



**CITY OF EDGEWOOD
COUNCIL STUDY SESSION AGENDA**

Tues., July 31, 2018 – 7:00 PM ♦ City Hall – 2224 104th Avenue East ♦ Edgewood, WA

1. CALL TO ORDER

Pledge of Allegiance & Roll Call

2. COUNCIL BUSINESS

- A.  **Discussion (no material)** - Council Highlight - Who? Connect Over Coffee - Volunteers?
- B.  **Review/Discussion** - SWMP Update
- C.  **Review/Discussion** - TIP Update
- D.  **Review/Discussion** - Job Description
- E.  **Review/Discussion** - Resolution – Payment of taxes and/or fees under protest

3. OTHER COUNCIL ITEMS

4. ADJOURN

Study Sessions are meetings for Council to review upcoming and pertinent business of the City, no action is taken by the City Council. Study Sessions are open to the public, but public input is reserved for the regular Council meetings



City Of Edgewood Council Agenda Summary Sheet

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SUBJECT: Comprehensive Surface Water Management Plan Update Remaining Schedule and Status	Agenda Item #:	2B	
	For Agenda of:	July 31, 2018	
	Prepared by:	Jeremy Metzler	
ATTACHMENTS (list): ☒ Updated CIP Priority List ☒ Updated Table 5-5 (CIP List w/ Six-Year Allocation)			
Approval of Materials:			
Mayor, Daryl Eidinger	☐	Expenditure Required:	N/A
Asst. City Administrator, Dave Gray	☐	Amount Budgeted:	N/A
City Attorney, Carol Morris	☐	Appropriation Required:	N/A
City Clerk, Rachel Pitzel	☐	Timeline: Public Hearing – August 14, 2018 Ord. Adoption – August 28, 2018	
Community Development Director, Darren Groth	☐		
Public Works, Jeremy Metzler	☒		
Fiscal Note/Consideration: The Surface Water Management Plan (SWMP) Update is fully paid for with Surface Water Utility Funds. The Capital Improvement Plan and rate analysis components of this update will recommend revisions to the City's Surface Water Rates, and there will be opportunities for public input and discussion before any such revisions are made.			
SUMMARY STATEMENT: As discussed at prior Study Sessions, we have reviewed Herrera's draft of the comprehensive SWMP update with Mt. View – Edgewood Water Company, the public, and the Planning Commission, soliciting discussion, comment and direction. Redlines and revisions have been provided to Herrera and they are working on their final draft. In response to discussion at the last Study Session, attached is the latest Capital Improvement Project (CIP) priority list including estimated costs, which has been prioritized per the input received to-date without costs considered. Also attached is an updated version of Table 5-5 from the SWMP, showing anticipated allocations on surface water capital projects over the next five years. The final draft of this table will be the basis for the 2019-2024 CIP update. A final draft of the SWMP update is expected to be brought to Council for consideration on August 7, including the final draft of the CIP and recommendation for future Surface Water Rates. As presented to Council at the May 1, 2018 Study Session by FCS Group, existing Surface Water Rates barely cover ongoing operations and maintenance costs and do not adequately fund proposed capital improvements. Updating the SWMP plan and Surface Water Rate Ordinance is necessary to ensure a viable utility over the long-term, which manages both ongoing maintenance and capital improvement needs.			
COUNCIL COMMITTEE REVIEW AND RECOMMENDATION: N/A			
RECOMMENDED ACTION: Discuss and provide feedback on the surface water capital improvement program as presented, prior to final draft presentation to Council.			
ALTERNATIVES TO RECOMMENDED ACTION: 1) Forward to Study Session for further review			

