

# COUNCIL



# MINUTES

**Work Session**  
May 3, 2010

## **Call to Order / Pledge of Allegiance**

Mayor Kendall called the May 3, 2010 work session of the Marysville City Council to order at 7:00 p.m. at Marysville City Hall and led those present in the Pledge of Allegiance.

## **Roll Call**

Chief Administrative Officer Gloria Hirashima gave the roll call. The following staff and councilmembers were in attendance.

**Council:** Councilmember Jon Nehring, Councilmember Carmen Rasmussen, Councilmember Lee Phillips, Councilmember John Soriano, Councilmember Jeff Vaughan and Councilmember Donna Wright

**Also Present:** Chief Administrative Officer Gloria Hirashima, City Attorney Cheryl Beyer, Finance Director Sandy Langdon, Commander Robb Lamoureux, Public Works Director Kevin Nielsen, Planning Manager Cheryl Dungan and Assistant Administrative Services Director Tracy Jeffries.

## **Committee Reports**

Councilmember Nehring reported that on Wednesday, April 28 the Snohomish County Tomorrow Steering Committee met and had presentations on the budget and urban growth areas. They also reviewed the Fair Share Housing Formula.

Councilmember Soriano reported on the April 28 Public Safety Committee meeting.

- Sgt. Brett Akau discussed some of the ongoing activities for the NITE team. There is a concentrated effort going on to make an impact on gangs, graffiti, auto theft and narcotics.
- Chief Smith went over various crime stats that have been compiled over the past two years by our Crime Analyst Don Castanares. He hopes to put together a presentation for the Council sometime soon to review the crime stats in the city and also make a comparison of pre- and post-annexation activity.

- The Citizens' Academy will be available again in the fall. Lieutenant Wendy Wade will be coordinating the related activities. Also, a teen academy is being considered.
- Staff is working to fill vacant positions in both patrol and custody. Some offers have been issued; among those candidates were some laterals. There is also a CSO position that the department is currently testing for.
- There was also a presentation by Darin Rasmussen regarding the increased number of registered sex offenders within city limits after the annexation.

## **Presentations**

### **A. Snohomish County Transportation Benefit District**

Brian Goodnight from Snohomish County Transportation gave a presentation on Transportation Benefit Districts (TBD) as contained in the handout distributed to Council.

#### **Discussion:**

Councilmember Seibert remarked that they had looked at this earlier and there was a timeline that had to be met. He wondered if that was still in effect. Mr. Goodnight explained that in early 2008 until May 2008 only the County could create the TBD. After that expiration date, cities had the abilities to pursue it on their own. Now there is no timeline, but the County does need to approach cities and ask for their participation if they would like to participate before they can do the unincorporated areas only. Councilmember Seibert asked if the County can now do a county-wide TBD if they get the appropriate number of cities involved. Mr. Goodnight indicated that this was correct.

Councilmember Nehring asked about the governing body. Mr. Goodnight said that the governing board would be decided during the Interlocal Agreement (ILA) negotiations, but there has to be at least one representative from each jurisdiction. The bylaws and the operations of the board itself will be made up once it gets established, although he expects that some of this will be done through the ILA process.

Councilmember Wright asked about the funding. Mr. Goodnight said it would be funded by an annual vehicle fee of up to \$20 without a vote. Over \$20 and up to \$100 would need to go out for a public vote.

CAO Hirashima asked if they had heard of any other cities that are interested. Mr. Goodnight said that Granite Falls and Sultan had expressed an interest in doing this. There was discussion about various details of city TBDs versus county-wide TBDs.

Councilmember Rasmussen asked what would happen if a city adopted a vehicle fee that was less than \$20 and then the County did a county-wide TBD for \$20. Mr. Goodnight explained that in that example the difference would be collected by the County.

CAO Hirashima summarized that there are some benefits to the City doing it on their own because then the City would control the destiny of that dollar. She thanked Mr. Goodnight for the presentation.

Mayor Kendall asked what kind of timeline the County is looking at. Mr. Goodnight said that the hope is that if it is going to be established it will be done in the middle of this year. There is a six-month delay before fees can begin to be collected.

Public Works Director Nielsen explained the County is requesting a response by May 14 of whether or not the City is interested in forming a county-wide TBD.

