May 15, 2019

The regular meeting of the Everett City Council was called to order at 6:30 p.m., May 15, 2019, in the City Council Chambers of the William E. Moore Historic City Hall, Council President Bader presiding. Upon roll call, it was found that Mayor Franklin and Council Members Roberts, Moore, Murphy, Vogeli, Bader, Stonecipher, and Tuohy were present.

Mayor Franklin led the Pledge of Allegiance.

The minutes of the May 8, 2019, City Council meeting were approved as printed. Council Members Moore and Roberts abstained from the vote.

MAYOR

Mayor Franklin had no comments.

COUNCIL

Council Member Murphy provided a liaison report on his attendance at the Public Facilities District (PFD) Finance Committee meeting. He also provided a report from the Fire Pension Board meeting held earlier today.

Council Member Roberts spoke about additional buses on Sound Transit Route 510. He also reported on his attendance at the Cultural Arts Commission meeting.

Vice President Tuohy announced that the next Council of Neighborhoods meeting is moved to Wednesday, May 29 at 4 p.m. due to Memorial Day. She also reported on her attendance at the Salvation Army’s 125th Anniversary celebration.

Council Member Stonecipher reported on her attendance at the Snohomish County Arts Commission meeting and Port Gardner Neighborhood meeting.

President Bader provided a liaison report on his attendance at the Police Pension Board meeting and the Snohomish Health District Board meeting. He also provided an update on the Districting Commission process for the selection of Commissioners.
May 15, 2019

ADMINISTRATION UPDATE ON PRIOR BUSINESS

Lyle Ryan, Administration, had no report.

CITY ATTORNEY

City Attorney Iles requested an executive session, anticipated to last no longer than 5 minutes, concerning a legal matter pursuant to RCW 42.30.110(1)(i)(3) with no announcement to follow.

CITIZEN COMMENTS

Sean Renfro, Everett, spoke about police officer overtime and his deposition to Providence Hospital.

Denise Nilsson, Everett, expressed her concern regarding bus route changes around Merrill Creek Parkway and the Seaway Transit Center restrooms.

President Bader stated that an Everett Transit's representative would reach out to her.

Tyler Rourke, Everett, spoke about Bike Month and how the City can improve the non-motorized transportation experience.

Andrea Tucker, Everett, spoke about Waterfront access and the Bond street closure.

COUNCIL BRIEFING AGENDA:

LIME Electric Scooter - Share Pilot Program
Presented by Nick Harper, Administration; Katie Rathbun, Legal; Tim Miller, Public Works; and Jonathan Hopkins, LimeBike
Deputy Mayor Harper informed the Council about the LimeBike roll-out of the pilot program planned for Friday.

Discussion took place regarding safety, City liabilities, insurance requirements, availability and use of the study data, a mechanism for handing complaints, bike litter, plans for public education, available payment options, an initial deployment map, a bigger discussion of a non-motorized transportation, and other communities' experience.

Council Member Murphy asked if helmets would be distributed with the roll-out.

Jonathan Hopkins assured council members that helmets would be distributed before the roll out.

Council Member Murphy asked about indemnification and insurance requirements.

Katie Rathbun, Legal, stated that the City implemented the strong indemnification provision and insurance requirements track with recent state regulations.

Council members requested an initial deployment map to be distributed.

Jonathan Hopkins stated he would provide this information before launch.

Council Member Murphy requested a copy of all public comments regarding the pilot program.

Victor Harris, Everett, expressed concern regarding accident rates between pedestrians and scooter users.

Andrea Tucker, Everett, inquired about age restrictions.

Katie Rathbun stated that LimeBike's required minimum age is 18, and according to the City ordinance, the minimum age is 16.

Annique Bennett, Everett, spoke in support of the proposed project.
May 15, 2019

An Everett citizen expressed his concerns regarding scooter users and disabled individuals in the wheelchairs.

Street and Alley Vacation Fund Use Policy
Presented by Paul Kaftanski, Administration

Considerable discussion ensued regarding the use of proceeds from the vacations, the annual prioritization, a formalized policy, the geographical distribution, the cost of sidewalks, and the involvement of the General Government Subcommittee.

President Bader referred this topic to the General Government Subcommittee.

Ryan Weber, Everett, spoke in support of the proposed policy.

Council Member Stonecipher suggested using the website to collect feedback from citizens.

