

EDMONDS CITY COUNCIL APPROVED MINUTES

February 1-2, 2008

The Edmonds City Council retreat was called to order at 9:45 a.m. on Friday, February 1, 2008 at the Clearwater Resort in Suquamish, Washington.

ELECTED OFFICIALS PRESENT

Friday, February 1

Gary Haakenson, Mayor
Michael Plunkett, Council President
Peggy Pritchard Olson, Councilmember
Steve Bernheim, Councilmember
D. J. Wilson, Councilmember
Deanna Dawson, Councilmember
Dave Orvis, Councilmember (arrived 10:20 a.m.)
Ron Wambolt, Councilmember

Saturday February 2

Gary Haakenson, Mayor
Michael Plunkett, Council President
Peggy Pritchard Olson, Councilmember
Steve Bernheim, Councilmember
D. J. Wilson, Councilmember
Deanna Dawson, Councilmember
Dave Orvis, Councilmember
Ron Wambolt, Councilmember

PUBLIC PRESENT

Friday, February 1

Don Gough, Mayor of Lynnwood
Chris Fyall, Enterprise Editor

Saturday, February 2

John Reed, Planning Board Member
Marianne Burkhart, Port Commissioner
Brent Carson, Attorney representing Bob Gregg

FRIDAY, FEBRUARY 1, 2008

1. Welcome & Introductory Comments

a. Council President Michael Plunkett

Council President Plunkett described the schedule and additional materials and commented on recording of the retreat.

b. Mayor Haakenson

STAFF PRESENT

Friday February 1

Tom Tomberg, Fire Chief
Al Compaan, Police Chief
Duane Bowman, Development Services Director
Stephen Clifton, Community Services Director
Brian McIntosh, Parks & Recreation Director
Noel Miller, Public Works Director
Kathleen Junglov, Asst. Admin. Services Dir.
Mark Correira, Assistant Fire Chief
Debi Humann, Human Resources Manager
Scott Snyder, City Attorney
Linda Carl, Senior Executive Assistant
Jana Spellman, Senior Executive Council Asst.
Jeannie Dines, Recorder

Saturday February 2

Tom Tomberg, Fire Chief
Al Compaan, Police Chief
Duane Bowman, Development Services Director
Stephen Clifton, Community Services Director
Brian McIntosh, Parks & Recreation Director
Noel Miller, Public Works Director
Scott Snyder, City Attorney
Linda Carl, Senior Executive Assistant
Jana Spellman, Senior Executive Council Asst.
Jeannie Dines, Recorder

i. Common Knowledge Base

Mayor Haakenson recalled at last year's retreat following discussion regarding the City's financial future, Administrative Services Director Dan Clements described several potential revenue sources and Councilmembers identified sources they were in favor of pursuing. He advised the sources and the Council's 2007 ranking was displayed on the wall today. He recalled the Council made a decision in 2007 not to pursue an EMS levy, which he noted made it imperative that strategy be pursued in 2008. He briefly commented on the updated forecast model that illustrates without the EMS levy, the City's cash balance falls below zero in 2009.

ii. City Positive and Negatives

Mayor Haakenson referred to a questionnaire he circulated asking the Council for the five best things about the City and the five challenges facing the City, commenting the Council's answers reflected their tastes, beliefs and understanding of current City issues. He pointed out the primary challenge facing the City was lack of revenue which would not allow the City to continue to offer the services that citizens expect. He advised staff and he were considering ways to cut \$500,000 from the 2009 and 2010 budget including reorganization to increase efficiency.

iii. Refine 2007 Retreat Strategies

iv. Departmental Challenges

Mayor Haakenson referred to challenges identified by each department, emphasizing more employees were needed now and in the future as the demand for services increased. He pointed out salaries and benefits constitute 70% of the General Fund; any further cuts would require the elimination of programs. He explained the future was in technology, providing the ability to do more business via web and more of an employee's workload via technology. However, more technology required more IT staff and equipment. He summarized the updated forecast identified the need for more revenue.

