

EDMONDS CITY COUNCIL APPROVED MINUTES

July 22, 2014

The Edmonds City Council meeting was called to order at 6:30 p.m. by Mayor Earling in the Council Chambers, 250 5th Avenue North, Edmonds.

ELECTED OFFICIALS PRESENT

Dave Earling, Mayor
Diane Buckshnis, Council President
Kristiana Johnson, Councilmember
Lora Petso, Councilmember
Strom Peterson, Councilmember
Joan Bloom, Councilmember
Adrienne Fraley-Monillas, Councilmember
Thomas Mesaros, Councilmember

STAFF PRESENT

Phil Williams, Public Works Director
Carrie Hite, Parks & Recreation Director
Shane Hope, Development Services Director
Rob Chave, Planning Manager
Jerry Shuster, Stormwater Eng. Program Mgr.
Rob English, City Engineer
Kernen Lien, Senior Planner
Jeff Taraday, City Attorney
Scott Passey, City Clerk
Gerrie Bevington, Camera Operator
Jeannie Dines, Recorder

1. CONVENE IN EXECUTIVE SESSION REGARDING COLLECTIVE BARGAINING PER RCW 42.30.140(1)(a)

At 6:30 p.m., Mayor Earling announced that the City Council would meet in executive session regarding collective bargaining per RCW 42.30.140(1)(a). He stated that the executive session was scheduled to last approximately 30 minutes and would be held in the Jury Meeting Room, located in the Public Safety Complex. No action was anticipated to occur as a result of meeting in executive session. Elected officials present at the executive session were: Mayor Earling, and Councilmembers Johnson, Fraley-Monillas, Buckshnis, Peterson, Petso, Bloom and Mesaros. Others present were City Attorney Jeff Taraday, Parks & Recreation/Human Resources Reporting Director Carrie Hite, Assistant Police Chief Don Anderson and City Clerk Scott Passey. The executive session concluded at 6:56 p.m.

Mayor Earling reconvened the regular City Council meeting at 7:01 p.m. and led the flag salute.

2. ROLL CALL

City Clerk Scott Passey called the roll. All elected officials were present.

3. APPROVAL OF AGENDA

COUNCIL PRESIDENT BUCKSHNIS MOVED, SECONDED BY COUNCILMEMBER JOHNSON, TO ADD AS ITEM 5A, PROPOSED ORDINANCE TO AMEND 10.80.060, EXTENDING THE DEADLINE FOR THE COMPENSATION COMMISSION TO FILE ITS COMPENSATION SCHEDULE WITH THE CITY CLERK FROM THE FIRST MONDAY OF AUGUST TO THE THIRD THURSDAY OF SEPTEMBER.

Councilmember Bloom said she will vote against discussing this ordinance tonight as neither she nor citizens have received the ordinance or had an opportunity to review it. Due to the numerous questions that were raised last week regarding the Commission's work, she felt it was improper for the Council to vote on an ordinance that not been presented to the public or the Council in advance. She preferred to discuss the ordinance at another Council meeting, perhaps the first meeting in August.

Councilmember Fraley-Monillas asked whether the intent of the ordinance was to wait until more information was available, a full committee and possibly a public hearing. Parks & Recreation/Human Resources Reporting Director Carrie Hite advised the proposed ordinance changes the deadline for the Citizens Commission to file its compensation schedule from the first Monday in August to the third Thursday in September so the Commission can continue their due diligence and complete their work.

Councilmember Petso clarified this motion is whether to add the ordinance to the agenda, not regarding the merits of the ordinance.

MOTION CARRIED (6-1), COUNCILMEMBER BLOOM VOTING NO.

COUNCIL PRESIDENT BUCKSHNIS MOVED, SECONDED BY COUNCILMEMBER PETERSON, TO MOVE ITEM 11 TO ITEM 5B. MOTION CARRIED UNANIMOUSLY.

COUNCIL PRESIDENT BUCKSHNIS, COUNCILMEMBER PETERSON, TO APPROVE THE AGENDA IN CONTENT AND ORDER AS AMENDED. MOTION CARRIED UNANIMOUSLY.

