that have slides and climbing structures, athletic field does not include playgrounds. Since the Council can change the ordinance at any time, Councilmember Bloom observed the Council could decide at any time to increase it to three years, make it permanent or eliminate it. Mr. Taraday answered yes.

COUNCILMEMBER PETSO MOVED, SECONDED BY COUNCILMEMBER BUCKSHNIS, TO ADOPT ORDINANCE NO. 4013 WITH THE CHANGES SUGGESTED BY COUNCILMEMBER MESAROS AND ALTERING THE TIMING SO THAT THE ORDINANCE IS EFFECTIVE THROUGH JULY 11, 2017 AND ADDING A REQUIREMENT FOR A PUBLIC HEARING IN JUNE OF 2017.

Councilmember Bloom referred to the requirement to hire someone to do the review and asked whether that could be delineated in the ordinance to ensure an appropriate person was hired. Councilmember Petso said she heard three titles mentioned during public comment; it was suggested the City was not looking for an industry toxicologist or industrial hygienist; a health effects researcher may have been the title suggested. She was uncertain that level of detail was necessary in the ordinance and trusted everyone would recognize the review would be a waste of money if the right person was not hired and would make every effort to hire the right person.

As the Council's intent was to ban SBR, Councilmember Bloom asked why playgrounds were not included. Councilmember Mesaros agreed with Councilmember Bloom that athletic field limits the intent. He was concerned playground was a very loose definition. Mr. Taraday recommended keeping athletic fields and playgrounds separate. If the Council wanted to ban the use of SBR on both, he recommended doing it separately in different sections of the ordinance. Councilmember Mesaros asked whether that could be done at later date Mr. Taraday answered yes.

MOTION CARRIED UNANIMOUSLY.

Mayor Earling declared a brief recess.

Mr. Taraday clarified the alternative ordinance will be amended to reflect:

- The public hearing amendment offered by Councilmember Petso will be placed in Section 3D and read, "Conduct a public hearing in June 2017 to determine whether this ordinance should be extended."
- Sunset date changed from January to July
- The amendments proposed by Councilmember Mesaros are included

6. ACTION ITEMS

A. CONTINUED DELIBERATIONS AND ADOPTION OF 2016 BUDGET, INCLUDING THE CAPITAL FACILITIES PLAN (CFP) ELEMENT OF THE COMPREHENSIVE PLAN

Mayor Earling explained several agenda items scheduled tonight were moved to next week so that the Council could discuss and hopefully pass the budget tonight. If not, an additional meeting has been scheduled on December 22 for further budget deliberations.

Finance Director Scott James referred to a PowerPoint he provided Councilmembers summarizing the remaining issues. He reviewed staff recommended changes to 2016 budget:

Item #	Descriptions	Cash Increase (Decrease)
GENERAL FUND		
1	Students Saving Salmon Club for Stream Testing	(\$5,000)
2	Reduce PFD Contingency Reserve to \$135,000 from \$180,000	\$45,000
3	Increase Funding for Prosecutor Contract (DP 39)	(\$12,000)
4	Include "Ongoing" Transfer to Sister City Fund 138	(\$5,000)
Impacts to General Fund Ending Cash		\$23,000
Fund 112 Street Construction		
5	Reduce Stormwater Funding	(\$187,500)
Impacts to Fund 112 Ending Cash		(\$187,500)
Fund 421 Water Utility Fund		
5	Increase Stormwater Funding	\$187,500
Impacts to Fund 412 Ending Cash		\$187,500

COUNCILMEMBER BUCKSHNIS MOVED, SECONDED BY COUNCILMEMBER JOHNSON, TO ADOPT THESE 5 AMENDMENTS RECOMMENDED BY STAFF TO THE 2016 BUDGET. MOTION CARRIED UNANIMOUSLY.

Mr. James introduced 20 Council requested changes to the 2016 budget and the Council discussed and took action on each:

Item #	Description	Cash Increase (Decrease)	Submitter
GENERAL FUND			
1	Council Legislative Asst (DP 1). Move expense from salaries and benefits to professional services	\$0	Buckshnis

Councilmember Buckshnis explained the legislative assistant was included with videotaping in the budget. She was moving this expense to the correct funding source.

COUNCILMEMBER BUCKSHNIS MOVED, SECONDED BY COUNCILMEMBER PETSO, TO MOVE THE EXPENSE FOR THE COUNCIL LEGISLATIVE ASSISTANT FROM SALARIES AND BENEFITS TO PROFESSIONAL SERVICES.

Councilmember Petso asked whether the intent was for this person to be an employee receiving salary and benefits. Mr. James said Decision Package 1 included salary and benefits, but the thinking was this would be a contract employee paid from professional services. Councilmember Buckshnis recalled she requested this be a contract position rather than an employee because an employee would be under the supervision of the Mayor; the Council's executive assistant is a contract position and the intent is for this position to be the same.

Council President Fraley-Monillas encouraged Council to support this change.

MOTION CARRIED UNANIMOUSLY.

Item #	Description	Cash Increase (Decrease)	Submitter
GENERAL FUND			
2	Increase Council Contingency Funding by \$10,000	(\$10,000)	Buckshnis

COUNCILMEMBER BUCKSHNIS MOVED, SECONDED BY COUNCILMEMBER MESAROS, TO INCREASE COUNCIL CONTINGENCY FUNDING BY \$10,000.

Councilmember Buckshnis commented although the Council has not spent this fund in its entirety in the past, she felt it was important to keep the funding amount consistent. An amendment can be passed if additional funding is necessary but that is a much more extensive process versus increasing the Council Contingency budget. There is little impact on budget from restoring this fund to its normal level.

Council President Fraley-Monillas explained the budget for the Contingency Fund has been \$25,000 every year; in 2012 the Council spent \$660; \$22,000 in 2013 which included the Council hiring its own attorney for a situation; \$8,400 in 2014; and nothing in 2015. She reduced it this year from \$25,000 to \$10,000 because in her career in government there was never extra money just floating around; working for the state there had to be specifics provided regarding how funds would be expended. She was okay with increasing it to \$25,000.

Councilmember Johnson asked whether Councilmember Buckshnis had any ideas for the funding. Councilmember Buckshnis referred to Councilmember Johnson's interest in \$10,000 for a publication regarding the alternatives study. She also hoped the Veterans Plaza will begin construction next year and she would like the Council to make a donation to show their respect to veterans. Mayor Earling commented City Attorney Jeff Taraday and Parks & Recreation Director Carrie Hite have urged caution with regard to providing funds for the Veterans Plaza; funds for design are closer to being permissible rather than just donation. Councilmember Buckshnis agreed.