2. Projection Model & 2007 Retreat Strategies

a. Updated Model: Changes

Assistant Administrative Services Director Kathleen Junglov displayed and reviewed the General Fund ending fund balance forecasting model, advising the model was updated for 2007 year end. She identified the ending cash balance recommended by GFOA best practices, the projected ending fund balance when the 2007-2008 budget was developed (that included an EMS levy), the current forecast with available information which includes an EMS levy in 2008 effective in 2009 and the projection without EMS or other actions. She advised the projected rate of increase for 2009-2012 was 3.5% for expenditures and 2.4% for revenue. In 2009 expenditures will exceed revenue by \$1.3 million, by \$1.7 million in 2010, \$2.2 million in 2011 and 2.6 million in 2012 even including an EMS levy in 2008.

b. 2007 Retreat Strategies

i. Budget Reductions

ii. Efficiencies

iii. Revenues

Mayor Haakenson referred to the revenue options the Council ranked last year, advising all those options were still available to Council; some the Council could enact, some required a vote of the people and some required action by the Legislature. He invited the Council's input on these options, particularly any they wanted to aggressively pursue. He commented on several of the future revenue options.

4. What's Completed & New: Draft 2008 Strategy

a. Individual Item Discussion and Review

Ms. Junglov reviewed the following future revenue options the Council ranked at the 2007 retreat and provided an estimate of the revenue each would provide and the financial impact to citizens:

- Reduce Cemetery Subsidy
- Sale of Surplus Property
- Cable TV Utility Tax to 6%
- Ferry Traffic Mitigation
- "Seattle" Internet Charges
- Highway 99 Petition Annexation
- EMS Property Tax Levy Lid Lift
- Transportation Benefit District
- Electric Utility Tax Increase to 7%
- Natural Gas Utility Tax Increase to 7%
- Telephone Utility Tax Increase to 7%
- Solid Waste Utility Tax Increase to 7%
- Water Utility Tax Increase to 7%
- Sewer Utility Tax Increase to 7%
- Storm Utility Tax Increase to 7%
- Emergency Transport Fee at \$450
- Sales Tax Economic Development
- Traffic Light Cameras
- B&O Tax
- General Property Tax Lid Lift

Discussion followed regarding the impact of B&O tax on car dealerships that were adjacent to cities without a B&O tax, indication by AWC that in determining eligibility the State would consider whether cities were using all the revenue tools available to them, per employee tax utilized by other cities, and revenue from fiber optics used to fund capital expenses during the current planning period.

b. Discussion of Major Items

i. EMS Levy

Fire Chief Tom Tomberg explained if the 2008 EMS levy lid lift passed, it would restore the lid of the permanent levy rate to \$0.50 per \$1,000 of assessed valuation (AV), adding approximately \$1.5 million in 2009 for a total of \$3.952 million. He advised the current EMS levy rate on a \$500,000 home was \$160; lifting the lid to \$0.50 per \$1,000 AV increased that amount by \$90 to \$250 per year or an additional \$7.50 per month. He listed several items that limited revenue challenges in 2001 - 2008, and described how EMS funds were used, the cost to provide EMS services, other costs attributable to EMS not identified in the Fire Department's programmatic budget, and considerations for selecting a date for the EMS election.

Discussion followed regarding concern with the amount of levy increase due to increased property values since the last increase in 2002, funds from the levy reducing the General Fund subsidy of the Fire Department, past citizen support of EMS levies, and whether a 60% voter turnout was required.

Chief Tomberg reviewed non-advocacy educational outreach and commented on unknowns regarding response to an all-mail ballot. Council and staff discussed the ability of staff and the Council to advocate for the levy when off-duty and not using City resources, union support for the levy, earlier receipt of all-mail ballots and need for early educational outreach, cost of the 2002 levy, scheduling a presentation before the Council and whether to schedule a public hearing, support for asking voters for the resources to provide services, cost of a special election, pros/cons of various election dates, election filing deadlines, timing to prepare for an April election, and support for an April or May election.