ReThink Zoning Project
Presented by David Stalheim, Planning

Discussion took place regarding a design factor, condominium legislation reform, median income and household types in Everett, the uniqueness of the waterfront, and the need to preserve the upper-income housing and the single-family housing.

Ryan Weber, Everett, spoke about housing affordability and ways to incentivize construction of condos to improve the homeownership rate in Everett.

Moved by Council Member Moore, seconded by Council Member Vogeli, to move the Public Hearing to for discussion.

PUBLIC HEARING:

President Bader opened the public hearing regarding a proposed ordinance amending the critical areas regulations in the Zoning Code to apply city-
May 15, 2019

wide, including areas within jurisdiction of the Shoreline Master Program and Local Project Review Procedures, amending Ordinance Nos. 1671-89, 2909-06 and 2530-01, as amended.

President Bader invited public comment.

There were no citizens who wished to speak.

Moved by Council Member Roberts, seconded by Council Member Murphy, to close the public hearing.

Roll was called with all council members voting yes.

Motion carried.

COUNCIL BILL 1904-24

THIRD AND FINAL READING:

AN ORDINANCE amending the critical areas regulations in the Zoning Code to apply city-wide, including areas within jurisdiction of the Shoreline Master Program and Local Project Review Procedures, amending Ordinance Nos. 1671-89, 2909-06 and 2530-01, as amended

Moved by Council Member Roberts, seconded by Council Member Murphy, that this is declared to be the third and final reading of Council Bill No. 1904-24.

The City Clerk was directed to call the roll for the final disposition of the ordinance.

AYES: Roberts, Moore, Murphy, Vogeli, Bader, Stonecipher, Tuohy
NAYS: None
EXCUSED: None

Ordinance No. 3676-19 adopted.
May 15, 2019

COUNCIL BRIEFING AGENDA (CONTINUED):

COUNCIL BILL 1905-26

FIRST READING:

AN ORDINANCE amending the Shoreline Master Program and removing the Shoreline Land Use Element from the Comprehensive Plan, amending Ordinance Nos. 2600-02 and 2021-94, as amended

Presented by Karen Stewart, Planning

The following Council Briefing Agenda items were presented together by Ryan Sass, Public Works.

COUNCIL BILL 1905-27

FIRST READING:

AN ORDINANCE creating a Special Improvement Project, entitled “Everett Downtown Streetscape Improvements – Phase 3,” Fund 303, Program 109, to accumulate all costs for the improvement, and repealing Ordinance No. 3485-16

COUNCIL BILL 1905-28

FIRST READING:

AN ORDINANCE creating a Special Improvement Project, entitled “Everett Downtown Streetscape Improvements – Phase II,” Fund 303, Program 101, to accumulate all costs for the improvement, and repealing Ordinance No. 3329-13

COUNCIL BILL 1905-29

FIRST READING:

AN ORDINANCE creating a Special Improvement Project, entitled “Rucker Water Main Replacement Project,” Fund 336, Program 002, to accumulate all costs for the improvement
May 15, 2019

Award construction contract for the Downtown Streetscape Improvements Phase 2, Phase 3 and Rucker Water Main Replacement to Jansen, Inc. of Bellingham, WA, in the amount of $9,577,841.02

Authorize the Mayor to sign Amendment No. 1 to the professional services agreement with PerTeet, Inc. for the construction support services for Downtown Streetscape Improvements Phase 2 and Phase 3

PROPOSED ACTION ITEMS:

COUNCIL BILL 1905-25

SECOND READING:

AN ORDINANCE establishing regulations for Alarm Systems for Law Enforcement response repealing Ordinances 494-78 and 865-82 (Chapter 9.10 EMC)

CONSENT ITEMS:

Moved by Council Member Murphy, seconded by Council Member Roberts, to approve the following consent items:

RESOLUTION - CLAIMS

To adopt Resolution No. 7370 acknowledging the payment of audited and approved claims against the City of Everett in the amount of $4,052,575.91 for the period of April 27, 2019, through May 3, 2019.

RESOLUTION - PAYROLL CLAIMS

To adopt Resolution No. 7371 acknowledging the payment of audited and approved payroll claims against the city of Everett in the amount of $4,256,505.25 for the period ending April 27, 2019.
May 15, 2019

GRANT – SNOHOMISH RIVER OUTFALLS 7 AND 8 RETROFIT PROJECT

To authorize the Mayor to sign the Department of Ecology Stormwater Grant for Snohomish River Outfalls 7 and 8 retrofit project.