MOTION CARRIED UNANIMOUSLY.

Item #	Description	Cash Increase (Decrease)	Submitter
GENERAL FUND			
3	Reduce Council Travel Budget by \$2,500	\$2,500	Bloom

Councilmember Bloom asked the total amount of the Council travel budget, whether it had been increased from \$2,500 to \$6,700, an increase of \$4,200. Mr. James answered that is accurate; page 33 of the budget book identifies \$6,700 for travel. Councilmember Bloom asked whether travel also included lodging. Council President Fraley-Monillas answered she increased the amount to cover travel, lodging, airfare, trains, mileage, etc. Training occurs through the state and some Councilmembers do not have the fiscal ability to attend. For example she recently authorized Councilmember Johnson to attend training; the City paid for the training but she paid for the mileage and hotel. The intent was \$950-\$1000 for each Councilmember to provide them the ability to attend training which ultimately is beneficial to citizens.

Councilmember Bloom asked if it covered airfare. Council President Fraley-Monillas answered potentially, for example AWC meets in Spokane and a Councilmember may not want to drive in the winter. The intent is \$950 for each Councilmember; how Councilmembers chose to spend it was up to the

individual. Councilmember Bloom asked if it was only for in-state training. Council President Fraley-Monillas answered not necessarily; for example AWC recently had training in Portland. She noted \$1000 would not get a Councilmember very far or allow them to stay very long. Councilmember Bloom asked whether the intent was for each Councilmember to have a certain amount and they either used it or lost it. Council President Fraley-Monillas answered yes; it is intended for development for each Councilmember.

Councilmember Bloom withdrew her request, commenting she did not support Councilmembers flying across the country for travel.

Item #	Description	Cash Increase (Decrease)	Submitter
GENERAL FUND			
4	Reduce Council Training Budget by \$2,250	\$2,250	Bloom

Councilmember Bloom commented this seemed like a reasonable request, reducing the Council training budget to \$1,000 per Councilmember or \$7,000.

COUNCILMEMBER BLOOM MOVED, SECONDED BY COUNCILMEMBER PETSO, TO REDUCE THE COUNCIL TRAINING BUDGET BY \$2,250.

For Councilmember Petso, Mr. James identified the Miscellaneous line item on page 33 of the budget book, a budget amount of \$9,250 for 2016. Councilmember Petso asked why it was labelled Miscellaneous if it was intended as training. Mr. James answered registrations for conferences are budgeted in that line item.

Council President Fraley-Monillas found reducing the training budget acceptable but reminded there are costs for training.

Councilmember Johnson asked whether there was anything in Miscellaneous other than training. Council President Fraley-Monillas recalled the Council Executive Assistant indicated there were other miscellaneous expenditures. Mr. James was not aware of other expenditures included in that line item. Council President Fraley-Monillas commented if there was a problem, funds from the Council Contingency Fund could be used.

MOTION CARRIED UNANIMOUSLY.

Item #	Description	Cash Increase (Decrease)	Submitter
GENERAL FUND			
5	Add Tree Board Funding for Staff Support & Supplies	(\$9,000)	Bloom

COUNCILMEMBER BLOOM MOVED, SECONDED BY COUNCILMEMBER PETSO, TO ADD \$9,000 FOR TREE BOARD STAFF SUPPORT AND SUPPLIES.

Councilmember Bloom commented this is consistent with funds allocated in the budget for the Diversity Commission; \$6,000 to hire a contract person and \$3,000 for supplies such as the Arbor Day celebration and retaining the City’s Tree City USA status to apply for grants for matching funds to purchase trees for the right-of-way, in parks, etc.

Council President Fraley-Monillas commented the reason the Diversity Commission was allocated that much was they needed startup funds; it was her understanding that was not a permanent amount but a temporary amount for them to get started. Councilmember Bloom responded a consultant is necessary for

the City to maintain its Tree City USA status which allows the City to apply for grants for matching funds to purchase trees. To maintain Tree City USA status this year, the consultant gathered data regarding per capita expenditures; that was previously done by a Tree Board Member but it is very time consuming and difficult to do. The consultant would also organize Arbor Day events which also support the Tree City USA status. A consultant is necessary because there is not a staff member to provide support to the Tree Board.

Council President Fraley-Monillas asked what would be done with \$9,000 and whether it was a request from the department. Development Services Director Shane Hope answered this was prepared at Councilmember Bloom's request. She explained \$3,000 was budgeted in 2015 for temporary consultant assistance; approximately \$2,000 has been used this year and conceivably the remaining \$1,000 could be carried forward. The proposed assistance via a contract person would be to attend monthly Tree Board meetings, respond to questions that arise at meetings, coordinate with City departments about questions or ideas, be a primary contact for and prepare the City's annual Tree City USA application, identify grant opportunities and develop grant applications, help organize Arbor Day and other events, facilitate outreach and education about trees, an help with other activities within the scope and time available. Supplies could be items needed for Arbor Day or other events, purchasing trees or publishing information about trees.

Council President Fraley-Monillas observed \$1,000 remained from the \$3,000 budgeted in 2015. Ms. Hope responded the \$3,000 was not allocated until September and covered 4 months; approximately \$2,000 has been spent in 4 months. Council President Fraley-Monillas asked whether that was intended as temporary or permanent assistance; Councilmember Bloom's request appears to be for permanent assistance for the Tree Board. Ms. Hope answered that is up to the City Council.

Councilmember Johnson referred to Decision Package #36, advanced planner, relaying the description states support boards and commissions. She asked whether that planner would support the Tree Board. Ms. Hope answered she originally proposed a full-time planner who would be able to provide more support to boards and commissions; even a halftime planner would be able to provide some level of support to the Tree Board and other boards and commissions but not a huge amount. Councilmember Johnson said in theory she did not support the use of consultants for boards and commissions and preferred to use staff for that function. She understood there are times that cannot be done but requested administration see how it could be done within current staffing levels.

Councilmember Petso pointed out the list of Council requested changes includes a proposal to eliminate the position Councilmember Johnson just referenced.

Councilmember Mesaros asked whether support of boards and commissions is done primarily by staff and this would be an exception to that. Ms. Hope answered yes, in the past boards and commissions have been solely supported by staff or board members other than consultant help for special projects. For the first time at the end of 2015, funds were provided for consultant assistance for the Diversity Commission and the Tree Board. Councilmember Mesaros said one of his concerns with the use of a consultant is unintentional drift from what is going on in the City.