COUNCIL PRESIDENT BUCKSHNIS MOVED, SECONDED BY COUNCILMEMBER FRALEY-MONILLAS, TO REMOVE FROM THE AUGUST 4 EXTENDED AGENDA THE WORDING "AND POTENTIAL ACTION" WITH REGARD TO THE 2014 COMPREHENSIVE PLAN UPDATE AND WESTGATE ZONING CODE ORDINANCE.

Council President Buckshnis explained she wants to remove that verbiage because the Council will need more time to discuss this complex and detailed subject. She clarified the public hearing will be held on August 4 as well as subsequent meetings to discuss the zoning and the Comprehensive Plan.

MOTION CARRIED UNANIMOUSLY.

4. APPROVAL OF CONSENT AGENDA ITEMS

COUNCIL PRESIDENT BUCKSHNIS MOVED, SECONDED BY COUNCILMEMBER PETERSON, TO APPROVE THE CONSENT AGENDA. MOTION CARRIED UNANIMOUSLY. The agenda items approved are as follows:

- A. APPROVAL OF CITY COUNCIL MEETING MINUTES OF JULY 15, 2014**
- B. APPROVAL OF CLAIM CHECKS #209538 THROUGH #209641 DATED JULY 17, 2014 FOR \$542,042.57 (REISSUED CHECK #209575 \$4,086.92). APPROVAL OF PAYROLL DIRECT DEPOSIT AND CHECKS #61095 THROUGH #61110 FOR \$469,501.59, BENEFIT CHECKS #61067, #61111 THROUGH #61116 AND WIRE PAYMENTS FOR \$446,876.40 FOR THE PERIOD JULY 1, 2014 THROUGH JULY 15, 2014**
- C. AUTHORIZATION FOR MAYOR TO APPROVE ACCEPTANCE OF EASEMENTS FROM THE U-SAVE PROPERTY FOR THE 228TH ST. SW CORRIDOR IMPROVEMENT PROJECT**
- D. APPROVAL OF 2014 TAXICAB OPERATOR'S LICENSE FOR YELLOW CAB OF WASHINGTON**

E. UPDATE ON FUNDS FOR HISTORIC PRESERVATION CALENDAR

5. AUDIENCE COMMENTS

Chuck Gold, Edmonds, said he has new information to answer some of the more common questions such as the train station in the trench. He provided a photograph of Reno's Amtrak station in a trench and several photographs of a train trench in Solana Beach, California including the station from street level, the metal walkway, the automated platform, the view from the platform level, walkway, viewing platform, elevator, and a train at the station. The Solana Beach trench was constructed in 1995 at a cost of \$18 million including the station; they do not have some of Edmonds' technical issues. He noted there were several options for locating the Edmonds station including in its current location, moved back slightly, in the ferry terminal or straddling the trench.

Catherine Gold, Edmonds, ceded her time to her husband. Mr. Gold explained the petitioners of the Edmonds train trench do not feel a \$1 million study is required to evaluate alternatives. He feared approving a \$1 million CIP project by December, seeking funding for the study from the State during 2015 followed by an 18 month consultant study would extend into 2017. There could be a different mayor and/or new City Councilmembers by then as well as the risk that the economy would be in a recession rather than the current growth period where private and public funding is available. Meanwhile, BNSF is investing in double tracking which provides a limited amount of time to partner with BNSF. He described next steps to take the train trench to a decision; typically the City produces an RFQ that is sent firms capable of building a train trench and firms are then selected for interviews. To this point no funds are expended by the City. The City then negotiates a price for developing a conceptual plan; the firm would also work with BNSF to produce a plan that accommodates all partners including Washington State Ferries and Amtrak (a potential funding partner for the station). The price of developing a conceptual plan would be \$50,000 – 200,000. He concluded towns that are able to look forward and come together to get something positive done have a great future to maintain their desirability as congestion and traffic increases in the region; towns that do not proactively plan are left out and degrade over time.