It was the consensus of the Council for staff to move forward with a presentation to the Council on February 19; Council President Plunkett to determine whether it would be a public hearing. It was also agreed to schedule the EMS Levy on the Public Safety Committee agenda for discussion and to vet information to be provided in the presentation.

Lynnwood Mayor Don Gough advised he was attending the retreat to learn how Edmonds City Council conducted their retreat, commenting he hoped to attend a few other cities' retreats.

ii. Insurance EMS Billing

Chief Tomberg explained the basis for EMS billing, when a citizen used an EMS unit for ambulance service, it would trigger a fee for service that could be a flat fee, a menu of services, etc. He reviewed the City's brief history with EMS user fees in 1997, EMS fees in this area and throughout the country, the underlying concept of EMS user fees that property tax and EMS levy pay for pre-emergency components of the system, and the variety of ways an EMS user fee ordinance could be written. He summarized jurisdictions with EMS user fees nearly always billed the user's insurance company.

He reviewed a table of 2007 Edmonds Fire Department transports and potential revenue. Mayor Haakenson stressed this would require a major public education effort. He requested direction from the Council whether they wanted staff to pursue further information regarding insurance EMS billing as a possible revenue source. The Council discussed the importance of any model not impacting the chain of survival, support for billing insurance companies, Everett's model that did not bill residents or employees and did not pursue anyone unable to pay and concern with any practice that made a resident worry about getting a bill. Chief Tomberg assured the ability to pay was never a condition of service.

Suggestions included billing insurance only and not residents, not pursuing this further until a decision was made regarding the EMS levy, staff being precise in their recommendation that this was needed for revenue purposes, obtaining a vote of the people before instituting the fee, staff making a presentation regarding other actions the Legislature make take that would provide relief for the General Fund, and identifying programs that could be eliminated if the City had insufficient revenue.

The Council requested staff provide further information including potential models and the Council would make a policy decision. The Council preferred a model that billed insurance carriers.

3. Lunch

The meeting was recessed for lunch from 12:15 p.m. to 1:15 p.m.

b. Discussion of Major Items (con't)

iii. Fire Service Structure

Chief Tomberg referred to primary and overarching challenges facing all City departments and specific Fire Department cost challenges. He referred to the memo regarding a new direction for the Edmonds Fire Department, requesting authorization to assemble an internal group to examine options to take the Fire Department out of the City governmental structure. He commented on the City's unsuccessful merger discussions with Lynnwood and Mountlake Terrace in the 1990s. He anticipated removing the Fire Department would stabilize City finances on a more permanent basis than other reductions/revenues.

He described upcoming changes in Fire District 1 and other issues that made this an appropriate time to study options. Discussion followed regarding a change in the fire service structure not saving citizens money, advantages of the Fire Department being outside the City structure, potential for economies of scale, concern with the role of cities if districts were formed to provide services, increases due to labor contracts, inadequate funding and staffing of fire administration, how changing the structure would save money, the need for more employees to provide existing Fire Department service levels, and citizens not aware of significant funding issues due to the City's previous ability to address financial crises.

Suggestions included that the primary consideration should be public safety not money, ensuring any partners had the same commitment to public safety, concern with forming a Fire District that included areas that did not support EMS levies, forming a taskforce/panel of individuals who are interested in pursuing options, possibly considering a district structure for law enforcement in the future, considering a general property tax levy increase to fund services, whether the City was charging Woodway enough for services.

Mayor Haakenson summarized the Council's direction was for staff to begin pursuing discussions and return to Council with further information.

Mayor Haakenson advised several Woodway residents had expressed interest in annexing to Edmonds; he anticipated it may be a discussion worth having with Woodway. A brief discussion followed regarding how Woodway was able to justify their large lot zoning. The Council gave Mayor Haakenson permission to discuss annexation with Woodway's Mayor.