Project Number (2017 List)	Assigned Priority	Former Project IDs			Included in		Project Name	Description / Summary	Status	Problem Description	Project Description	Priority	Severity	Notes	Budget Estimate
		1997 SWMP	2009 CIP	2017 CIP	SWMP Update?	Critical Project?									
1	1		31	SW-6	Yes	Yes	Comprehensive Surface Water Management Plan Update	City-wide planning, targeted development standard evaluation, floodplain management, and annual updates	ONGOING	The City's comprehensive SWMP is being formally updated in 2018, and this annual review of the program will ensure compliance with regulations and permit requirements.	Annual review of projects, goals, and tasks.	High	High	Annual large project review and prioritization	\$25,000 +/- Annually
2	2			SW-1	Yes	Yes	City Drainage Infrastructure Program / Spot Improvements	Annual Small Project Improvements	ONGOING	See separate list	Annual work program and prioritization.	High	High	Annual small project review and prioritization	\$100,000 Annually
NEW (5)	3				Yes	Yes	Edgewood Pothole Pilot Project Feasibility Assessment	Review UIC and Water Quality Treatment Options for Flood Control	GRANT FUNDS PENDING	Edgewood Bowl flooding: Street closed with up to 3 feet of water overtop, House crawlspace and garage flooded (10704 16th St. E).	Evaluate whether advanced stormwater treatment and UIC wellfield can adequately treat stormwater and ensure protection of the drinking water supply.	High	High	Awaiting formal grant award notice and contracting process to proceed	\$460,000 (\$150K grant)
4	4	LC-1 - LC-3			Yes	Yes	Lake Chalet Pothole Flood Reduction Project	Flooding of 29th St E and adjacent properties	PENDING	Street closure due to flooding, adjacent private property flooding, near two MVEW well sites.	Evaluate and design cost-effective flood control solution with discharge to existing gravity storm sewer, coordinating design with MVEW regarding possible hydrogeologic impacts.	High	High	Planning for pump station w/ conveyance to Simon's Creek via the Simon's Mill Apartments; only 4' to 6' above current lake flood stage.	\$500,000
S-4	5				Yes		24th/112th Seasonal Ponding	11100 - 11200 block, 24th St E	PENDING	Shoulder and Culvert Improvements	G&O Design and Survey, new structures and buried conveyance along north shoulder	High	High	Listed as Spot Improvement in Summer 2018 Newsletter, design almost complete	\$175,000
S-6	6	EB-8, EB-9			Yes		108th Ave E Neighborhood (8th St E to 16th St E)	Elevated groundwater and seasonal flooding	PENDING	Property to west developed, and now runoff flows across property, creating a large pond. Runoff from 108th causing driveway erosion.	Perform design survey and preliminary engineering, for capital project cost estimating. Schedule TBD by further pothole evaluation.	High	High	Listed as possible Spot Improvement in Summer 2018 Newsletter, elevated to full CIP list	\$350,000 (est.)
8	7	108-1 - 108-3	5	SW-5	Yes	Yes	108th Ave. E. / 36th St. E. Road Flooding	Pothole / Wetland Seasonal Flooding	PENDING	During heavy rains, this area is prone to flooding where the entire roadway ends up being underwater. Roadway intersection and adjoining streets routinely flood during wet winters resulting in the closure of the roadways.	This project is located within 500 feet of the subject intersection. A study is needed to assess alternatives, including raising the intersection to prevent roadway flooding.	High	High	Evaluating opportunity to install conveyance improvements with discharge to 108th Avenue Pothole, contingent on results of that basin's Flood Reduction Plan	\$1,000,000
5	8	EB-1 - EB-6			Yes		Flood Reduction Plan for Edgewood Bowl	Flooding of 110th and 114th Ave E, and 16th St E	PENDING	Edgewood Bowl flooding: Street closed with up to 3 feet of water overtop, House crawlspace and garage flooded (10704 16th St. E).	Evaluate and develop solutions to seasonal flooding issues in the basin.	High	High	TBD after Edgewood Pothole Pilot Project Feasibility Assessment	\$170,000
NEW (5)	9				Yes		Infiltration Pilot Project Design and Construction	(if feasible) Design and Construct Infiltration Facility at Edgewood Bowl	PENDING	Edgewood Bowl flooding: Street closed with up to 3 feet of water overtop, House crawlspace and garage flooded (10704 16th St. E).	(only if feasible) Convey surface water from the Edgewood Bowl through specialized treatment media for discharge to the upper aquifer through a UIC wellfield.	High	High	TBD upon completion of Edgewood Pothole Pilot Project Feasibility Assessment	\$1,900,000
7	10	114-1 - 114-5			Yes		Flood Reduction Plan for Pinedale Pond (114th Ave)	Flooding of 32nd St E and adjacent properties	PENDING	Street closed due to flooding, excessive flooding over driveway (2614 115th Ave E.) so only house access is via rowboat.	Evaluate and develop solutions to seasonal flooding issues in the basin.	High	Medium	Conservation Futures grant funds pending, \$100K match req'd.	\$170,000
6	11	122-1 - 122-3			Yes		Flood Reduction Plan for 122nd Ave Pothole	Flooding near 36th St E, impacts one residential driveway	NEEDS RE-EVALUATION	Meadow Vista tracts flooded, homes on 122nd flooded, driveway flooding (1997), no imminent threat except one driveway and EVA.	TBD by further pothole evaluation.	High	Medium	Coordinating with elevated driveway property owner, possible exploration and infiltration site	\$170,000
NEW (8)	12				Yes		Flood Reduction Plan for 108th Avenue Pothole	Flooding of 32nd St E, 36th St E, and adjacent properties	PENDING	Area is prone to flooding, adjoining streets routinely flood during wet winters, problems generally contained on private property.	Evaluate and develop solutions to seasonal flooding issues in the basin.	High	Medium	TBD after Edgewood Pothole Pilot Project Feasibility Assessment	\$170,000
9	13				Yes		Flood Reduction Plan for Surprise Lake Pothole		NEEDS RE-EVALUATION	1 house flooded, 1 septic system flooded (1997). Potential flooding risk for two houses	TBD by further pothole evaluation. Commercial property is amenable to investigative work.	High	Medium	TBD after Edgewood Pothole Pilot Project Feasibility Assessment	\$170,000
11	14	JC-1, JC-2	7	SW-11	Yes		Jovita Boulevard Rehabilitation	Evaluate slope drainage and seeps, road alignment, add'l walls?	PENDING	Annual problems with seeps, slope stability, and cuvlert drainage	Focusing between 114th Ave E and West Valley Highway, this project may include the following: * Reconstruction of roadway, redefining alignment and superelevation * Slope protection (guardrails & walls) * Stream protection, storm drainage conveyance installation	Medium	High	No imminent threats or issues, ongoing box culvert maintenance concerns being evaluated, coordinating with adjacent land owners.	\$500,000
10	15	SE-2	23		Yes		Edgewood Drive Drainage Improvements	Tightline drainage between 48th and 53rd - some work done along corridor, paved ditches	NEEDS RE-EVALUATION	Inadequate roadway drainage.	Install tight-lined drainage system along roadway.	Medium	Medium	Need to review project extents, coordinate with overall corridor improvements before implementation	\$860,000
12	16				Yes		Meridian Ave E.	Meridian Ave E (SR-161) Corridor	NEW	WSDOT widening project had the effect of isolating some properties on the east side of Meridian from adequate surface water drainage	Review existing infrastructure and identify properties with inadequate service, then develop plans for providing adequate service	Medium	Medium	Currently relying on new development project(s) to identify needs and establish conveyance	\$50,000
13	17	JC-3, JC-4	6, 27, 28	SW-3	Yes		Jovita Creek Regional Improvement Feasibility Study	TMDL / WQ Improvements, Regional Detention Evaluation, Slope Stability and Sediment Transport Prevention	PENDING	Uncontrolled stormwater runoff.	Feasibility Study for design and construction of regional facilities to reduce peak flows and address basin-wide issues in Jovita Creek, including TMDL, and identify possible locations for system improvements.	Low	Medium	Unlikely to proceed without neighboring agency participation and/or grant funding	\$500,000
18	18		30				SW Maint. Utility Storage Yard	Review needs and determine site for possible yard establishment	PENDING	Lack of a maintenance yard results in inefficiencies in conducting maintenance operations.	Conduct a study to determine required facility improvements and identify possible locations and costs.	Low	Medium	Work curently performed under contract by Pierce County, will look into establishing local yard as resources become available.	TBD