Steve Worthington, Edmonds, explained he recently learned the America Physical Society (APS) plans to reopen its climate change statement that was established in 2007. He offered to send the Council links to the activities of the Physical Society. The APS has posted the question to a panel comprised of six experts, three warmists and three semi-warmists, one of whom is Judith Curry, the Chair of the School of Atmospheric and Earth Sciences at George Tech. He offered to send the Council a link to Dr. Curry's blog that includes JC reflections. He suggested in reading the blog, one would discover a very thoughtful, different side of the science and come away with the slightest wonderment that the science isn't so. In reading the Society's deliberations and questions, even those most supportive of anthropogenic global warming have admitted questions about the science and why models are not performing as predicted. In reviewing the City's activities, the concept of anthropogenic global warming is a firm principle from which policy and practices are established that affect all Edmonds citizens; that first principle is based on scientific understanding which is changing.

Roger Hertrich, Edmonds, referred to the decision to delay the Citizen Commission on Compensation of Elected Officials (CCCEO) report, relaying his understanding the CCCEO's decision was made last week and he assumed it had already been filed with the City Clerk. He pointed out the Council had no discussion about the ordinance other than Councilmember Bloom's objection which he assumed meant the Council had reached its decision via roving quorum.

5A. PROPOSED ORDINANCE TO AMEND 10.80.060, EXTENDING THE DEADLINE FOR THE COMPENSATION COMMISSION TO FILE ITS COMPENSATION SCHEDULE WITH THE

CITY CLERK FROM THE FIRST MONDAY OF AUGUST TO THE THIRD THURSDAY OF SEPTEMBER

Council President Buckshnis explained this ordinance would extend the deadline. If the Council is uncomfortable with approving the ordinance, a meeting can be noticed for next week to discuss the ordinance. The Commission is unable to file the compensation schedule with the City Clerk by the deadline because one Commissioner is out of the country. The Commission has asked for more time and due to the numerous questions, offered to hold another public hearing and reevaluate some of their work. She clarified the ordinance extends the deadline from the first week in August to the third week of September.

Councilmember Petso agreed with Councilmember Bloom and Mr. Hertrich, commenting it may be better to discuss the ordinance next week although it will require a special meeting. She referred to an email she received from City Attorney Jeff Taraday that suggested the recommendation the Commission presented last week was null at this point. Mr. Taraday agreed. Councilmember Petso referred to her question last week regarding how the Council could not adopt the Commission's recommendation if the Council did not like it. She asked whether the elected officials' compensation would continue under the status quo if the Council did not change the ordinance tonight or next week and the Commission failed to meet the deadline. Mr. Taraday answered he believed that was correct but asked for an opportunity to research the ordinance. Councilmember Petso suggested a do-nothing approach may be helpful in this circumstance.

Councilmember Bloom said she was inclined not to deal with this tonight and address it at another time. She received an email from Mr. Taraday at 5:37 p.m. which she had not had an opportunity to read. She found it seriously inappropriate to vote on something neither the Council nor the public had had an opportunity to review. Recognizing that other Councilmembers may not agree, she posed several questions. She recalled last week asking about the statement in the ordinance that the Commission shall consist of seven members which was "explained away as if five members is fine." She still did not find that appropriate. She referred to Eve Wellington's dismissal, explaining she had had an opportunity to speak to Ms. Wellington who gave her permission to state she received a letter from Mayor Earling dismissing her because she was on the Economic Development Commission (EDC) as well as the CCCEO. Councilmember Bloom relayed her understanding the term "official" was used in the letter and asked Mr. Taraday to provide the Black's Law Dictionary definition of "official." Mr. Taraday relayed an official means "one who holds or is invested with a public office, a person elected or appointed to carry out some portion of a government's sovereign powers."

Councilmember Bloom asked why Economic Development Commissioners would be considered officials. Ms. Wellington was told because she was on the EDC, she could not also serve on the CCCEO. Councilmember Bloom pointed out the EDC is an advisory body and makes recommendations but has no power to enact law, do not participate in quasi-judicial matters, etc. Mr. Taraday answered their advice is official advice; their advice has a different character than comments from a private citizen. Advice from a commission the Council appointed to analyze issues on its behalf is advice that comes to the Council in an official way. For that reason, it was his opinion all board members and commissioners are officials of the City. For that reason among others, those bodies are also required to comply with the Open Public Meetings Act (OPMA); if they were not effectively a subset of the government, they would not be required to comply with the OPMA. His advice has been the council, boards and commission are required to comply with the OPMA.