Councilmember Bloom reminded the Council has discussed this many times. The Tree Board had an average of 12 hours/months of support when the Tree Code was being written; prior to that, when she was on the Tree Board as a resident, there was no staff support other than the council assistant who posted things online, there was no minute taker, no one to prepare the agenda, etc. When the Tree Board was formed, Council was informed there was no staff support available so the Tee Board has limped along without staff support. When Councilmember Buckshnis was Council President, funds were provided for a minute taker and a door monitor; she recently learned those are not in budget which means the Tree Board

is back to square one without these funds. She acknowledged the budget is not the time to address this for all boards and commissions; that should have been done via the subcommittee on boards and commissions. The Tree Board needs support; without this funding the City will be unable to maintain its Tree City USA certification. The consultant was enormously helpful in attaining that this year.

Councilmember Buckshnis commented this is like deja-vu; the reason there is a consultant for the Diversity Commission is that requires someone that understands diversity, ethics, etc. If there is no staff support for the Tree Board, there needs to be a consultant. Without this funding, the City will lose its Tree City USA status and will continue to lose Tree Board Members.

Council President Fraley-Monillas commented the loss of board members has nothing to do with funding or consultants.

COUNCIL PRESIDENT FRALEY-MONILLAS MOVED, SECONDED BY COUNCILMEMBER PETSO, TO AMEND THE MOTION TO CHANGE THE AMOUNT TO \$5,000.

Council President Fraley-Monillas said \$5,000 plus \$2,000 that was not used this year would provide \$7000 for 2016. She agreed the Tree Board needed funds to get up and running but doubted they needed a permanent consultant. The Tree Board Chair determined that minutes are not needed and notes could be taken which would reduce the expense. Providing \$1,000 for supplies could be accomplished within a \$5,000 budget and \$2,000 rolled over from 2015.

Councilmember Petso asked whether unspent amounts automatically roll over into the next year. Mr. James answered typically unspent funds are not reallocated unless there is a budget amendment. A carryforward amendment is traditionally done in February, usually for projects, not operating expenses. He clarified the unused amount in 2015 was \$1,000, not \$2,000. He asked how the \$5,000 would be allocated.

Councilmember Mesaros asked whether Development Services will provide support to the Tree Board if this request is not approved. Ms. Hope answered there would be some support from Development Services as well as Parks & Recreation. Councilmember Mesaros asked if that assistance would fulfill what Councilmember Bloom and Buckshnis requested such as maintaining the City's Tree City USA. Ms. Hope answered it could; it was great to have the consultant coordinate Tree City USA this year, however, all the information came from staff. Councilmember Mesaros asked whether Ms. Hope recommended including funds in the budget to utilize a consultant again for that coordinating role. Ms. Hope answered it would helpful to have some funding; the full amount may not be needed.

Councilmember Johnson recalled this year there was a fund from which money for individual boards and commissions could be allocated for specific projects. She asked whether that practice was continued in this budget or should funds be specifically allocated for items such as saving salmon, historic preservation, Tree Board, etc. Mr. James recommended the Council use the budget process for direct allocations. He recalled discussion about procedures for boards/commissions to make requests from that fund but was uncertain whether any funds had been allocated for boards and commissions this year. Councilmember Johnson supported a dollar amount to assist the Tree Board with projects but preferred to have staff provide support.

Councilmember Bloom did not envision that staff had the ability to provide support. She recalled Ms. Hope saying staff could provide some support such as Tree City USA and asked whether staff could organize an Arbor Day event. Ms. Hope answered not without more staffing; however, Parks & Recreation did provide staff assistance during the most recent event. Councilmember Bloom asked whether staff would be able to assist with educational events sponsored by the Tree Board. Ms. Hope answered probably not much without additional staffing. Councilmember Bloom asked whether staff

would be able to do events such as the tree planting in right-of-way where a water project was constructed that was coordinated by the Tree Board and the consultant. Ms. Hope answered she was not certain, but recalled Public Works and Parks & Recreation were involved with that effort. Councilmember Bloom said it was coordinated by the Tree Board in conjunction with Public Works; she asked whether Ms. Hope had a staff member to do that type of coordination. Ms. Hope answered no.

Councilmember Bloom said her concern is all the things the Tree Board has tried to do have been handicapped by the lack of a consistent person to provide support and answer citizens' questions at meetings about trees. The consultant hired this year was a certified arborist and was able to answer questions that arose. She did not think there was sufficient staff to provide that support even if the Council approves a half-time advance planner because that person will be providing assistance to other boards and commissions such as the Planning Board.

Councilmember Nelson said he would oppose the amendment as he wanted to fully support the Tree Board as stated in Councilmember Bloom's motion.

AMENDMENT FAILED (2-5), COUNCIL PRESIDENT FRALEY-MONILLAS AND COUNCILMEMBER JOHNSON VOTING YES.

MOTION CARRIED (5-2), COUNCIL PRESIDENT FRALEY-MONILLAS AND COUNCILMEMBER JOHNSON VOTING NO.

Item #	Description	Cash Increase (Decrease)	Submitter
GENERAL FUND			
6	Remove Council Legislative Asst (DP 1) from the Budget	\$42,160	Petso

COUNCILMEMBER PETSO MOVED, SECONDED BY COUNCILMEMBER BLOOM, TO REMOVE THE COUNCIL LEGISLATIVE ASSISTANT FROM THE BUDGET.

Councilmember Mesaros observed Councilmember Petso had ten requests and asked what her intent was. Councilmember Petso said she had two concerns when she reviewed the 2016 budget; one is the loss of sustainability in the General Fund. In recent years, there were large, one-time capital expenditures such as road paving in the General Fund that could be removed if times got tough, allowing the City to tighten its belt without laying off staff. This budget is filling the General Fund with as many ongoing salary expenses as possible; salaries expenses are the hardest to cut once a person has been hired, whether it is a legislative assistant which the Council has never had before, or a police officer or an arts assistant. She did not want to hire every person proposed to be hired in this budget in order to leave a margin; if the entire General Fund is expended on salaries and benefits and they go up 5% a year and property taxes can only increase 1%/year, there will be a big problem within a few years or citizens will be asked to support a levy. One of her themes with this year's budget was finding ways to minimize extra hiring so if the economy does not continue to increase, the City will not have to lay off staff.