Project Number (2017 List)	Assigned Priority	Former Project IDs			Included in SWMP Update?	Critical Project?	Project Name	Description / Summary	Status	Problem Description	Project Description	Priority	Severity	Notes	Budget Estimate
		1997 SWMP	2009 CIP	2017 CIP											
14	19			SW-2	Yes		Mortenson Farm Regional Stormwater Improvements	WQ Improvements, Stream Channel Restoration, Regional Detention Evaluation, Wetland Enhancement, Passive Recreation	PENDING	Uncontrolled stormwater runoff can damage sensitive salmon bearing streams and wetlands.	Purchased in 2003 with Surface Water Funds, the site was identified for future stormwater quality enhancements and possible park use.	Low	Low	Coordinating with WSDOT on SR167 Completion Project, site to be used for wetland mitigation and enhancement, in process of determining available flow capacity	TBD
15	20	SL-1, SL-2	4	SW-7	Yes		25th St. E. Drainage Improvements	Slope stability and drainage - Road is currently abandoned / closed	PENDING	Downhill erosion and sliding of roadway embankments cause road closures.	Control and convey road runoff safely to the bottom of the hill in order to stabilize and repair historical slide damage and prevent future slides.	Low	Low	This site is not an imminent threat to private property or the public.	\$200,000
3	21		32				Closed Depression Basin Plan	Study long-range surface water needs for closed depressions	PENDING	A basin-level determination of issues is needed, including exploring the need for basin-specific standards to address said issues (i.e., flooding).	Conduct a series of basin studies to determine long range surface water needs.	Low	Low	Evaluating each pothole individually - see below	N/A
16	22	WE-1, WE-3					Wapato Creek / Simon's Creek Ravine Drainage	Sediment transport and channel erosion (private property)	NO ACTION - MONITOR?	Erosion in steep channel is depositing large sediment load at base of ravine.	Possible solutions include armoring the open channel, adding a buried pipe down the steep slope, or adding a detention vault or dry well in the basin above the slope to reduce runoff.	Low	Low	No concerns identified during recent wet winters, keeping this on the list for future evaluation as needs arise.	TBD
17	23	SC-4					Creek Bed Slippage (9608 29th St Ct E?)	Ravine wall erosion due to stream flows	NO ACTION TAKEN	Creek eroding ravine walls, threatening home?	Evaluate flow rates and energy dissipation feasibility	Low	Low	Need to contact the adjacent land owners and evaluate needs, then prioritize possible solution	TBD
19	24		33				FEMA Flood Study	Establish flood plain limits for closed depression areas in the city	PENDING	Floodplain Limits have not been established within the Closed depression regions of the City to allow for FEMA funding of improvements.	Conduct a flood study to determine FEMA Floodplain Limits.	Low	Low	Recently adopted 2017 FEMA FIRMs, updated relevant sections of EMC to maintain eligibility - Flood Reduction Plans may yield BFE determinations	TBD

Note: Green rows are studies and/or projects not related to a single location.

Table 5-5. Capital Improvement Project (CIP) List for Edgewood's Stormwater Plan.