Councilmember Bloom referred to the definition of official, "a person invested with the authority of an office," and asked whether Black's Law Dictionary defines the authority of an office as taking an oath of office. Mr. Taraday answered he did not know that all officers necessarily take an oath of office; he has never researched that question. It did not follow to him intuitively that just because one holds an office,

one necessarily takes an oath of office. It may depend on the solemnity of the office. Councilmember Bloom requested he research that; she viewed the EDC as very different than the CCCEO; the CCCEO makes recommendations that the Council cannot act on; the Council chooses how to act on the EDC's recommendations.

With regard to Ms. Wellington's dismissal, Councilmember Bloom read from the City code, "members of the Compensation Commission may be removed by the Mayor with the approval of the Council only for cause of incapacity, incompetence, neglect of duty, malfeasance in office or for a qualifying change of eligibility." She noted the change in eligibility is different than State law which states change of residence. She asked how Ms. Wellington could be removed by the Mayor without the approval of Council. Mr. Taraday answered it was inaccurate to suggest Mayor Earling removed Ms. Wellington from the Commission. His understanding is Mayor Earling may have signed a letter informing Ms. Wellington that her appointment was null and void. It was in large part his analysis that concluded Ms. Wellington's appointment was null and void because she already held a public office and Chapter 10.80 specifically states if someone is already an officer or an employee of the City, they cannot also serve on the Compensation Commission. When that was brought to his attention and he was asked to analyze it, he concluded Ms. Wellington was never eligible for appointment because she already held another office and therefore having not been eligible on the date she was purportedly appointed to the CCCEO, that appointment was null and void.

Mr. Taraday agreed Mayor Earling did not have the power to unilaterally remove a commissioner; when something occurs that is null and void it is as if it never happened. There would have been no need to remove Ms. Wellington because it was as if her appointment never occurred in the first place.

Councilmember Bloom explained Ms. Wellington resigned from the EDC because she wanted to serve on the Compensation Commission. She was not certain whether that occurred before or after Ms. Wellington received the letter from Mayor Earling. Councilmember Bloom asked why Ms. Wellington's appointment to the CCCEO was not reversed and why her appointment was still null and void. Mr. Taraday answered once something is null and void it cannot be un-nulled or un-voided; it is as if it never happened.

Councilmember Bloom asked why Ms. Wellington was not offered the opportunity to reapply to the Compensation Commission particularly since staff had such difficulty finding commissioners. Parks & Recreation/Human Resources Reporting Director Carrie Hite explained Ms. Wellington was offered an opportunity to reapply and bluntly said she was not interested. Ms. Hite explained she knows Ms. Wellington very well and had a long, good conversation with her. She explained to Ms. Wellington that when she resigned from the EDC she was not automatically on the CCCEO because that appointment was null and void and she needed to reapply. Her response was basically, I don't want any part of that.

Council President Buckshnis asked Ms. Hite to explain why it was necessary for the Council to pass an ordinance tonight. Ms. Hite explained there was no Council meeting scheduled next week and the August 1 deadline will occur before the Council's next meeting. After consultation with Mr. Taraday, it was his recommendation, and she concurred, to extend the deadline so the Commission can continue their work. She will encourage the Commission to hold another public hearing on their recommendation due to the number of citizen and Council concerns as well as to clarify their recommendation. The Commission selected July 29 as a tentative meeting date but learned one member was in Europe and another left for vacation, making it impossible to have a quorum before August 1.

Council President Buckshnis asked whether the Commission could change their recommendation. Ms. Hite answered they could and needed to vote on the recommendation in a public meeting.