Councilmember Seibert asked about households with more than one vehicle. Mayor Kendall said it would apply to every licensed vehicle. Councilmember Seibert asked if they would have any ability to change that so that it would be more equitable. Staff indicated they could look into that.

Councilmember Rasmussen said she was curious about the number of vehicles they would be talking about. CAO Hirashima said she'd look into that. Public Works Director Nielsen estimated that it would be between \$100,000 and \$200,000 in revenue. Councilmember Rasmussen asked what they anticipated they would do with that money if they kept it within the city. Public Works Director Nielsen explained that they would pay back debt service. Councilmember Rasmussen asked if this would be time-limited. Director Nielsen indicated that it would dissolve when all of the indebtedness of the district is retired. Councilmember Rasmussen requested information about what the level of funding would be and also a list of suggested projects that would fit within that level of funding. Director Nielsen indicated that they could provide that.

### **Approval of Minutes**

1. Approval of April 19, 2010 City Council Work Session Minutes.
2. Approval of April 26, 2010 City Council Meeting Minutes.

### **Consent**

3. Approval of April 21, 2010 Claims in the Amount of \$407,671.60; Paid by Check No.'s 62420 through 62590 with Check No. 58817 Voided.
4. Approval of April 28, 2010 Claims in the Amount of \$305,370.35; Paid by Check No.'s 62591 through 62734 with Check No. 59927 Voided.
5. Approval of May 5, 2010 Payroll.

### **Review Bids**

6. Award Water Meter Equipment Procurement.

Director Nielsen indicated that they received two bids and the low bid came in under the estimate.

**New Business**

7. Capital Agreement with the Department of Commerce for the City of Marysville Energy Efficient Lighting Retrofit.

Director Nielsen said this is the grant that has to do with energy-efficient and conservation block grant. The City is doing 42 pedestrian crossings (map in Council packet) and 63 retrofits of street lighting, the Boys and Girls Club re-lamping, and also the Public Safety Building.

Councilmember Seibert asked about the cost of individual fixtures for LEDs. Director Nielsen stated that he would provide a cost breakdown at the next meeting.

Councilmember Soriano referred to *item 7-27, Attachment A, Activity 2*. He noted that the end date has already passed. Director Nielsen thought that it would be okay as long as they have it constructed and final project acceptance by July 15.

8. A **Resolution** of the City of Marysville Adopting a Strategy to Manage and Reduce Energy and Fuel Consumption and Greenhouse Gas Emissions.

Cheryl Dungan explained that they tried to keep the policies cost-effective. All of the policies are either currently implemented or in the process of being implemented. Also, in response to state law and for the City to be eligible for competitive funding the City is required to adopt greenhouse gas policies prior to June 30 of this year. DOE has indicated that these policies would be in compliance with the state requirements.

Councilmember Vaughan asked if this resolution is required in order to comply with what the state wants us to do. Planning Manager Dungan said that they have to be officially adopted policies. Councilmember Vaughan explained that he has some concern about the wording of the resolution. There was discussion about the content of the resolution. Several council members had issues with some of the WhereAs statements. CAO Hirashima stated that some of the WhereAs statements could be eliminated if the Council desired. The most important content is what comes after those statements.

Councilmember Rasmussen commented that many citizens probably disagree with the wording of the WhereAs statements. She asked if they could be framed in way that would agreeable to the majority of the population. Planning Manager Dungan indicated she would bring back a revised version for next week.

Councilmember Seibert commented that the goal of this is to get people to recycle and to reduce energy consumption or do it in a green manner so any of the WhereAs statements could be more focused on that.

9. GCA 6511 and GCA 6453 Agreements with Washington State Department of Transportation for the SR9/92 Intersection Improvement Project.

Director Nielsen explained that these are related to the break in access. He reviewed what they encompass. Both of these have been reviewed by the legal office and have been approved as to form. Right now the project is out to bid for the first phase.

Councilmember Seibert expressed concern about the way the agreement addresses cost overruns. Director Nielsen agreed, but explained why it was done this way and why it might actually be a benefit. He explained how section 6 on Contract Changes would apply to this. Councilmember Seibert then referred to item 9-11, under Payment, and questioned costs related to the bird window. Director Nielsen explained that this is for the redesign of the intersection. There was significant discussion about how this was calculated.