Priority	Project No.	Project Name	Grant Contingent	Critical	Total	2018	2019	2020	2021	2022	2023	Future Years
1	SW-6	Surface Water Management Plan Update (including stormwater comprehensive plan update)	No	Critical	200,000	75,000	25,000	25,000	25,000	25,000	25,000	25,000 EA
2	SW-1	City Drainage Infrastructure Program/Spot Improvements	No	Critical	600,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000 EA
3	New	Edgewood Pothole Pilot Project Feasibility Assessment ^a	No	Critical	460,000	70,000	310,000	80,000	–	–	–	
4	New	Lake Chalet Pothole Flood Reduction Project (Pump Station to gravity flow option)	No	Critical	500,000	–	500,000	–	–	–	–	
5	New	24th/112th Seasonal Ponding	No	Critical	175,000	15,000	160,000					
6	New	108th Ave E./8th to 16th Flooding	No	Critical	350,000		40,000	250,000	60,000			
7	SW-5	108th Ave E./36th St. E. Road Flooding	No	Critical	1,000,000	–	–	50,000	800,000	150,000	–	
8	New	Flood Reduction Plan for Edgewood Pothole	No	Critical	170,000	–	–	170,000	–	–	–	
9	New	Infiltration Pilot Project Design and Construction	No	No	1,900,000	–	–	100,000	750,000	1,050,000	–	
10	New	Flood Reduction Plan for Pinedale Pothole	No	No	170,000	–	–	–	–	170,000	–	
11	New	Flood Reduction Plan for 122nd Avenue Pothole	No	No	170,000	–	–	–	85,000	85,000	–	
12	New	Flood Reduction Plan for 108th Avenue Pothole	No	No	170,000	–	–	–	–	170,000	–	
13	New	Flood Reduction Plan for Surprise Lake Pothole	No	No	170,000	–	–	–	–	–	170,000	
14	SW-11	Jovita Boulevard Rehabilitation	No	No	500,000	–	–	–	50,000	300,000	150,000	
15	New	Edgewood Drive East Drainage Improvements	No	No	860,000	–	–	–	–	–	860,000	
16	New	Meridian Ave Corridor Study	No	No	50,000			50,000				
17	SW-3	Jovita Creek Regional Improvement Feasibility Study	Yes	No	500,000	–	–	–	175,000	175,000	150,000	
18	SW-2	Mortenson Farm Regional Stormwater Improvements	Yes	No	1,250,000	–	50,000	700,000	500,000	–	–	
19	SW-7	25th St. E. Drainage Improvements ^b	No	No	200,000	–	–	–	–	–	200,000	
Total Expenditures through 2023 (2017 Dollars)					9,395,000	260,000	1,185,000	1,525,000	2,545,000	2,225,000	1,655,000	125,000
Expenditures–Critical Projects Only (2017 Dollars)					3,455,000	260,000	1,135,000	675,000	985,000	275,000	125,000	125,000

^a Includes cost of Pothole Water Level and Water Quality Monitoring.

^b This roadway segment is now closed to traffic, and the City is re-evaluating the design solution for this site.



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SUBJECT: 2019-2024 Transportation Improvement Program (TIP) Update	Agenda Item #:	2C	
	For Agenda of:	July 31, 2018	
	Prepared by:	Jeremy Metzler	
ATTACHMENTS (list): ☒ DRAFT Ordinance No. 18-0525 ☒ DRAFT 2019-2024 TIP (Budget Spreadsheet)			
Approval of Materials:			
Mayor, Daryl Eiding	☐	Expenditure Required:	N/A
Asst. City Administrator, Dave Gray	☐	Amount Budgeted:	N/A
City Attorney, Carol Morris	☒	Appropriation Required:	N/A
City Clerk, Rachel Pitzel	☐	Timeline: Ordinance Adoption – August 14, 2018	
Community Development Director, Darren Groth	☐		
Public Works, Jeremy Metzler	☒		
Fiscal Note/Consideration: As the Transportation Improvement Program (TIP) is a component of the annual budgeting process, the anticipated impacts to the City's budget and General Fund are outlined therein. TIPs are planning documents that express the Council's desires for future transportation improvements within the City. Local agency TIPs are also utilized by State and other planning agencies, for evaluating projects on a regional scale and consideration for outside funding resources. The TIP is not a final budget document; this is reserved for the actual budget that is adopted by the City Council towards the end of the City's fiscal year.			
SUMMARY STATEMENT: The City is required to put together a Transportation Improvement Program (TIP), in accordance with RCW 35.77.010 and the Transportation Element of the City's adopted Comprehensive Plan. The TIP outlines the projects, their estimated costs, anticipated timelines for work, and the expected funding sources. These plans serve as the guiding documents for Staff to implement as resources are made available through City financial resources or other identified funding sources (<i>i.e. TIB, WSDOT funding, other grants, loans, etc.</i>). The attached DRAFT plan represents Staff's initial recommendation as it pertains to project priorities, funding sources and timelines for implementation, as required under GMA. Staff relies on the City Council to help guide this planning in order to help it align with the Council's desires and the management of the City's financial resources.			
COUNCIL COMMITTEE REVIEW AND RECOMMENDATION: N/A			
RECOMMENDED ACTION: Staff recommends that the City Council Move to adopt Ordinance No. 18-0525, an Ordinance that adopts the City's Transportation Improvement Program (TIP) for the years 2019-2024 as required of City's planning under the States' Growth Management Act, at the next Regular Council Meeting.			
ALTERNATIVES TO RECOMMENDED ACTION: 1) Forward to Study Session for further review			

ORDINANCE NO. 18-0525

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EDGEWOOD, WASHINGTON, RELATING TO STREETS AND TRANSPORTATION, ADOPTING THE 2019-2024 SIX-YEAR TRANSPORTATION IMPROVEMENT PLAN.