Councilmember Petso asked whether the Council had been “handed a golden opportunity to put all this behind us and wait two years.” She asked if the process was complete if the Council did not approve the ordinance and the CCCEO missed the deadline. Mr. Taraday answered the current ordinance states, the commission shall file its compensation schedule no later than the first Monday in August. The ordinance also states if the commission is not able to approve the compensation schedule by an affirmative vote of a simple majority of the commission plus one member, then the previous schedule or the substantial equivalent thereof shall be deemed to remain in effect. Mr. Taraday explained while the code does not directly answer Councilmember Petso’s question, it implies if the commission is not able to file its schedule by the first Monday in August and if the City Council does not extend the deadline, the previous schedule would be deemed to remain in effect.

Councilmember Bloom referred to her request for Mr. Taraday to research the definition of official to determine whether an official needed to take an oath of office. Mr. Taraday clarified Councilmember Bloom asked him to research that; he was uncertain how much time the Council wanted him to spend researching that question. As with all requests by a Councilmember, he spends a certain amount of time on individual projects without direction from a quorum of the Council; unless the Council directs him to research it, he was uncertain how much depth he could provide to that question.

Councilmember Mesaros observed extending the deadline via approval of the ordinance is an opportunity for the Commission to do its work and to fulfill what the Council asked them to do.

Councilmember Fraley-Monillas asked whether the Commission could be asked to begin work again in a month if the Commission did not file the compensation schedule by August 1 and the deadline was not extended or could the Commission only be convened every two years. Mr. Taraday responded the City Council created this Commission; there is nothing in State law that establishes the deadline by which the Commission needs to complete their work except their work ultimately needs to be included in the budget. The only opportunity the Council has to act on the Commission’s recommendation is adoption of the budget. For example the Council could vote on September 1 to give the Commission until October 1 to complete their work; there is nothing in State law or City code that would prevent that.

Councilmember Fraley-Monillas asked if the Council did nothing tonight, could the Commission be recalled in a month and asked to begin the process again. Mr. Taraday answered by not acting tonight the Council has not foreclosed this process from continuing in the next two years. The Council could revisit this in two weeks or a month and there would still be time to direct the Commission to complete their work in time to include it in the 2015 budget. The code requires the two public hearings held by Commission to take place within four months of the date the schedule is filed with the City Clerk. The 2 public hearings were held on April 3 and May 20; if the Commission waits to file until after August 1; it will necessarily need to hold another public hearing because the April 3 public hearing will no longer be within 4 months. If the Commission waits until after September 20, they will need to hold 2 public hearings because the May 20 public hearing will not be within 4 months.

Councilmember Bloom commented there is no downside to waiting a couple weeks. The only thing that will happen if the Council does not approve the ordinance is the Commission will need to have at least one public hearing that Ms. Hite has indicated she will encourage them to hold anyway. She asked why the Council was being asked to approve this ordinance tonight without an opportunity for the Council and public to review it when the only thing it will do is require an additional public hearing. Mr. Taraday answered in fairness to the Commission who put the time into this process, they should know what their deadline is. However, there is no legal requirement that the decision be made tonight; the Council can defer the decision. Councilmember Bloom inquired about the fairness to the City Council and public who have not had an opportunity to review the ordinance or have their questions answered. She summarized this is a weighty, huge decision.

On the issue of fairness Councilmember Peterson pointed out passing the ordinance is fair to the citizens who have questions because, 1) it guarantees there will be another public hearing where their voices can be heard, and 2) there will be time for Mr. Taraday, Ms. Hite and/or Councilmember to do further work. If the Commission does not meet the August 1 deadline, the April 3 public hearing will not be within 4 months; the Commission cannot meet the August 1 deadline because they do not have a quorum. He commented these citizens have been asked to serve on the Commission; the least the Council can do is to given them the opportunity to finish their work. It also gives citizens an opportunity to have their voices heard. He acknowledged having a minor change to an ordinance presented to the Council at the last moment was not ideal but there are very few fifth Tuesdays in a year and even fewer that the Council does to meet. He summarized approving the ordinance adds fairness to the process.

Councilmember Johnson clarified the request was to delete four words from an ordinance and substitute four words, it was not a substantive change, it was just procedural. She read the sentence that would be changed, "Once approved, the commission shall file its compensation schedule for elected officials with the City Clerk no later than the ~~first Monday in August~~ third Thursday in September of each even numbered year.