**Motion** made by Councilmember Rasmussen, seconded by Councilmember Soriano, for the Mayor to sign the GCA 6511 Agreement with Washington State Department of Transportation for the SR9/92 Intersection Improvement Project. **Motion** passed unanimously (7-0).

**Motion** made by Councilmember Rasmussen, seconded by Councilmember Wright, for the Mayor to sign the GCA 6453 Agreement with Washington State Department of Transportation for the SR9/92 Intersection Improvement Project. **Motion** passed unanimously (7-0).

### **Mayor's Business**

10. City of Marysville Board of Appeals Appointments.

Mayor Kendall explained that this would be in the packet for the next week.

Other:

- Mayor Kendall and several others attended Stan Jones' retirement. It was a great event.
- He discussed the Fishing Derby which he attended on Saturday. He commended the Parks Department for the event.

### **Staff Business**

Sandy Langdon had no comments tonight.

Robb Lamoureux reported that they had a very successful Spring Sports Festival for Special Olympics.

Kevin Nielsen reported that the wind kept staff very busy today. Many trees were down and some power went out. The police were very helpful with traffic control.

Cheryl Beyer informed Council of the need for an executive session to discuss two items concerning litigation and real estate expected to last 10 minutes with action expected on the real estate item.

Gloria Hirashima had no comments.

### **Call on Councilmembers**

Lee Phillips also thought Stan Jones' retirement was a nice event. He commented that it was sad to see him retire.

Carmen Rasmussen:

- The Fishing Derby was great; the fish were huge.
- She informed everyone that the annual Cinco de Mayo Celebration would be held at Totem on Friday, May 7. She encouraged everyone to attend.

Jeff Vaughan had no comments.

Jon Nehring:

- The Fishing Derby was fantastic. He agreed that the fish were huge.
- Stan Jones' retirement was a great event too. It was good to see everybody honor him for his long distinguished career.

Donna Wright:

- She also enjoyed the Fishing Derby.
- She also attended Complete Streets that was supported by CDC, the State Health Department, and the Bicycle Alliance which was about completing our streets and making them safer. This was an interesting event.

John Soriano said he also enjoyed the Fishing Derby.

Jeff Seibert:

- He thanked the Historical Society for inviting them.
- He asked Director Nielsen to let the railroad know that their arm at 4<sup>th</sup> was malfunctioning because of the power outage. Councilmember Nehring said it was doing the same thing at 116<sup>th</sup>. Councilmember Phillips commented that there was a BNSF truck working on the arm at 136<sup>th</sup> around noon. Director Nielsen indicated they would contact them about this and also recommend that they should have battery backups.
- He discussed an issue with the CT bus turning onto Cedar.

## Recess

Mayor Kendall recessed the meeting at 8:06 p.m. for a short break before reconvening into Executive Session expected to last 10 minutes to discuss one item concerning litigation and one item concerning real estate with action expected on the real estate item.

**Executive Session** - started at 8:11 p.m.

- A. Litigation – one item, pursuant to RCW 42.30.110(1)(i)
- B. Personnel
- C. Real Estate – one item, pursuant to RCW 42.30.110(1)(b)

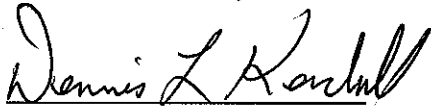
Mayor Kendall called the meeting back to order at 8:22 p.m.

**Motion** made by Councilmember Nehring, seconded by Councilmember Siebert, for the Mayor to sign the First Addendum to the Coca-Cola Real Estate Purchase and Sale Contract as discussed in executive session. **Motion** passed unanimously (7-0).

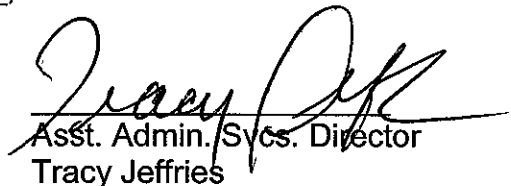
## Adjournment

Seeing no further business Mayor Kendall adjourned the meeting at 8:23 p.m.

Approved this 24 day of May, 2010.



Mayor  
Dennis Kendall



Asst. Admin. Svcs. Director  
Tracy Jeffries