Human Resources Manager Debi Humann commented on the difficulty filling positions and retaining staff. In response to a Councilmember questioning whether staff was really overworked, a robust discussion ensued regarding staff burnout, replacing staff with inexperienced people unable to meet service levels, staff that has left and why, limited clerical support in all departments, staff members doing more than one job, reasons that employees stay, gradual deterioration of infrastructure, ability to balance the budget thus far by not investing in physical or human infrastructure which would eventually catch up to the City, FTE in Edmonds compared to other cities, demand that turnover places on limited Human Resource staff, inability for departments to make additional cuts without cutting personnel, unfunded mandates affecting the Police Department and other departments, competitive private job market, citizens complaining about service levels but not wanting taxes increased, need to educate the public and differences between private business and the City.

(Councilmember Dawson left the meeting at 2:30 p.m. due to illness.)

iv. Traffic Signal Cameras

Mayor Haakenson recalled the Council supported this concept last year. Police Chief Al Compaan explained in 2005 the Legislature authorized the use of red light cameras at intersections where two

arterials intersect. He explained the red light cameras captured a digital photograph of the vehicle and the license plate and 12 second video recording. He described Seattle and Lynnwood's experience with the cameras including number of citations issued, percentages that were paid, revenue collected as a result of citations, and public support for ticketing red light violators. He described potential intersections on the Hwy. 99 and SR 104 corridors, the difficulty providing officer red light enforcement at some intersections, requirement to post intersections informing red light cameras were in use and the process the vendor would use to determine suitable intersections. He commented on Seattle and Lynnwood's experience with red light violations and accidents once the cameras were installed. He advised photo radar was only authorized in Washington State in school zones. The use of red light cameras would ultimately require adoption of the State statute.

Discussion followed regarding ability for the public to view the video when contesting the citation, potential intersections, support for the cameras if they increased safety but not if they provided only revenue, public support for red light enforcement, Washington requirement that the photo/video capture only the vehicle and license and not a photo of the driver, review of violations online by an officer before a citation was issued, concern with privacy and a preference to increase traffic safety via use of solar speed signs, ticketing a more transient population in Lynnwood versus ticketing primarily residents in Edmonds, and the ability to provide citizens who receive a citation the website and password that allowed them to view their violation online.

Staff was directed to provide information regarding potential intersections to the Public Safety Committee.

(Councilmember Dawson returned at 3:15 p.m.)

v. Harbor Square/Safeway Redevelopment

Ms. Junglov advised staff was asked to provide an economic forecast regarding the Harbor Square/Antique Mall redevelopment. Using information provided by LMN regarding the number of residential units, commercial square footage and construction costs, she provided assumptions regarding one time revenue from the sale of the property and units, estimated to be \$1.8 million, and permit revenue on construction and sales tax on construction of approximately \$5.6 million when the project was complete. She described assumptions with regard to market value and sales price of residential units, commercial lease rates, assessed values, influx to local revenue of employee spending, commercial business that may locate there, and phased construction.

A brief discussion followed regarding anticipation there would be little added cost to the City as a result of redevelopment, opportunity for substantial income from redevelopment, and nominal sales tax collected from existing businesses on the site.

vi. Transportation Benefit District

Community Services Director Clifton explained in 1987 the Legislature created Transportation Benefit Districts (TBD) as an option for local governments to fund transportation improvements. The legislation was amended in 2005 and again in 2007 to expand the use and revenue authority. He explained a TBD was an independent taxing district that could impose taxes or fees either through a vote of the people or Council action. There have recently been discussions regarding establishing a countywide TBD.

Formation of a countywide TBD requires execution of an Interlocal Agreement between 60% of the cities in the County representing 75% of the incorporated population. He referred to an Association of Washington Cities (AWC) Frequently Asked Questions and a checklist highlighting considerations when

creating a TBD. He identified several Snohomish County cities including Lynnwood, Everett and Mountlake Terrace who have expressed interest to Snohomish County in forming a countywide TBD. Snohomish County has until May 22 to form a countywide TBD via Interlocal Agreement; after that time, cities can form TBDs independently.

He explained a project list would be included in the Interlocal Agreement, an oversight committee formed that was comprised of representatives of cities and the county, and described fees that could be imposed such as a \$20/license fee and revenue that fee would generate. He relayed staff and Mayor Haakenson's support for exploring the possibility of forming a countywide TBD.