WHEREAS, per RCW 35.77.010, the City is required to annually update its Six-Year Transportation Improvement Plan (TIP) before July 1st of each year and file the updated Transportation Improvement Plan with the Washington State Department of Transportation within thirty (30) days of adoption; and

WHEREAS, per RCW 35.77.010, the purpose of the requirement for annual updates is to assure that each city shall perpetually have advanced plans available, looking to the future for not less than six years as a guide in carrying out a coordinated transportation program; and

WHEREAS, it is also an eligibility requirement of many grant programs that the City update its Transportation Improvement Plan as required by RCW 35.77.010; and

WHEREAS, the transportation element of the City's Comprehensive Plan must also include and be consistent with the Six-Year Transportation Improvement Plan required by RCW 35.77.010; and

WHEREAS, the City's SEPA Responsible Official issued a _____ on _____, which was not appealed; and

WHEREAS, per RCW 35.77.010, a public hearing was held on July 24th, 2018 on the proposed updates to the Transportation Improvement Plan;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF EDGEWOOD, WASHINGTON, HEREBY ORDAINS AS FOLLOWS:

Section 1. The City Council does hereby adopt the 2019-2024 Six-Year Transportation Improvement Plan (TIP), a copy of which is attached as Exhibit A and incorporated herein by reference.

Section 2. Effective Date. This Ordinance will take effect five days after publication as required by law.

ADOPTED THIS 14TH DAY OF AUGUST, 2018.

Daryl Eidinger, Mayor

ATTEST:

Rachel Pitzel, City Clerk

APPROVED AS TO FORM:

Carol Morris, City Attorney

Exhibit A
2019-2024 Transportation Improvement Plan (TIP)

TIP Project No.	Transportation Project	Estimated Annual Project Expenditures									Total Project Cost	Comments
		Prior Years (Actual)	2018 Estimate	2019	2020	2021	2022	2023	2024	Future Years		
1	Meridian Ave E / 32nd St E Intersection improvements	\$ -	\$ -	\$ 60,000	\$ 340,000	\$ 250,000	\$ -	\$ -	\$ -	\$ -	\$ 650,000	Coordinate inersection design with WSDOT (signal?), make pedestrian ADA upgrades. (50% TIF Eligible)
2	Meridian Ave E (SR-161) Preliminary Design	\$ -	\$ -	\$ 120,000	\$ 360,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 480,000	Complete corridor study and preliminary design of cross section and supporting intersection treatments. (100% TIF Eligible)
3	Emergency Road Repair (Weather Related)	N/A	\$ -	\$ 25,000	\$ 25,000	\$ 25,000	\$ 25,000	\$ 25,000	\$ 25,000	N/A	\$ 150,000	Road failures associaed with severe weather events, wear and tear from freeze/thaw events and other causes.
4	Edgewood Drive Safety Improvements	\$ -	\$ -	\$ -	\$ 100,000	\$ -	\$ 1,200,000	\$ 250,000	\$ -	\$ -	\$ 1,550,000	Roadway widening, curb & gutter, stormwater system and pedestrian walkway. (20% TIF Eligible)
5	Chrisella Road East Safety Improvements	\$ -	\$ -	\$ -	\$ -	\$ 100,000	\$ -	\$ 1,700,000	\$ 750,000	\$ -	\$ 2,550,000	Improve pavement markings, signage, lighting, sight distance; improve intersection with 36th Street East and possible traffic calming measures. (20% TIF Eligible)
6	Citywide Road Preservation Program	N/A	\$ 250,000	\$ 260,000	\$ 270,000	\$ 280,000	\$ 290,000	\$ 300,000	\$ 310,000	N/A	\$ 1,960,000	Annual program - Full width rubberized chipseal and/or 2" HMA grind and overlay. Minor crack sealing and digout repairs are included.
7	Interurban Trail Phase III, Connection Feasibility Study	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 75,000	\$ -	\$ -	\$ 75,000	Develop approximately 1.05 miles as a trail from 114th Avenue East to the City of Pacific.
8	Citywide Pedestrian Mobility and Safety Improvements (Highest Priority)	N/A	\$ 20,000	\$ 150,000	\$ 150,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	N/A	\$ 720,000	Annual Program - Walkways and/or trails with vegetated buffers for traffic safety, low level pedestrian lighting where appropriate, signs and pavement markings, as shown in the 2004 Pedestrian Study (20% TIF Eligible)
9	Meridian Interconnect Signalization Project	\$ -	\$ -	\$ 50,000	\$ 400,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 450,000	Meridian interconnect signalization project. (100% TIF Eligible)
10	Citywide Traffic Safety Program	N/A	\$ 20,000	\$ 20,000	\$ 20,000	\$ 20,000	\$ 20,000	\$ 20,000	\$ 20,000	N/A	\$ 140,000	Annual program - Neighborhood Traffic Calming Projects, Safety Projects and reconstruciton of ADA deficiencies.
11	Citywide Road Maintenance Program (Traffic)	N/A	\$ 55,000	\$ 70,000	\$ 72,100	\$ 74,263	\$ 76,491	\$ 78,786	\$ 81,149	N/A	\$ 507,789	Annual program - Repair and maintenance of City transportation infrastructure, including traffic operations, signing and markings
Annual Totals		\$ -	\$ 345,000	\$ 755,000	\$ 1,737,100	\$ 849,263	\$ 1,711,491	\$ 2,548,786	\$ 1,286,149	\$ -	\$ 9,232,789	
				Proposed 6-Year Program Total:				\$ 8,887,789				