Councilmember Bloom observed this is a part-time position; she asked how many hours were envisioned and if there would be a separate halftime Council executive assistant position. Council President Fraley-Monillas answered the legislative assistant was budgeted for 20 hours and the budget includes 16 hours for an administrative assistant to assist with things like the Tree Board, salaries, etc. the current executive assistant works daytime hours; she envisioned the legislative assistant would work afternoons, evenings and weekends.

Council President Fraley-Monillas explained this was a research position. The Council is a legislative body; having someone to research issues would be helpful. She and Councilmembers Nelson, Mesaros,

and Johnson have experience working with legislative aids in their employment. One of the job requirements for this position will be the ability to work evenings and potentially weekends; the person may need to observe meetings, go to Olympia, report to the Council, provide testimony, etc. There are many things a legislative aid could do to assist the Council with regard to legislation versus the assistance provided by an administrative assistant. She plans to request this person work afternoons so there is coverage in the Council office; currently the administrative assistant works 8:00 a.m. to 11:45 a.m.; calls outside those hours go to voicemail. Having better coverage in the afternoons and potentially evenings and weekends would be beneficial to the Council. She recommended trying this position for a year via a contract person rather than an ongoing expense.

Councilmember Petso clarified the decision package says ongoing; it would be great if that were changed although it may limit who the Council was able to hire.

Councilmember Johnson expressed support for the legislative assistant position, recalling this proposal was developed by the Council President, considered by the Mayor and Directors and included in the budget proposal so it has been properly vetted. There will be a year-to-year contract the same as there is for the executive assistant so there is no danger of being wedded to this idea if it does not work out or the person leaves. A legislative assistant will help the Council do its job and staff will benefit from coordinated questions rather than individual Councilmembers trying to get same information.

Council President Fraley-Monillas commented there will be four Councilmembers who work and a couple with children/grandchildren at home. Being a Councilmember is a difficult job at best; employment and family obligations make doing adequate research difficult.

COUNCILMEMBER BUCKSHNIS CALLED FOR THE QUESTION, SECONDED BY COUNCILMEMBER MESAROS. CALL FOR THE QUESTION CARRIED (5-2), COUNCILMEMBERS PETSO AND BLOOM VOTING NO.

MOTION FAILED (1-6), COUNCILMEMBER PETSO VOTING YES.

Mayor Earling commented most of items considered thus far affected the Council. The following requests will degrade the philosophy in the budget approach. He did not support the following requests, commenting the budget was thoroughly vetted by staff and staff has negotiated amongst themselves. He summarized it is a good budget and several of the expenses are one-time expenditures.

Item #	Description	Cash Increase (Decrease)	Submitter
GENERAL FUND			
7	Remove Staff Accountant Position (DP 11) from the Budget	\$67,020	Petso
Fund 421 Water Utility Fund			
7	Remove Staff Accountant Position (DP 11) from the Budget	\$13,300	Petso
Fund 422 Storm Utility Fund			
7	Remove Staff Accountant Position (DP 11) from the Budget	\$7,390	Petso
Fund 423 Sewer Fund			
7	Remove Staff Accountant Position (DP 11) from the Budget	\$16,240	Petso

COUNCILMEMBER PETSO MOVED, SECONDED BY COUNCILMEMBER BLOOM, TO REMOVE THE STAFF ACCOUNTANT POSITION FROM THE BUDGET.

Councilmember Petso relayed her concern with the amount of hiring. On her personal hiring priority list, police were at the top and a staff accountant and legislative assistant were further down.

Councilmember Bloom said she has the same concerns as Councilmember Petso regarding the number of staff added in the budget. She felt too many staff were added in this budget, a commitment that would burden the City in the future. She supported the motion.

Council President Fraley-Monillas said she did not see a lot of new staff that was just hiring to be hiring. She inquired about the Finance Department FTE five years ago compared to now, relaying her understanding that many of the positions were making up for staff that was let go in the past or not hired. Mr. James responded when he left the City in 2005, there were 10 FTE in Finance; there are now 7. After he left, the BID billing/collection was added, and many announcements that are very complex and demanding of staff time. He requested this position last year because he felt there was a huge need for it; when the FD1 surprise bill arrived, he voluntarily pulled this request as did other staff. After serving as the Finance Director for over 1½ years he feels this position is needed; the decision package speaks for itself.

Council President Fraley-Monillas commented at some point Council needed to depend on staff telling them they can get by or they need more. Councilmembers do not work in the departments and do not know what is happening so must depend on the department director to tell them. She did not have a problem with adding this staff member in view of the fact that the department has 3 fewer staff now than when Mr. James left in 2005 and the department is doing more work.

Councilmember Petso recalled this would be the second accountant hired since 2010. Mr. James answered there is currently one staff accountant, this would be the second. Councilmember Petso asked what position was hired a few years ago. Mr. James answered there was a shift in staff; there were two staff accountants; the director at the time wanted a supervisor to help manage staff so one staff accountant was promoted to the accounting supervisor position. Councilmember Petso asked for clarification whether an additional person was hired during the past five years. Mr. James said he was not aware of any new hires. Accountant Deb Sharp said Sarah Mager was hired as a staff accountant and promoted to the accounting supervisor position. Councilmember Petso concluded staffing had increased, the position name was changed and this was a request to increase it again. Ms. Sharp agreed.

COUNCILMEMBER BUCKSHNIS CALLED FOR THE QUESTION, SECONDED BY COUNCILMEMBER MESAROS. CALL FOR THE QUESTION CARRIED UNANIMOUSLY.

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

Item #	Description	Cash Increase (Decrease)	Submitter
GENERAL FUND			
8	Move Expense for Downtown Restroom Contribution from REET 1 Fund 126 to General Fund	(\$90,000)	Petso
Fund 126 REET 1			
8	Move Expense for Downtown Restroom Contribution from REET 1 Fund 126 to General Fund	\$90,000	Petso

COUNCILMEMBER PETSO MOVED, SECONDED BY COUNCILMEMBER BLOOM, TO MOVE \$90,000 FOR THE DOWNTOWN RESTROOM CONTRIBUTION FROM THE REET 1 FUND 126 TO THE GENERAL FUND.