Discussion followed regarding forming a countywide TBD versus the City forming its own TBD, concern a countywide list of projects was not as acceptable to citizens as a list of local projects, use of TBD funds for regionally significant projects within the City that would offset funds the City was planning to spend on those projects, ability for the County to impose a license fee even if Edmonds did not participate in the countywide TBD, inability for the City to have input on the project list if it did not participate in the countywide TBD, the need to fund infrastructure improvements, adding a subarea clause to the Interlocal Agreement, regional traffic issues Edmonds citizens encountered outside the City, and potential for a south county TBD if Snohomish County did not form a countywide TBD.

The Council was interested in the concept of a TBD and directed staff to develop a list of potential projects.

5. Afternoon Break

6. Where Does City Go From Here?

a. Review Proposed Changes

Mayor Haakenson referred to the list of potential revenue sources and invited Council guidance on the remaining sources. Council requested staff provide further information to the Finance Committee regarding revenue that would be generated and the impact to citizens from increasing internal utilities (water, sewer and storm) to 7%.

b. Approval of 2008-09 Plan

10. Discuss Adding Second Audience Comment Portion to Council Meetings

Council President Plunkett advised this item was added to the agenda at the request of a citizen who wanted public comment at the beginning of the meeting and again at the end. Council President Plunkett explained the policy has been to have public comment following public hearings to avoid costs associated with professionals who were present for those items. Following discussion, the Council agreed no change would be made to the current policy regarding scheduling public comment.

11 Adopt a Dog

Council President Plunkett advised this was proposed by a citizen due to the number of homeless dogs being euthanized. The citizen was willing to bring a dog to a Council meeting once a month and possibly Councilmembers could take turns walking the dog in front of the dais. Following a brief discussion regarding expanding the program to include cats, similar programs in other cities and including information regarding pet adoptions on Channel 21, the Council agreed to try the Adopt a Dog program.

12. Hiring of Consultants

Councilmember Olson relayed her concern that in the past the Council had paid a great deal for a consultant's work and then did nothing with the information they developed. She wanted to ensure when the Council authorized a consultant, the information they prepared would be used.

Discussion followed regarding good data that could be provided by a consultant study that helped educate Council even if the Council did not agree with the consultant's conclusion, concern with hiring consultants and not using the information they developed, factual information consultants provided that was used as a foundation for Council decisions, providing more direction in the RFQ regarding the desired outcome and the use of consultants when staff did not have the necessary expertise or time to conduct the study.

The Council was supportive of providing consultants more direction regarding the desired outcome of a study.

13. Discussion of Use of Channel 21 by Declared Candidates

Council President Plunkett recalled prior to the last election two candidates used Channel 21 for constituent meetings. He asked whether the Council was interested in establishing a policy prohibiting anyone running for election from using Channel 21 for constituent meetings in the year they were running for office.

City Attorney Scott Snyder offered to provide a bill currently before the Legislature restricting the appearance of Councilmembers and incumbents, explaining the focus of the bill was not using public resources except in the course of the elected official's normal duties.

Discussion followed regarding a political meeting versus a constituent meeting, support for a video voters guide on Channel 21, possibly allowing the use of Channel 21 for constituent meetings if that was the routine practice of the elected official, and placing a challenger at a disadvantage if the incumbent was allowed to use Channel 21 for a constituent meeting. It was suggested prior to the next election, the Council develop voluntary campaign limits that did not allow large campaign contributions over \$1000 or contributions outside the City as well as a voluntary agreement to abstain from constituent meetings during an election year in fairness to the challenger. Mayor Haakenson commented constituent meetings had been part of his regular practice.

Council agreed to continue this conversation on Saturday.

The first day of the retreat concluded at 4:43 p.m.

7. Dinner

SATURDAY FEBRUARY 2, 2008

The second day of the retreat was called to order at 8:40 a.m.