TIB Funding:		\$ -	\$ 100,000	\$ 100,000	\$ 20,000	\$ 920,000	\$ 207,500	\$ 20,000		\$ 1,367,500	2019/2020: Sidewalk connections (24th/Meridian) Applications for 2023/2024 due in 2020 2019/2020: SRTS (119th), Ped (Meridian)
STP/CMAQ Funding (PSRC/PCRC):		\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,385,000	\$ 600,000		\$ 1,985,000	
WSDOT Funding:		\$ -	\$ 112,200	\$ 417,600	\$ 75,000	\$ 75,000	\$ 75,000	\$ 75,000		\$ 829,800	
Public Works Trust Fund Loan:		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -		\$ -	
Total Unidentified Grant Funds:		\$ -	\$ -	\$ 80,000	\$ 200,000	\$ 150,000	\$ 150,000	\$ 150,000		\$ 730,000	
Total Anticipated Grant Funding:		\$ -	\$ 212,200	\$ 597,600	\$ 295,000	\$ 1,145,000	\$ 1,817,500	\$ 845,000		\$ 4,912,300	
Total City Funds Needed:		\$ 345,000	\$ 542,800	\$ 1,139,500	\$ 554,263	\$ 566,491	\$ 731,286	\$ 441,149		\$ 4,320,489	
Traffic Impact Fees		\$ 4,000	\$ 134,000	\$ 692,000	\$ 165,000	\$ 260,000	\$ 410,000	\$ 170,000		\$ 1,835,000	
REET Funds		\$ 320,000	\$ 350,000	\$ 350,000	\$ 300,000	\$ 275,000	\$ 250,000	\$ 250,000		\$ 2,095,000	
Surface Water Fund		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -		\$ -	
General Fund		\$ 21,000	\$ 58,800	\$ 97,500	\$ 89,263	\$ 31,491	\$ 71,286	\$ 21,149		\$ 390,489	

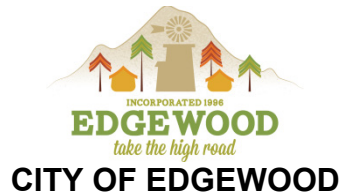
Prepared by: Jeremy Metzler, P.E.
Date Prepared: 7/6/2018



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SUBJECT: City Attorney Job Description	Agenda Item #:		2D
	For Agenda of:		July 31, 2017
	Prepared by:		Dave Gray
ATTACHMENTS (list): ☒ City Attorney Job Description			
Approval of Materials:			
Mayor, Daryl Eidinger	☒	Expenditure Required:	<u>\$60,750</u>
Asst. City Administrator, Dave Gray	☐	Amount Budgeted:	<u>\$41,250</u>
City Attorney, Carol Morris	☐	Appropriation Required:	<u>\$19,500</u>
City Clerk, Rachel Pitzel	☐	Timeline: <i>Can be added to the next regular budget amendment prior to the end of the year.</i>	
Community Development Director, Darren Groth	☐		
Public Works, Jeremy Metzler	☐		
Fiscal Note/Consideration: The cost of legal services was trending down from approximately \$180,000 per year to \$140,000 in 2017. In 2018 our code rewrites, litigation costs, and expected code enforcement activity, which the City has not actively been able to address due to budget constraints, has staff estimating a cost of \$210,000. Although the 2018 cost of converting the Contract City Attorney to an employee will be higher than estimated, for 2018 it is estimated to save the City approximately \$43,000. The cost for follow on years, higher or lower is estimated to be breakeven, due to increased City compliance, enforcement and the potential that an "in-house" attorney would be available to produce more code revision.			
SUMMARY STATEMENT: The City has been rewriting code at a pace not anticipated when the current year budget was produced. That process has allowed the Mayor, who has conveyed this need to the City Council, to analyze the need to continue through the building, planning and inspection code to the parks, noise, city operations, enforcement, traffic and in essence, the majority of the Edgewood Municipal Code over the course of the next several years. This, combined with the fact that the City has begun a process of imposing compliance including enforcement action that was not within the budget scope prior to the passage of the Utility Tax. With more capital projects, policy revision or creation and in general, city legal activity, the Mayor tasked staff with evaluating the cost vs. benefit of bringing the contract City Attorney in-house. Staff estimates that contract costs were likely to increase to somewhere in the \$200 to \$220 thousand dollar range. The current salary schedule for Step 5 of range 15 equates to about \$167,000, including benefits, per year. The nominal effect of bringing the current contract City Attorney in-house is to increase the hours dedicated to the City by about 30 percent and to decrease the estimated cost by about 17 percent. A good deal for the City financially. The down side would be if the City legal workload dropped significantly below the current need and the total cost of compensation continues to increase at approximately 3 to 5 percent per year, overhead burden would become a draw down on the City's ability to flex those freed up funds to other purposes. The Mayor does not see that a likelihood in the next three to five years.			
COUNCIL COMMITTEE REVIEW AND RECOMMENDATION: State when item went to what committee/commission and their recommendation.			
RECOMMENDED ACTION: Recommend the Mayor cause the City Attorney Job Description be placed upon the August 7 th Regular Council Meeting Consent Agenda for Action.			
ALTERNATIVES TO RECOMMENDED ACTION: 1) Do not adopt 2) Forward to Study Session for further review			



CITY ATTORNEY - Job Description

Department: General Government

Salary Range: \$9,523 – \$10,821/mo.

Opening Date: 07/16/2018

Closing Date: Open until Filled

This position is a full-time, non-union, FLSA exempt position.