Councilmember Petso said this related to the second theme in her concerns about the budget, overly aggressively depleting the 126 Fund. In addition to a variety of individual expenses, \$900,000 is being allocated from the fund to pave roads. Fund 126 is the capital fund the City is permitted to use to acquire property. If an opportunity to acquire property for parks or open space is presented to City, these funds

are available to start making a payment toward that purchase. Instead of depleting this fund and assuming the City would bond for the purchase if an opportunity arises, she preferred the Council establish a balance they are comfortable having in this fund. As that discussion has never occurred, she pulled 2-3 items to restore the balance in Fund 126.

Council President Fraley-Monillas questioned of all things, the downtown restroom, noting it was in the SAP and people have been talking about the need for a restroom for years. Councilmember Petso clarified her request was not to eliminate the expenditure, just to change the funding source. Council President Fraley-Monillas questioned why this expenditure would not be appropriate for Fund 126 when it is a parks project. If it is funded from the General Fund, an additional \$90,000 in cuts would be required. Councilmember Petso agreed.

Councilmember Johnson commented expenditures from REET 1 are allowed for special capital projects and park acquisition, so technically this expenditure can be made from that fund. She agreed with Councilmember Petso that the Council should establish a policy with regard to an amount to retain in the park acquisition fund, probably in the range of \$1 million. It is not enough to rely on bonding capacity; there have been many opportunities over the past 5-6 years where \$1-2 million has been needed for a purchase with not much lead time.

Councilmember Nelson was supportive of a long term policy with regard to park acquisition but was confident if something came up in the next year, it could be acquired via bonding. He did not support the motion.

Councilmember Buckshnis emphasized the REET 1 and 2 have a balance of \$2.3 million. She was tired of the doom and gloom coming from certain people and said it did not make sense to shift \$90,000 from the General Fund. She agreed with establishing a policy in the future.

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

Roger Hertrich asked when there would be an opportunity for public comment on the budget. Mayor Earling advised two public hearing on the budget were held at past meetings.

Item #	Description	Cash Increase (Decrease)	Submitter
GENERAL FUND			
9	Remove Community Relations Consultant (DP 27) from the Budget	\$30,000	Petso

COUNCILMEMBER PETSO MOVED, SECONDED BY COUNCILMEMBER BLOOM, TO REMOVE COMMUNITY RELATIONS CONSULTANT FROM THE BUDGET.

Councilmember Petso explained she made this request because she did not see that this position has fulfilled the purpose for which it was included in the budget.

Councilmember Bloom explained this position was originally intended to facilitate two-way communication between elected officials and citizens. The committee that interviewed and made a hiring recommendation chose a firm that was subsequently rejected by Mayor Earling when Stephen Clifton resigned. The position has turned into more public/community relations, communicating what is being done by the Mayor and staff, press releases related to town hall meetings, etc. The purpose of the original position in the 2014 budget was facilitation of information received from citizens to improve transparency. She did not see that that has happened and therefore will strongly support the motion to remove this position from the budget.

Councilmember Johnson inquired about the Mayor’s authority with regard to the budget amount he can spend for this position. Mr. James answered the Mayor has the ability to contract up to \$100,000.

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

Item #	Description	Cash Increase (Decrease)	Submitter
10	Remove Increase to Annual Business Attraction Advertising Expense (DP 30) from the Budget	\$26,000	Petso

COUNCILMEMBER PETSO MOVED, SECONDED BY COUNCILMEMBER BLOOM, TO REMOVE THE ADDITIONAL \$26,000 FOR ANNUAL BUSINESS ATTRACTION ADVERTISING FROM THE BUDGET

Councilmember Petso said she was pleased with the focus on attracting businesses to Edmonds, a key component of economic development, but did not see a need to increase it from the prior funding level of \$24,000.

Councilmember Johnson relayed her understanding the previous amount covered a six month period. Economic Development & Community Services Director Doherty said the 2015 budget includes \$24,000 for advertising, an amount that has been included in the budget for a couple years. Starting business attraction advertising mid-year, he chose the region’s #1 magazine, Seattle Business Monthly, and a small presence in the Puget Sound Business Journal. The entire budget was used over a 6 month period for the smallest ad that makes sense, 1/3 page. Having that same level of presence in the marketplace for the upcoming year will require double the expenditure. A six month presence in the marketplace is not enough to create regional awareness of Edmonds and he believed the City should continue and increase the level of advertising.

MOTION FAILED (1-6), COUNCILMEMBER PETSO VOTING YES.

Item #	Description	Cash Increase (Decrease)	Submitter
GENERAL FUND			
11	Remove Permit Coordinator Position (DP 35) from Budget	\$25,720	Petso
Fund 421 Water Utility Fund			
11	Remove Permit Coordinator Position (DP 35) from Budget	\$2,720	Petso
Fund 422 Storm Utility Fund			
11	Remove Permit Coordinator Position (DP 35) from Budget	\$2,720	Petso
Fund 423 Sewer Fund			
11	Remove Permit Coordinator Position (DP 35) from Budget	\$2,720	Petso

COUNCILMEMBER PETSO MOVED, SECONDED BY COUNCILMEMBER BLOOM, TO REMOVE THE PERMIT COORDINATOR POSITION FROM THE BUDGET.

Councilmember Petso said this request is related the too many new hires theme.

Councilmember Johnson relayed her understanding this was a key position that would enable the Development Services Department to be open five days a week. She commented on the importance of having the department open five days a week. Ms. Hope explained the building inspector, permit coordinator and halftime planner positions will enable the department to be open five days a week to provide service to the community.

MOTION FAILED (1-6), COUNCILMEMBER PETSO VOTING YES.

Item #	Description	Cash Increase (Decrease)	Submitter
GENERAL FUND			
12	Remove Advance Planner Positions (DP 36) from Budget	\$38,530	Petso

COUNCILMEMBER PETSO MOVED, SECONDED BY COUNCILMEMBER BLOOM, TO REMOVE THE ADVANCE PLANNER POSITIONS FROM THE BUDGET.

Councilmember Petso commented this request had the same rationale, too many new hires.

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

Item #	Description	Cash Increase (Decrease)	Submitter
GENERAL FUND			
13	Move Expense of Purchase of John Deere Gator Utility Tractor to the Equipment Rental Fund (DP 42)	\$14,400	Petso
Fund 511 Equipment Rental Fund			
13	Move expense of purchase of John Deere Gator Utility Tractor to the Equipment Rental Fund (DP 42)	(\$14,400)	Petso

Councilmember Petso explained she requested this change as it was described in the decision package as a new acquisition and there is an extremely healthy balance in the 511 Fund.

COUNCILMEMBER PETSO MOVED, SECONDED BY COUNCILMEMBER BLOOM, TO MOVE EXPENSE OF PURCHASE OF JOHN DEERE GATOR UTILITY TRACTOR TO THE 511 FUND.

