

COUNCIL



MINUTES

Special Meeting *August 9, 2011*

Call to Order / Pledge of Allegiance

Mayor Nehring called the meeting to order at 7:30 a.m. and led those present in the Pledge of Allegiance.

Roll Call

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

Mayor: Jon Nehring

Council: Lee Phillips, Carmen Rasmussen, Jeff Vaughan, and Donna Wright. John Soriano and Michael Stevens arrived late.

Absent: Jeff Seibert

Also Present: Chief Administrative Officer Gloria Hirashima, Finance Director Sandy Langdon, City Attorney Grant Weed, Public Works Director Kevin Nielsen, Parks and Recreation Director Jim Ballew, Chief Smith, Recording Secretary Amy Hess.

Audience Participation

Consent

1. Approval of the July 27, 2011 Claims in the Amount of \$290,348.14; Paid by Check Number's 71577 through 71695.
2. Approval of the August 3, 2011 Claims in the Amount of \$1,144,522.92; Paid by Check Number's 71696 through 71859.
3. Approval of the August 5, 2011 Payroll in the Amount of \$1,384,672.12; Paid by Check Number's 24554 through 24613 with Check Number 24065 Voided and Reissued with Check Number 24553.

Motion made by Councilmember Rasmussen, seconded by Councilmember Wright, to approve Consent Agenda items 1, 2, and 3. **Motion** passed unanimously (4-0).

Mayor Nehring noted that there would be an executive session following discussion of Item 8 with action expected.

New Business

4. Snohomish County HOME Consortium Interlocal Cooperation Agreement Among Snohomish County, the City of Everett, and the City of Marysville for Program Years 2012 through 2014.

CAO Hirashima gave a briefing of what this agreement would allow the city to do related to receiving and administering the Community Development Block Grants Funds. This Interlocal would allow the City to self administer the Community Development Block Grants Funds. She described the different funds, such as the Home Grant Fund that we are not eligible to receive directly. These were distributed by the State and we would be up against other communities throughout the state. Staff felt this was not a good option as it diminished our chances of getting the funds. The Urban County Consortium was the alternative. CAO Hirashima added that City of Everett was the only other City operating in the Consortium for the HOME Funds but outside of the CDBG funds which required an Interlocal agreement with Snohomish County and Everett.

Councilmember Stevens arrived at 7:35 am.

CAO Hirashima continued to brief the agreement, noting that it was a 3 year agreement. It was the city's intent to maintain a member on the committee to represent Marysville and allow us to compete actively. She noted a change on page 4 of the agreement she was notified of yesterday. The reference should be "3 B", not "3 A". She wanted to allow for approval of minor non-substantive changes as the agreement works its way through Everett and the County.

Councilmember Rasmussen noted that she was in favor of approving this but wanted to know if there was a process in place for administering the current non-housing CDBG funds. CAO Hirashima responded that it was being developed.

Motion made by Councilmember Rasmussen to approve the Mayor to sign the Snohomish County HOME Consortium Interlocal Cooperation Agreement Among Snohomish County, the City of Everett, and the City of Marysville for Program Years 2012 through 2014, with the minor changes as approved by staff, seconded by Councilmember Wright. **Motion** passed unanimously (5-0).

5. Consent Agreement with Public Utility District No. 1 of Snohomish County Providing Easement Access and Improvements within the Utility Corridor also known as Bayview Trail.

Director Ballew described the consent of use of the PUD easement being utilized for the

Bayview trail. He added that it had already been reviewed by Grant Weeds Office.

Motion made by Councilmember Wright to authorize the Mayor to sign the Consent Agreement with Public Utility District No. 1 of Snohomish County Providing Easement Access and Improvements within the Utility Corridor also known as Bayview Trail seconded by Vaughan. **Motion** passed unanimously (5-0).

6. Limited Use Permit with Public Utility District No. 1 of Snohomish County Permitting Construction and Use of Parcels Identified within the Utility Corridor also know as Bayview Trail.

Director Ballew noted that WCIA had requested some changes in the insurance language in Section 13. Staff's recommendation was to approve with the changes suggested by WCIA once accepted by PUD.