1. Lake Ballinger: Elevating Water Quality and Quantity to Priority Issues

Councilmember Wilson recalled the Council passed a resolution regarding the stewardship of Lake Ballinger and the Development of a Lake Ballinger Basin Action Plan at an earlier Council meeting. He

advised staff from Edmonds, Lynnwood, Mountlake Terrace, Lake Forest Park, and Shoreline were working on an action plan for the basin, including submitting a request to the Legislature for \$200,000 and they planned to submit a federal request for \$200,000. He advised Legislators were open to signing letters of support.

Councilmember Wilson provided a brief history of the problems associated with Lake Ballinger, advising Shoreline and Lake Forest Park were in the process of passing resolutions.

Discussion followed regarding an email from a property owner on the lake who was having difficulty selling his home due to the history of flooding; the cost to fix problems; the need to define water quality, water quantity, and fish habitat issues in order to define solutions; additional \$200,000 in funds to be provided by cities; use of a consultant to develop a plan that identified problems and solutions; ability to pursue other grants once the problems and potential solutions were identified; the history of problems with Lake Ballinger; and support for the cities working together cooperatively.

2. Identifying Areas of Common Interest among the Council for Action in 2008

Councilmember Wilson advised this item was placed on the agenda at his request. He suggested the Council develop a work plan or a short list of items to be accomplished to guide the Council and avoid adding agenda items at the last minute. Discussion followed regarding changes to the Council's work plan as issues arise, items the Council was waiting for Planning Board to complete, possible need to review the Planning Board's work plan to ensure their priorities are the same as the Council's, and potential redevelopment as a result of language added to the Comprehensive Plan for Five Corners and Firdale Village.

Councilmembers identified the following items for a 2008 council work plan (no priority):

- Lake Ballinger
- UW Campus in Snohomish County
- Speed Mitigation
- Economic Development
- Business Recruitment
- Sidewalks and pedestrian safety
- EMS Levy
- Code Rewrite
- Overlay cycles
- Crumbling infrastructure
- Stevens Hospital's plans to sell or rebuild – whether Edmonds wants to have a hospital within its borders
- Antique Mall/Waterfront Development
- Code Update including updating codes with green building standards
- Affordable housing
- Biennial budget
- Staffing levels
- Street crimes taskforce
- Transportation Benefit District
- SnoCom CAD project
- Community Technology Advisory Committee
- Design standards for downtown
- EMS billing
- Utility taxes

- Sustainability
- Anti-idling ordinance
- Tourism – promoting revenue generation
- Campaign finance
- Update building codes to accomplish sustainability in neighborhood centers
- Campaign finance reform
- Bond measure for pedestrian safety improvements

Mr. Snyder pointed out the City Clerk maintained an extended agenda; he suggested the items the Council identified be included on the extended agenda in some manner. With regard to issues raised by citizens, he suggested the Council evaluate and schedule them on the extended agenda in a rational manner to allow the Council to control its agenda.

Public Works Director Noel Miller advised the Senior Center was at the end of its useful life and decisions would need to be made in the near future. The Council requested staff provide a report on the condition of the Senior Center building, options, etc.

Discussion continued regarding issues that take on their own life via the press, difficulty prioritizing items, concern if the items were not prioritized they would not be addressed, and the role of Council committees to vet issues.

Suggestions included identifying and tracking the top three things the Council wanted to accomplish in 2008 such as the code rewrite, accessing the list of issues if the Council needed something to work on, selecting an issue from the list for an update to the Council at a meeting with a light agenda, the Council President distributing the extended agenda at Council meetings and identifying important upcoming items for the public, providing the Council materials a week in advance for major items on the agenda, and better utilizing the committee structure such as first scheduling items on a Council committee agenda.

Mr. Clifton commented another upcoming issue was the Verizon franchise agreement; once Verizon submitted an application, the City would have 90 days to react. Mr. Snyder advised a report would be made to the Council in the near future regarding the process.

3. Update and Discussion of 2004 Strategic Plan Long Range

Council President Plunkett referred to the Draft Mission/Vision Values & Strategic Plan contained in the Council packet. Discussion ensued regarding guidance provided to staff by the document, importance of establishing a work plan and identifying who was responsible and due dates for issues to accomplish this year, concern items would not be addressed without a date/name/plan, keeping the strategic plan up-to-date, and identifying a staff person to keep it up-to-date.