COUNCIL PRESIDENT BUCKSHNIS CALLED FOR THE QUESTION. COUNCILMEMBER MESAROS SECONDED THE CALL FOR THE QUESTION.

Councilmember Bloom raised a point of order, pointing out Councilmember Petso had her hand up. Mayor Earling advised the motion supersedes a request to be recognized.

Councilmember Fraley-Monillas clarified if a Councilmember wants to continue the conversation vote no; if they want to end discussion, vote yes.

CALL FOR THE QUESTION CARRIED (5-2), COUNCILMEMBERS BLOOM AND PETSO VOTING NO.

Councilmember Petso commented there have been procedural and substantive errors in the process to date. The August 1 deadline provides a fortuitous opportunity to put this behind us and allow the four members of the Commission to cease their work. If the Council approves the motion, the four Commissioners have to keep working and the Council does not know what their recommendation will be. She preferred to put everyone out of their misery and wait two years.

MOTION TO APPROVE ORDINANCE NO. 3974 CARRIED (5-2), COUNCILMEMBERS BLOOM AND PETSO VOTING NO.

5B. CONFIRMATION OF MAYOR EARLING'S APPOINTMENT OF PATRICK DOHERTY AS THE NEW COMMUNITY SERVICES/ECONOMIC DEVELOPMENT DIRECTOR (formerly Agenda Item 11)

Mayor Earling explained the City has gone through an extensive search to replace the Community Service/Economic Development Director. The position has been advertised twice, after the second advertisement, the candidates were narrowed to three who were interviewed by three panels consisting of citizens, Councilmembers Fraley-Monillas and Mesaros, and staff. The candidates to be presented to the Council for interview were reduced to two. He was delighted to advance an outstanding appointment for the Council's confirmation; Patrick Doherty has an outstanding background that matches perfectly with Stephen Clifton's previous position. Ironically Mr. Doherty followed Mr. Clifton at Federal Way and 13 years later comes to Edmonds. He asked for the Council's confirmation of Patrick Doherty as Community Services/Economic Development Director.

COUNCILMEMBER PETERSON MOVED, SECONDED BY COUNCIL PRESIDENT BUCKSHNIS, TO CONFIRM THE MAYOR EARLING'S APPOINTMENT OF PATRICK DOHERTY AS THE NEW COMMUNITY SERVICES/ECONOMIC DEVELOPMENT DIRECTOR.

Councilmember Bloom said she will vote against the appointment of Mr. Doherty because his experience is heavily weighted toward development which is essentially building things which is the responsibility of Development Services Director Shane Hope, rather than economic development which is defined as a net gain of revenue and includes job development, supporting existing businesses, attracting new businesses and thus increasing sales tax revenue. She would have liked an Economic Development Director with the experience to lead Edmonds in becoming an events city.

Councilmember Petso said she will vote against the appointment of Mr. Doherty for reasons that have been shared with Council. She was disappointed her reasons arose during an interview which two Councilmembers were unable to attend. She did her best to make them aware of her concerns.

UPON ROLL CALL, MOTION CARRIED (4-3), COUNCIL PRESIDENT BUCKSHNIS AND COUNCILMEMBERS JOHNSON, MESAROS AND PETERSON VOTING YES; COUNCILMEMBERS BLOOM, FRALEY-MONILLAS AND PETSO VOTING NO.

6. PRESENTATION BY NORTHWEST SEED REGARDING SOLARIZE SOUTH COUNTY

Planning Manager Rob Chave explained this is an ongoing partnership between the City, Snohomish County PUD and Northwest SEED, funded in part by the Department of Commerce to promote solar energy. He introduced **Meghan Barrier, Program Coordinator, Northwest SEED**. Ms. Barrier explained Northwest SEED is a non-profit that works to remove barriers that prevent people and businesses from investing in renewable energies. They serve as the project manager for Solarize South County. Edmonds is a partner in Solarize South County. A number of Edmonds community members have served as volunteers on their outreach committee as well as on the contract selection committee.