Motion made by Councilmember Vaughan to authorize the Mayor to sign the Limited Use Permit with Public Utility District No. 1 of Snohomish County Permitting Construction and Use of Parcels Identified within the Utility Corridor also know as Bayview Trail with changes made to section 13 per WCIA, seconded by Councilmember Stevens. **Motion** passed unanimously (5-0).

7. Consent Use Agreement with Puget Sound Energy (PSE) Providing Easement Access and Improvements within the Utility Corridor also Known as Bayview Trail.

Director Ballew noted that this was a similar agreement with approval including a change in language in Section 13 regarding insurance, as in the previous agreement, per WCIA.

Motion made by Councilmember Wright to authorize Mayor to sign the Consent Use Agreement with Puget Sound Energy (PSE) Providing Easement Access and Improvements within the Utility Corridor also Known as Bayview Trail, seconded by Councilmember Phillips. Councilmember Rasmussen recommended a friendly amendment to include the WCIA language change. Councilmember Wright accepted the amendment as well as Councilmember Phillips. **Motion** passed unanimously, (5-0).

Director Ballew commended Grant Weed's office, particularly Candy and Paul McMurray, for the months of hard work on this project.

There was a change in agenda order; Item 9 was moved ahead of Item 8.

9. Accept Distribution of the Local JAG/BYRNE Grant Federal Funding when the Approved Application is Received.

Chief Smith noted that this is a yearly grant and last year it was utilized for installation of video court system. This year the funds would be used for technology upgrades to the

police department which were about two years over-due. He asked for approval and acceptance of the JAG grant for distribution as allocated in the memo.

Motion made by Councilmember Vaughan to authorize Mayor to Accept Distribution of the Local JAG/BYRNE Grant Federal Funding when the Approved Application is Received, seconded by Councilmember Phillips. **Motion** passed unanimously (5-0).

Councilmember Soriano arrived at 7:46 am.

Mayor Nehring adjourned the regular meeting at 7:46 am to enter right into executive session expected to last 7 minutes to discuss two Real Estate matters and one Collective Bargaining Negotiation matter with action expected on the Real Estate matters.

Executive Session

A. Litigation

B. Personnel – One Item discussing Collective Bargaining negotiations pursuant to RCW 42.30.140(4)(a).

C. Real Estate – Two items pursuant to RCW 42.30.110(1)(b) to discuss lease or purchase of real estate.

Motion made by Councilmember Wright to extend the executive session by five minutes, seconded by Council Rasmussen. **Motion** passed unanimously (6-0).

The regular meeting reconvened at 8:00 am.

Motion made by Councilmember Rasmussen, seconded by Councilmember Stevens to approve Rental Lease agreement at 5th and Delta House Lease and Damage Deposit as discussed in Executive Session. **Motion** passed unanimously, (6-0)

8. An **Ordinance** of the City of Maryville, Washington Authorizing the Condemnation, Appropriation, Taking, Damaging and Acquisition of Land and Other Property for the Purpose of Construction 51st Avenue N.E. from 84th Street N.E. to 88th Street N.E. and Associated Street Improvements.

Motion made by Councilmember Phillips, seconded by Councilmember Wright, to approve Ordinance No. 2869. **Motion** passed unanimously, (6-0).

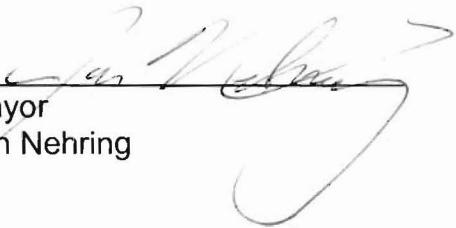
Motion by Councilmember Phillips, seconded by Councilmember Rasmussen, to approve a Purchase and Sale agreement as discussed in Executive Session. City Attorney Weed suggested referencing the address which is 5103 86th Place NE. Councilmember Phillips amended his motion to include the address. **Motion** passed unanimously, (6-0).

Mayor Nehring thanked Councilmembers and staff for putting together and attending the meeting and wished everyone a great August.


Adjournment

Seeing no further business Mayor Nehring adjourned the meeting at 8:03 a.m.

Approved this 12th day of September, 2011.



Mayor
Jon Nehring



April O'Brien
Deputy City Clerk