Councilmember Buckshnis asked whether the Fund 511 was only for cars. Mr. James advised Fund 511 is the Equipment Rental Fund which funds various equipment including tractors. Councilmember Buckshnis asked why this expense was not funded out of Fund 511 in the budget. Mr. James answered staff may not have been as creative as Councilmember Petso.

Councilmember Johnson asked Mr. James his recommendation for funding this purchase. Mr. James agreed with the motion as stated.

MOTION CARRIED UNANIMOUSLY

Item #	Description	Cash Increase (Decrease)	Submitter
GENERAL FUND			
14	Remove Construction Inspector Position (DP 44) from the Budget	\$11,380	Petso
Fund 421 Water Utility Fund			
14	Remove Construction Inspector Position (DP 44) from the Budget	\$34,140	Petso
Fund 422 Storm Utility Fund			
14	Remove Construction Inspector Position (DP 44) from the Budget	\$34,140	Petso

	Budget		
Fund 423 Sewer Fund			
14	Remove Construction Inspector Position (DP 44) from the Budget	\$34,140	Petso

COUNCILMEMBER PETSO MOVED, SECONDED BY COUNCILMEMBER BLOOM, TO REMOVE THE CONSTRUCTION INSPECTOR POSITION FROM THE BUDGET

Councilmember Petso commented in addition to the usual theme, it was her understanding there were other ways pay for this position such as fees or hiring a consultant on a contract basis rather than a salaried employee.

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

Item #	Description	Cash Increase (Decrease)	Submitter
GENERAL FUND			
15	Move Trackside Warning System Project to General Fund	(\$300,000)	Petso
Fund 126 REET 1			
15	Move Trackside Warning System to Project General Fund	\$300,000	Petso

COUNCILMEMBER PETSO MOVED, SECONDED BY COUNCILMEMBER BLOOM, TO MOVE \$300,000 FOR THE TRACKSIDE WARNING SYSTEM PROJECT FROM FUND 126 TO THE GENERAL FUND.

Councilmember Petso said the rationale is the same as her earlier comments; she is trying to create a residual balance in the Fund 126 in case an opportunity arises next year.

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

Item #	Description	Cash Increase (Decrease)	Submitter
GENERAL FUND			
16	Remove Expense for Community Survey (DP 29) from the Budget	\$19,000	Bloom

COUNCILMEMBER BLOOM MOVED, SECONDED BY COUNCILMEMBER PETSO, TO REMOVE THE EXPENSE FOR COMMUNITY SURVEY OF \$19,000 FROM THE BUDGET.

Councilmember Bloom said she did not understand the purpose of the survey, recalling from Mr. Doherty’s description that the survey seemed very vague without a lot of questions and the City recently did a strategic action plan. She preferred to allocate these funds to support the Invisio tracking system for the SAP rather than initiating a community survey that is being done on a national level.

Councilmember Petso expressed support for motion; if the City is not going to “say goodbye to the strategic action plan” then the survey needs to be updated as well as broadened to include public safety items such as police and fire. This expenditure does not further that goal.

Councilmember Johnson asked if this survey is tied to a particular year like a census or would this opportunity be available next year. Mr. Doherty answered it is a not a census-tied survey nor is it a survey that is conducted at same time nationwide. It is a survey conducted by a survey research agency nationwide whenever participants wish to conduct it. Every year there is some tweaking of the

standardized questions that address issues related to municipal services, policy issues, etc. and a city has the opportunity to customize several questions that are of interest to their city. This survey arose out of a lot of discussion with Councilmembers, the Mayor and others. It could have a role in reengaging the public on the SAP because it would be a statistically significant source of information.

Councilmember Buckshnis commented some people think the SAP is the do-all end-all, but it really is just a tool. A survey is a report card on things the City is doing and determining direction. Mr. Doherty agreed it is sort of like a report card; wording on the survey agency’s website refers to a national report card. It could be used in tandem with the interest the Council expressed earlier this year to reengage the public related to the SAP. One possibility would be to do the survey early in the year and use that information to reengage the public in open houses related to the SAP.

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

Item #	Description	Cash Increase (Decrease)	Submitter
GENERAL FUND			
17	Increase Transfer to Historic Preservation Fund	(\$5,000)	Johnson
Fund 014 Historic Preservation			
17	Historic Preservation Commission 2017 Calendar	(\$5,000)	

Mr. James noted this item was included in the 2015 budget via an amendment but the \$5,000 was not carried forward for an unknown reason.

Councilmember Johnson explained the Historic Preservation Commission (HPC) Chair encouraged her to make this request to fund the HPC calendar. The HPC had a grant to print the calendar the first year but has since relied on funding provided in the budget.

COUNCILMEMBER JOHNSON MOVED, SECONDED BY COUNCILMEMBER PETSO, TO ALLOCATED \$5,000 FOR THE HISTORIC PRESERVATION CALENDAR. MOTION CARRIED UNANIMOUSLY.

Item #	Description	Cash Increase (Decrease)	Submitter
Fund 126 REET 1			
18	Move \$100,000 of Annual Street Preservation Expense to the REET 2 Fund 125	\$100,000	Petso
Fund 125 REET 2			
18	Move \$100,000 of Annual Street Preservation Expense to the REET 2 Fund 125	(\$100,000)	Petso

Councilmember Petso withdrew the amendment, relaying that after speaking with Ms. Hite, there is no need for it.

Item #	Description	Cash Increase (Decrease)	Submitter
Fund 421 Water Utility Fund			
19	Remove Water Department Position from the Budget (DP 59)	\$67,080	Bloom

COUNCILMEMBER BLOOM MOVED, SECONDED BY COUNCILMEMBER PETSO, TO REMOVE THE WATER DEPARTMENT POSITION FROM THE BUDGET.

Councilmember Bloom said this is related to her and Councilmember Petso’s concerns about the large number of positions added to the budget. Public Works is adding four positions which she felt was excessive and she could not support.

Council President Fraley-Monillas asked what fund pays for this position. Mr. James answered Fund 421, the Water Utility Fund. Council President Fraley-Monillas said she will support this position.