GENERAL SCOPE OF WORK:

Under the direction of the Mayor, the City Attorney plans, directs and coordinates comprehensive legal services for the City. The City Attorney provides counsel to the Mayor, Council, staff, committees and commissions; provides legal advice to guide City policies, decisions and activities. The City Attorney also litigates on behalf of the City and supervises and directs representation of the City at various court levels, as well as drafts and interprets City ordinances, resolutions, code, policies and contracts. This position is a key member of the City's leadership team, and occupies a significant role in supporting the critical decision-making on the part of both the City Council, and City administration. The City has outside contracts for prosecution and defense services in Municipal Court.

ESSENTIAL JOB FUNCTIONS:

This job description reflects general details necessary to describe the job's essential functions and the job's level of knowledge and skill typically required. The job description should not be considered an all-inclusive listing of job duties.

1. Provide ongoing legal and strategic advice to the Mayor and departments of the City through direct consultation, revision and production of legal documents, code, and procedures.
2. Attempts to resolve legal questions, which arise during the development and implementation of City projects and programs.
3. Analyze legal trends in order to present alternatives to the Mayor, City Council and various City departments concerning major issues facing the City.
4. Attend meetings of the City Council and other meetings as necessary and provide appropriate legal advice during those meetings.
5. Represent the City and its officials, officers and employees acting in their official capacities in civil actions where the City is a party in state and federal courts and before administrative agencies.
6. Represent the City in proceedings before superior court, appellate courts and before administrative agencies.
7. To the limited extent outside counsel is utilized, the City Attorney will assign and coordinate outside counsel work.
8. The City Attorney also monitors litigation being defended by legal counsel appointed by the Washington Cities Insurance Authority.
9. Supervise and provide direction and technical advice to the City's support staff.
10. Supervise and review the preparation of ordinances, resolutions, contracts and other legal documents ensuring compliance with local, state and federal law and adequate legal protection of the City.

11. Researches and prepares legal opinions on legal issues.
12. Maintains current knowledge of issues, legislation, regulations and case law on subjects affecting the City and relating to municipal law, including but not limited to, land use, real property, and public works contracting.
13. Handles confidential information and material with the highest degree of professional responsibility.

NECESSARY KNOWLEDGE, SKILLS AND ABILITIES:

Graduation from a law school accredited by the American Bar Association and a minimum of five years' experience in municipal law are preferred. Experience in legal office management and small cities in Washington State is highly desired. Civil litigation experience is also highly desired.

1. Comprehensive municipal law, including administrative, contract, insurance, land use torts, municipal finance, public records, utility and labor relations law.
2. Theory, structure and practice of municipal law, particularly as it applies to the Mayor-Council form of government.
3. Supervisory principles and office management.
4. Resolving conflicts and gaining cooperation among conflicting groups.
5. Imparting the importance of strategy in the application of law.
6. Research methods and succinct writing techniques.
7. City organization, operations, policies and objectives.
8. Correct English usage, grammar, spelling, punctuation and vocabulary, as well as public speaking techniques.
9. Interpersonal skills including tact, patience and courtesy.
10. Apply innovative and logical reasoning abilities to legal problems.
11. Grasp complex factual data, draw appropriate conclusions and formulate sound legal decisions.
12. Communicate complex legal ideas verbally and in writing to a variety of audiences in a clear, comprehensive and professional manner.
13. Read, interpret, explain and apply legal and technical language.
14. Draft and interpret City ordinances and resolutions.
15. Negotiate real property acquisitions and dispositions.
16. Litigate in state and federal courts and before administrative agencies.
17. Articulate and persuade in verbal and written argument.
18. Plan, organize and evaluate the work of others.
19. Work cooperatively with the City Council, Asst. City Administrator and Department Directors as a member of the Senior Staff Department Heads
20. Participate and collaborate as a member of the Management Team.
21. Demonstrate punctual, regular and reliable attendance.
22. Develop and maintain productive relationships with elected officials, business leaders, advisory boards, the news media and the general public.
23. Understand the City's political environment and sensitivities.
24. Listen effectively to verbal communication.

REQUIRED LICENSING AND CERTIFICATION:

1. License to practice law in the State of Washington
2. Member in good standing of the Washington State Bar Association at time of appointment
3. Valid Washington State driver's license

PHYSICAL DEMANDS AND WORKING CONDITIONS:

Continuous repetitive arm/hand movement is essential to performance. The incumbent in this position must be able to discern voice conversation, have the physical ability to perform essential job functions, must have hand-eye coordination sufficient to operate computers, type on a keyboard, and operate other office equipment. The individual may be required to do repetitive arm/hand movements (i.e. keyboarding). In addition, the incumbent must have the ability to produce legible handwritten documents. The incumbent may be required to lift up to 30 pounds, if necessary.

ACKNOWLEDGEMENTS:**EQUAL OPPORTUNITY EMPLOYER - AMERICANS WITH DISABILITIES ACT**

The City of Edgewood is an Equal Opportunity Employer. Women and minorities are encouraged to apply. Requirements outlined in this job description may be subject to modification to reasonably accommodate individuals with disabilities who are otherwise qualified for employment in this position. However, some requirements may exclude individuals who pose a direct threat or significant risk to the health and safety of themselves or other employees. This job description does not constitute an employment agreement between the Employer and Employee and is subject to change as the needs of the Employer and requirements of the job change.

If you meet the minimum qualifications and are interested in applying for this position, please send a cover letter, resume, and signed EOCC statement to:

**City of Edgewood
Human Resources
2224 104th Ave E
Edgewood, WA 98372-1513**

Submittals may also be e-mailed to humanresources@cityofedgewood.org.