Suggestions included adding the items identified by the Council to the strategic plan with deliverables, due dates, staff lead, etc.; having the Council President and Council President Pro Tem sort the items identified by the Council by Council Committee and having the Committees vet the issue and determine staff/Councilmembers responsible; having staff consider Council priorities in the budgeting process and identifying funding if it was expected the item would be undertaken in the next two years.

7. Density of Building Lots in Multi-Family Zone

Councilmember Wambolt reported on an ADB meeting he attended where the Board was discussing a developer's proposal to replace a 100-year old single family home on Maple Street with a 3-unit condominium. He commented on the impact this had on the neighborhood. He relayed staff's indication

that the multi family zoning had not been considered for a long time and their plans to review it when time allowed. He urged staff to review multifamily zoning in the near future. His primary objection was the destruction of the look of the city via too many units in too small an area.

Councilmember Bernheim commented on two Planning Board hearings he attended where the proponent's justification for a rezone to RM 1.5 versus RM 2.4 was that both were within the Comprehensive Plan designation of high density. He objected to the City not receiving anything other than a further burden on services from the grant of higher density. He suggested any increase in density for downtown units be conditioned on the City getting something in return such as architectural style, contribution to a fund, etc.

Discussion included green buildings/low impact development resulting in more dense development in urban areas, need to increase density in some areas if density were reduced in other areas, need to address any significant change in density at the Comprehensive Plan level, redevelopment occurring in neighborhoods surrounding downtown a result of increased property values, continuing to meet the City's population targets, and increased density as an incentive for green buildings/low impact development.

Suggestions included determining ways to encourage increased density while getting something in return such as affordable housing, green buildings, etc.; establishing criteria/standards that need to be met to attain increased density; considering how multi family zoning was addressed by other cities and developing options; and giving consideration to codes that allow the most environmentally sensitive development to occur with appropriate incentives. It was also suggested that Councilmembers who had items they wanted addressed provide them to the Community Services/Development Services Committee.

It was agreed Mr. Bowman would provide an update to the Community Services/Development Services Committee on February 12.

4. Break

8. Process for Obtaining Council Approval for the Mayor's Appointments - Voting/Advertising

Council President Plunkett recalled the Council previously discussed whether to vote the same night interviews were held and the practice of advertising vacancies. Councilmember Bernheim reviewed his suggestions for changing the process in an effort to get more Council control over appointments, 1) Council interview candidates in open session, rank the applicants and select the one with the highest score, or 2) establish a Council nomination committee who would solicit and interview applicants and recommend one or more candidates to the full Council for a vote.

Discussion followed regarding support for a more public process, who would serve on a nominating committee, scheduling Council confirmation on a subsequent meeting agenda if the Council continued with the current Mayor appointment/Council confirmation process, concern the Council not able to interview more applicants, difficulty getting people to apply for some vacancies, some boards' practice of interviewing candidates and telling the Mayor which one they wanted, concern with the process becoming politicized, need for consistency in the process of selecting members for all boards and commissions, interest in a more public process only for selecting ADB and Planning Board members, concern with a lack of check and balance if the Council interviewed as well as confirmed candidates, role of the Planning Board to advise the Council, concern the ADB and Planning Board was rubberstamping staff's recommendations, goal of appointing objective qualified people to boards and commissions, changes that can occur in Council membership during a Planning Board Member's term and potential to reduce the number of candidates if the process were onerous, embarrassing or stressful

It was agreed to continue the existing appointment/confirmation process. The Mayor would advertise positions, send applications to Councilmembers and advise of interview dates. Council interview and confirmation would be done at separate Council meetings.

Staff, except Stephen Clifton, left the retreat at 11:30 a.m. Councilmember Wilson thanked staff for their open and honest engagement in discussions.