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

Item #	Description	Cash Increase (Decrease)	Submitter
Fund 422 Storm Utility Fund			
20	Replace Stormwater Employee (\$60,880) (DP 44) with Contract Position	\$0	Bloom

COUNCILMEMBER BLOOM MOVED, SECONDED BY COUNCILMEMBER PETSO, TO REPLACE STORMWATER EMPLOYEE, DECISION PACKAGE 44, WITH A CONTRACT POSITION,

Councilmember Bloom recalled in questioning Mr. Williams last week, he said this position will do an assessment of the stormwater system; 40% will be completed in 2016 yet the position is scheduled to last 5 years and will be vested after 5 years. The salary for the position increases from \$60,000 in 2016 to \$74,000 in 2020. She preferred to have that work done via hiring a contract position. Mr. Williams explained this is a stormwater maintenance worker, not a technical position or an engineering consultant. This position will assist with new stormwater regulations that are addressed by the operations group. Many of the duties, plans, studies and evaluations, are being done by the engineering division but there are a lot of new operations and maintenance responsibilities under the new regulations which will continue forever. One of the focuses in the first 12 months is to meet the requirement to have 40% of the lineal footage of the stormwater system evaluated prior to the end of 2016; this person can assist with that effort. The stormwater utility has 15 employees: 1 supervisor, 2 leads and 12 staff; that staffing level has been in place for the past 25 years. With the new requirements, many more things need to be done; what is needed is more boots on ground in stormwater and that is the purpose of this position.

Councilmember Petso commented the decision package is very specific with regard to video assessment. She will support the motion based on decision package’s description.

Councilmember Nelson said he will oppose the motion based on Mr. Williams’ explanation.

MOTION FAILED (3-4), COUNCILMEMBERS PETSO, BLOOM AND JOHNSON VOTING YES.

Mr. James advised that concluded the changes requested by Council.

Councilmember Petso asked whether now was the appropriate time to propose an amendment to the CFP. Mr. James answered yes.

Mr. Taraday explained the CFP and the budget are adopted in the same ordinance. Any amendments to the CFP should be made now and once votes are taken on all the amendments, there can be a motion and vote on the ordinance adopting the CFP and the budget.

COUNCILMEMBER PETSO MOVED, SECONDED BY COUNCILMEMBER BUCKSHNIS, TO AMEND THE CFP TO REPLACE THE PHRASE MULTIUSE WITH WALKWAY FOR THE SUNSET AVENUE PROJECT.

Councilmember Petso said the phrase appears three times, twice in the project description and once in the project benefit rationale.

MOTION CARRIED (5-2), COUNCILMEMBERS MESAROS AND NELSON VOTING NO.

COUNCILMEMBER JOHNSON MOVED, SECONDED BY COUNCILMEMBER BLOOM, THAT ANY SUBSEQUENT DOCUMENTS, TIP AND CIP, BE CHANGED TO REFLECT THE ACTION THE COUNCIL JUST TOOK. MOTION CARRIED (5-2) COUNCILMEMBERS MESAROS AND NELSON VOTING NO.

COUNCILMEMBER BLOOM MOVED, SECONDED BY COUNCILMEMBER PETSO, TO REMOVE THE WOODWAY FIELDS PROJECT FROM THE CIP/CFP.

Councilmember Bloom explained she has many reason for removing this project, the School District refused to address residents and Councilmembers' concerns about the use of crumb rubber in Woodway Fields and pushed forward installing crumb rubber infill despite objections and appeals to negotiate the issue; no Interlocal Agreement has been negotiated due to the School District insistence on maintaining control on all aspects of planned future fields; there is a lawsuit pending related to the Woodway Fields that will be heard in Superior Court in February; and the Council just banned crumb rubber for 18 months. Given the crumb rubber/SBR ban and the School District's refusal to negotiate a reasonable ILA to allow Edmonds a say over future fields, she felt it was prudent to remove Woodway Fields from the CFP. Putting the Woodway Fields back on the CFP can be addressed when the School Board and Edmonds City Council are in agreement on how to proceed with future fields which will not happen for less than 18 months and the CFP/CIP can be updated annually.

Council President Fraley-Monillas understood Councilmember Bloom's intent but said the Woodway Fields are not done. She liked Ms. Hope's comments about the potential for a joint venture on the future fields and feared if the project was removed from the CFP/CIP, the City would lose the ability to have a joint venture. The other fields may be a good opportunity for an alternative infill material.

Councilmember Buckshnis agreed with Council President Fraley-Monillas. The ban was a good step and demonstrated the City's opinion to the School District. She did not want to limit what could happen on the Woodway Fields in the future and felt removing the project from the CFP was too drastic. She has wanted to remove the aquatics center from the CFP since 2009 because she did not think it will ever be funded but it has remained in the CFP. It is important to keep the project in the CFP in case an option arises.

Councilmember Mesaros agreed with leaving the project in the CFP/CIP because it made a statement that the City wanted to negotiate with the School District and partner with the District and other governmental agencies. A change will be occurring in the School District administration; after June 30 will be a new era, new leadership and opportunity to forge a new relationship.

Councilmember Petso wished the Council had more time to consider this amendment. The Council heard recently that the field cages were locked which denies park access. If two more fields are added, they

cannot be used during school hours, during rentals or when they are locked. The City's plans to add a lot of new residents to the Westgate area where there is no park and the City has limited park funding. The only open space in the area is a cemetery and these fields. She found Councilmember Bloom's suggestion very appealing because without the Woodway Fields project, there would be a grassy area and track for people to play on. She acknowledged there was a horrendous shortage of athletic fields in Edmonds.

Councilmember Nelson said he supports everyone having a second chance including the School District.

Ms. Hite reminded that the Parks, Recreation and Open Space Plan completed this past year included a very robust public process; a high priority was developing fields in Edmonds and this is one of the only open spaces left where fields can be developed. With a ban on crumb rubber, the fields will not be crumb rubber but they could be grass or an alternative infill. The Woodway Fields project in the CFP includes more than just athletic fields; it is a community park and the plan includes resurfacing the tennis courts and the basketball court, creating the space in the neighborhood that Councilmember Petso said is lacking.

Councilmember Johnson reminded the Council the CFP is intended to be a 20 year plan. She urged the Council to think long term, noting many things can happen in 20 years. For that reason, she will support keeping the project in the CFP.

COUNCILMEMBER BLOOM WITHDREW THE MOTION WITH THE AGREEMENT OF THE SECONDER.

COUNCIL PRESIDENT FRALEY-MONILLAS MOVED, SECONDED BY COUNCILMEMBER BUCKSHNIS, TO APPROVE ORDINANCE 4014, ADOPTING THE 2016 BUDGET AS AMENDED AND AMENDMENTS TO THE CFP/CIP.