Incomplete submittals will be disqualified. Only those applicants selected to move forward in the process may be contacted. Submittals will be retained in accordance with Records Retention practices. If you have questions regarding the application process, please contact human resources at 253-952-3299 or via e-mail at humanresources@cityofedgewood.org.



City Of Edgewood Council Agenda Summary Sheet

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SUBJECT: Establishing a procedure for the payment of fees and taxes under protest		Agenda Item #:		2E
		For Agenda of:		July 31, 2018
		Prepared by:		Carol Morris
ATTACHMENTS (list): ☒ Resolution No. 18-0xxx				
Approval of Materials:				
Mayor, Daryl Eidinger	☒	Expenditure Required:	\$0	
Asst. City Administrator, Dave Gray	☐	Amount Budgeted:	\$0	
City Attorney, Carol Morris	☒	Appropriation Required:	\$0	
City Clerk, Rachel Pitzel	☒	Timeline: N/A		
Community Development Director, Darren Groth	☐			
Public Works, Jeremy Metzler	☐			
Fiscal Note/Consideration:				
No fiscal impact. If fees or taxes are paid under protest, the City would be required to set up a separate interest bearing account.				
SUMMARY STATEMENT:				
A fee payer or taxpayer may choose to pay the fee or tax under protest during the pendency of an appeal of the fee or tax. If the fee payer or taxpayer simply pays the tax or fee without establishing that the fee/tax is paid under protest <u>pursuant to an appeal</u> (either administrative or judicial), the City will assume that it is paid voluntarily. The attached resolution establishes the procedure for a tax or fee payer to follow when paying the fee or tax under protest. It is not a substitute for the appeal that must be filed by the fee or tax payer.				
COUNCIL COMMITTEE REVIEW AND RECOMMENDATION: N/A				
RECOMMENDED ACTION: MOTION to pass Resolution No. _____, establishing a procedure for the payment of fees and/or taxes under protest.				
ALTERNATIVES TO RECOMMENDED ACTION:				
1) Do not adopt				
2) Forward to Study Session for further review				

RESOLUTION NO. 18-XXX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EDGEWOOD, WASHINGTON, ESTABLISHING A PROCEDURE FOR PAYMENT OF TAXES AND/OR FEES UNDER PROTEST.

WHEREAS, the City imposes various taxes and fees on property owners and developers; and

WHEREAS, these taxes and fees may be challenged administratively and/or judicially, either through procedures established in the Edgewood Municipal Code or the courts; and

WHEREAS, the City acknowledges that taxpayers or fee-payers must preserve their right to seek a refund through the administrative and/or judicial process by making payment under protest, otherwise the tax or fee is considered to be voluntarily paid; and

WHEREAS, the City Council desires to establish a procedure for the payment of taxes/fees under protest;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF EDGEWOOD, WASHINGTON, HEREBY RESOLVES AS FOLLOWS:

Section 1. Requirements for Payment Under Protest.

A. *Introduction.* This Resolution explains the procedures to be followed by taxpayers and fee-payers seeking to bring an action in court for a tax refund, or an administrative appeal before the City, in order to obtain a determination on the imposition or amount of a tax or fee (*i.e.*, an impact fee). The intent of this Resolution is to clarify the rights and responsibilities of taxpayer and fee-payers with respect to the payment of taxes and fees under protest. This Resolution does not explain the manner in which such court actions or administrative appeals may be filed, nor is it intended to provide legal advice.

B. *What Constitutes a Valid Protest.* In order to preserve a right to bring an action in court for refund of any tax paid, or to preserve a right to file an administrative appeal based on the amount of an impact fee, a taxpayer or fee-payer must, at the time of payment of the tax/fee, submit to the City Clerk a written protest, setting forth all of the grounds upon which the tax/fee, or any portion of the tax/fee is claimed to be unlawful or excessive. All of the reasons for the taxpayer's or fee-payer's belief that the tax paid is unlawful or excessive must be identified in the written protest. If the tax/fee is paid in two or more installments, each payment must be accompanied by a written protest or the first written protest must indicate that it is a continuing protest with respect to the tax payable for the entire year. A statement on a check or money order that the tax/fee is paid under protest is not sufficient to preserve the right to seek a refund of the tax/fee paid to the

City. Any tax paid without a separate written protest, as provided in this Section B, is considered to be voluntarily paid and nonrefundable.

C. *What Taxes or Fees May Be Included.* No protest accompanying a tax/fee payment shall be deemed to include a payment under protest of taxes/fees due for any time periods other than as described in the written protest, or for previously issued permits.

D. *Sufficiency of Protest.* The written protest is intended to provide notice of the dispute and also the grounds upon which the taxpayer/fee-payer bases the protest. However, it is not a substitute for an appeal (administrative or judicial) of the tax or fee. The taxpayer/fee-payer should obtain legal advice regarding such appeals.

E. *Interest.* Interest shall accrue on taxes or fees paid under protest to the City in the amount of ____ percent per annum, computed monthly.

F. *Refunds.* At the termination of the appeal process before a body/court with jurisdiction, the City Attorney shall review the decision to determine whether the tax/fee paid under protest must be refunded or retained by the City, together with any interest.

Section 2. Effective Date. This resolution will take effect immediately upon passage by the City Council.

PASSED THIS __th DAY OF _____, 2018

Daryl Eiding, Mayor

ATTEST:

Rachel Pitzel, City Clerk

APPROVED AS TO FORM:

Carol A. Morris, City Attorney