5. Further Discussion of Concerns, Visions, Interests regarding the Waterfront

Council President Plunkett referred to materials Councilmember Wilson and he developed that could be a reflection of the Council's desire with regard to Harbor Square Antique Mall waterfront redevelopment. He requested the Council's input regarding the acknowledgement statement. Councilmember Wambolt provided a brief review of the process to date, commenting no plans had ever been presented at a Council meeting. He suggested having Mark Hinshaw, LMN, present the refined conceptual plan to the Council to provide an opportunity to see the plan and provide comment.

Discussion ensued regarding concern that too much delay would result in the property owners submitting code-compliant applications, support for a staff presentation regarding what was currently allowed under the Comprehensive Plan and changes that could be made to the code without amending the Comprehensive Plan, whether changes to the Comprehensive Plan would be necessary to achieve public amenities, and whether the Council wanted to make a statement with regard to the Harbor Square Antique Mall waterfront development.

Mr. Snyder cautioned the Council that a Comprehensive Plan process and code change would be necessary to allow alternatives that did not currently exist in the code. He suggested hiring an urbanologist to assist in this effort.

6. Working Lunch

Discussion continued regarding use of the Comprehensive Plan as a guide, flexibility provided by the Comprehensive Plan to create a zone with amenities the Council wants, support for the Council determining the vision for the site following a public process, interest in seeing other development options that met the Comprehensive Plan, concern the refined conceptual plan represented a compromise that the property owners were not interested in pursuing, property owners' frustration by what they envisioned would be a lengthy process, code-compliant plans that would provide minimal setback and surface parking, history not a good indicator of what will happen in the future and anticipation the ownership of the old Safeway property may change, and anticipation the owner of the Skipper's property will submit a development application by the end of the year. It was suggested the presentations also include a range of development options.

The Council agreed on the following statement:

With regard to the waterfront Antique Mall, Harbor Square and Skipper properties, the Council recognizes the importance of being proactive rather than reactive. It is the intention of the Council to work collaboratively with the property owners to establish a plan for the area that is consistent with the values and vision of the Council and the public as a whole and the rights of the property owners and to move forward expeditiously with a public process that may result in legislative changes necessary to achieve the goals of the city.

Brent Carson, GordonDerr LLP, advised Bob Gregg had acquired the Skipper's property and hired them to evaluate the best process to achieve what would be a positive development for the City. He looked forward to working with the City in a collaborative, timely manner.

The Council directed staff to provide a presentation at a Council meeting on the existing framework with regard to the Comprehensive Plan, code and zoning to provide the Council a base knowledge, followed by presentations by the property owners, public comment on what they would like to see, and Council discussion and identification of next steps. It was agreed to have the presentations, public comment and Council discussion at regular Tuesday meetings, with presentations at the one meeting and public comment and Council discussion at a second meeting.

9. Council's Oversight of the ADB and Planning Board

Councilmember Wambolt commented on the need for some Council oversight of the ADB and Planning Board. He described a recent ADB meeting where the ADB identified a number of problems with a project and agreed to continue the matter. When the architect objected to the delay, the ADB approved the application without regard to their previous concerns. He suggested Councilmembers attend meetings and report to the Council.

Discussion followed regarding videotaping and broadcasting Planning Board and ADB meetings on Channel 21, costs and issues associated with videotaping and broadcasting Planning Board and ADB meetings, the ADB and Planning Board's indication they did not want their meetings taped, importance of publicizing the activities of the City's boards, and the potential for webcasting versus broadcasting on Channel 21.

Mr. Snyder suggested discussing equipment with Verizon during franchise negotiations and that the Council consider contracting with Edmonds Community College for offsite equipment and services.

It was agreed the Outreach Committee would investigate taping and broadcasting/webcasting of ADB and Planning Board meetings including costs.

14. Wrap-Up

Councilmember Wilson suggested a community like Fairhaven for next year's retreat, a place the Council could learn from and that could include a walking tour, etc. The Council discussed pros and cons of holding the retreat in the City versus out of town.

Council Executive Assistant Jana Spellman agreed to check dates and costs for a retreat in the Fairhaven area and email Councilmembers. Selection of a date for the retreat would be scheduled on a future Council agenda.

ADJOURNMENT

The retreat was adjourned at 2:12 p.m.