RESOLUTION – SURPLUS OF 1989 EMERGENCY ONE AERIAL LADDER TRUCK

To adopt Resolution No. 7372 declaring a 1989 Emergency One Aerial Ladder Truck Surplus and authorizing sale at public auction.

AGREEMENT – INTERLOCAL COOPERATIVE PURCHASING

To authorize the Mayor to sign the Interlocal Cooperative Purchasing Agreement with Clark County Public Utility District.

RESOLUTION – PURCHASE OF PUMP REPAIR PARTS

To adopt Resolution No. 7373 waiving public bidding requirements and approving a multiple year sole source purchase of Pump Repair Parts from Correct Equipment.

LEASE AGREEMENT – SPACE OF WALL STREET BUILDING

To authorize the Mayor to execute the Lease Agreement with Senator Patty Murray for space at 2930 Wetmore Avenue.

AGREEMENT AMENDED – PATIENT MANAGEMENT SERVICES

To authorize the Mayor to sign Amendment No. 1 to the Service Agreement with CorVel Corporation.

SETTLEMENT AGREEMENT – SNOHOMISH COUNTY SUPERIOR COURT CAUSE NO. 18-2-03989-31

To authorize the Mayor to sign the Settlement Agreement between the
May 15, 2019

City of Everett and Joni Smith, Snohomish County Superior Court Cause No. 18-2-03989-31.

PURCHASE – TIRES, TUBES, AND RELATED SERVICES FOR CITY VEHICLES

To authorize the purchase of tires, tubes, and related services for city vehicles using the Washington State Department of Enterprise Services contract for an estimated amount of $150,000, including Washington State sales tax.

RESOLUTION - EVERETT MUNICIPAL BUILDING

To adopt Resolution No. 7374 renaming the “Wall Street Building” to the “Everett Municipal Building.”

Roll was called with all council members voting yes.

Motion carried.

ACTIONS ITEMS:

COUNCIL BILL 1904-22

THIRD AND FINAL READING:

AN ORDINANCE amending Ordinance No. 3589-18 entitled “Phil Johnson Ballfields Renovation,” Fund 354, Program 054, to accumulate the design and construction costs for the project

Moved by Council Member Roberts, seconded by Council Member Tuohy, that this is declared to be the third and final reading of Council Bill No. 1904-22.

The City Clerk was directed to call the roll for the final disposition of the ordinance.
May 15, 2019

AYES: Roberts, Moore, Murphy, Vogeli, Bader, Stonecipher, Tuohy
NAYS: None
EXCUSED: None

Ordinance No. 3677-19 adopted.

CONTRACT AWARD — PHIL JOHNSON BALLFIELDS RENOVATION PROJECT

Moved by Council Member Tuohy, seconded by Council Member Stonecipher, to award the construction contract for the Phil Johnson Ballfields Renovation Project to Premier Field Development.

Roll was called with all council members voting yes.

Motion carried.

DONATION — PHIL JOHNSON BALLFIELDS COMPLEX RENOVATION PROJECT

Moved by Council Member Vogeli, seconded by Council Member Tuohy, to approve the Mayor's acceptance of a $50,000 donation from Phil Johnson for the Phil Johnson Ballfields complex renovation project.

Roll was called with all council members voting yes.

Motion carried.

COUNCIL BILL 1904-23

THIRD AND FINAL READING:

AN ORDINANCE relating to Limited Commission Officers, amending Ordinance No. 284-74 (Chapter 2.45 EMC)
May 15, 2019

Moved by Council Member Vogeli, seconded by Council Member Roberts, that this is declared to be the third and final reading of Council Bill No. 1904-23.

The City Clerk was directed to call the roll for the final disposition of the ordinance.

AYES: Roberts, Moore, Murphy, Vogeli, Bader, Stonecipher, Tuohy
NAYS: None
EXCUSED: None

Ordinance No. 3678-19 adopted.

The City Council recessed for an executive session at 9:25 p.m., reconvened, and adjourned at 9:32 p.m.

__________________________
City Clerk Designee

Read and approved as printed.

__________________________
Council President