Councilmember Petso said she will vote against the motion primarily due to the budget and her concerns with overloading the General Fund with salaries which impacts the City's sustainability and she was concerned the Fund 125 has been overly depleted.

Councilmember Johnson thanked Mr. James for all work he has done coordinating with staff and Council; he has done an exemplary job and she appreciated his efforts.

Councilmember Bloom said she will also vote against the motion; she did not support the addition of staff.

Councilmember Buckshnis thanked the Mayor and all staff for their work. She noted as of October the Fund 126 will only have a balance of \$2 million because \$390,000 was spent. She recommending trusting the directors and understanding the City is a \$95 million corporation and people are needed to do the work.

Councilmember Nelson thanked Mayor Earling, the directors, and Mr. James for all their work and patience answering all the Council's questions publicly as well as via email and telephone. He looked forward to supporting the budget.

MOTION CARRIED (5-2), COUNCILMEMBERS BLOOM AND PETSO VOTING NO.

Mr. James gave credit to staff who answered most of the questions; he was only the conduit. Mayor Earling commented this has been a terrific process; staff has gone out of their way to think creatively, bringing the most to table with the funds available. This is a sensible budget and he was pleased with the work the directors and support staff in Finance did. Mr. James recognized Accountant Deb Sharp for all

her work; the department implemented a new budget module and she has been instrumental in learning and implementing it.

B. CONTINUED DELIBERATIONS AND ADOPTION OF THE PROPOSED CAPITAL IMPROVEMENT PROGRAM

Councilmember Petso asked about consistency between the budget and the CIP, noting page 166 of the budget and the Fund 126 balance in the CIP have same beginning balance but different end of year balances. The beginning balance for Fund 126 in the budget is \$1.4 million and an ending balance of \$600,000; Fund 125 in the CIP has the same beginning balance but the ending balance is \$383,000. Mr. James offered to research.

Councilmember Petso recalled Councilmember Johnson's earlier motion that all the documents be consistent. If she votes for this CIP, she asked whether any discrepancies will be fixed under the direction provided by that earlier motion. Mr. James answered the beginning balance can be adjusted to actuals via a budget ordinance.

COUNCILMEMBER NELSON MOVED, SECONDED BY COUNCILMEMBER BUCKSHNIS, TO APPROVE THE CIP. MOTION CARRIED (6-0-1), COUNCILMEMBER PETSO ABSTAINING.

C. AUTHORIZATION TO EXECUTE PROFESSIONAL SERVICES AGREEMENT FOR HIGHWAY 99 SUBAREA PLANNING PROJECT

Development Services Director Shane Hope advised funding for professional services for the Highway 99 project was approved in the 2015 budget. It was understood at that time that the project would not begin until the Comprehensive Plan update and other projects were completed. An RFQ process was done for the Highway 99 Subarea Planning Project; six qualified responses were submitted. Following review, reference checks and interviews, Fregonese Associates was selected as the lead consultant. She requested Council approval of the \$100,000 professional services agreement. The professional services agreement does not include additional funds for 2016; those will be handled via an addendum. This approval will allow the Highway 99 Subarea Planning Project to begin.

COUNCIL PRESIDENT FRALEY-MONILLAS MOVED, SECONDED BY COUNCILMEMBER NELSON, TO AUTHORIZE THE MAYOR TO SIGN THE PROFESSIONAL SERVICES AGREEMENT FOR THE HIGHWAY 99 SUBAREA PLANNING PROJECT. MOTION CARRIED UNANIMOUSLY.

7. MAYOR'S COMMENTS

Mayor Earling advised there will be no Council meeting on December 22 but there is a robust agenda for next week's meeting. He reported today's annual staff party was fabulous, terrific organization by staff and everyone had a great time.

8. COUNCIL COMMENTS

Council President Fraley-Monillas congratulated Megan Luttrell who was selected City of Edmonds Employee of Year. She pointed out Councilmembers were all dressed in dark colors tonight.

Councilmember Nelson said he submitted a budget amendment on Friday regarding a traffic enforcement officer due to his concern with increased pedestrian incidents and traffic safety in general. After further conversation, he withdrew that amendment, understanding there will be a broader effort to address traffic and pedestrian safety.

Nelson said he was proud of the Council's willingness to use its authority to take the necessary steps to protect citizens from crumb rubber and for Edmonds to lead the way for the health and safety of everyone. The City represents a growing trend in the county that people are sick of harmful chemicals in products they use every day. He hoped tonight's action sends a message to industries that produce healthy, natural products for children to play on that they are always welcome in the City. As for tires, he suggested they roll on by.

Councilmember Bloom asked when the Council would be discussing the Critical Areas Ordinance. Council President Fraley-Monillas advised it is on next week's agenda. Councilmember Bloom observed the Hearing Examiner's annual report is on next week's agenda but nothing about hiring a Hearing Examiner. It was her understanding that appointment would come to Council before the end of the year. Mayor Earling answered only two applications were submitted so Ms. Hope and he decided to extend the application period a couple weeks in an effort to attract more applicants. The current Hearing Examiner will provide his report next week.

Councilmember Buckshnis was pleased the Council completed the budget. She is very serious about long term financial planning and after meeting with the consultant to review Fire District 1's numbers, she looked forward to their report. She said change is coming, the numbers are looking great and she is very hopeful for next year.

Councilmember Mesaros commented this morning's Daybreakers Rotary meeting featured Police Chief Al Compaan and K-9 Officer Robinson who did a fine job representing the City to the 40-50 people in attendance. He remarked citizens are fortunate to live in a city that is relatively peaceful. The last 10 days in the county have been difficult with regard to gun violence. He supported a ban on crumb rubber but more people are dying from the effects of gun violence than crumb rubber. There was a lot of passion in the room in regard to crumb rubber; he wished for the same amount of passion across the county for people dying due to the infatuation with firearms.

Councilmember Johnson thanked Hank Landau for organizing a peaceful march last night to address sustainability and climate change; approximately 100 people marched to Centennial Plaza where Mayor Earling gave a welcoming speech. This may be the first of an annual march; it was organized around the talks for climate change in Paris. She attended the TEDx conference last month provided by Sno-Isle Library; all the speakers are available on their website. She reported a draft Zero Waste Policy will be on the agenda for Council consideration.

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

This item was not needed.

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

This item was not needed.

11. **ADJOURN**

With no further business, the Council meeting was adjourned at 9:59 p.m.