Solarize South County is a time limited solar group purchase model that leverages grass roots and community efforts to choose a solar contractor to drive attendance to free solar energy workshops and to increase solar adoption in the campaign territory. Since the first Solarize campaign was launched in Seattle in 2011, Solarize Washington campaigns have blanketed the Puget Sound area with over 2 megawatts of new solar generating capacity. Solarize South County is the tenth campaign Northwest SEED has managed. The volunteers put out an RFQ to Snohomish PUD qualified solar contractors, reviewed proposals, interviewed candidates and negotiated prices and terms to offer the best value for participants in Solarize South County A&R Solar was selected by the committee.

Anders Hellum-Alexander, Sales and Design Consultant, A&R Solar, explained A&R Solar has been in existence for seven years and has participated in solarize campaigns before. He explained for every 50 people who sign up for a solar install, A&R will install a 5 kilowatt system for a nonprofit. This is their way of thanking the community for allowing them to participate in this program, choosing them as the installer and signing up. The primary goal is reducing the operational costs of a non-profit so they are better able to accomplish their mission. They would like to select a nonprofit that has a high profile in the community so people can see that solar works in Washington, particularly in Northwest Washington. Everyone that signs up is investing in Green Futures; by donating a system to a local non-profit, they are also able to invest in their community.

Ms. Barrier advised Northwest SEED has held one workshop that was attended by 22 participants. The next workshop is Tuesday, August 5 from 6:30 to 8 p.m. in the Brackett Room of Edmonds City Hall. She

encouraged anyone interested in attending to register at solarizewa.org but walk-ins are also welcome. There are three more workshops and two webinars and the campaign continues until the end of September. She invited anyone interested in volunteering to do outreach to email her at Meghan@nwseed.org or to visit the campaign's webpage for more information.

7. UPDATE ON STORMWATER CODE

Public Works Director Phil Williams described the regulatory background; the City has a Western Washington Phase II Municipal Stormwater Permit (Section S5.C.4) which allows the City to discharge to Puget Sound as long as the City controls runoff from new development, redevelopment, and construction sites (by December 13, 2016).

He described the current development paradigm:

1. A developer works with Planning and Building divisions and decides what they are going to build.
2. Developer goes to the stormwater code and determines what stormwater controls they will need to get permit.

The new development paradigm:

1. Developer works with Planning & Building using a development code that is designed to:
 - Reduce the amount of impervious surface
 - Retain native vegetationand, therefore, minimize the amount of stormwater that is generated
2. The stormwater that is generated, by default, needs to be controlled using low impact (LID) techniques. Only if LID is shown not to be feasible (through prescribed methodology) are conventional stormwater control techniques allowed (or combination of both)

He displayed an example of an ideal single family site plan under the new development paradigm that uses drought tolerant native plants, minimize lawn area, pervious deck, pervious walkway, low impact foundation technology, rain garden infiltration and pervious driveway.

Stormwater Engineering Program Manager Jerry Shuster explained based on the new paradigm, there are two major parts of the permit that must be implemented, the Stormwater Code: ECDC Chapter 18.30 and other relevant codes and standards (including ECDC Chapters 15, 16, 17, 21 and 23). He explained Ecology does not have any numerical standards in the permit; the requirement is to review the code, determine what can be done and what the community decides what they want to do.

Development Services Director Shane Hope reviewed LID Code-related codes and standards, explaining the goal is to make LID site planning techniques the preferred and commonly-used approach to site development. Development Code revisions shall be designed to minimize impervious surface area, native vegetation loss and generation of stormwater runoff. She reviewed the necessary steps:

- Understand LID topics to address
- Review existing codes and standards
- Fill in the gaps
- Review and adopt (public process)
- Implementation

She identified elements of the code that relate to LID standards and how LID standards affect the Comprehensive Plan and other codes.

Mr. Shuster explained the goal of the stormwater code, once stormwater runoff has been minimized, is to disburse, infiltrate and retain stormwater runoff onsite to the extent feasible (LID Stormwater Management techniques). He explained the City updated its Stormwater Code in 2010; prior to 2010 the City was using the 1992 Ecology Stormwater Manual. The first permit in 2007 required the City to regulate stormwater from development; prior to that time the City did not. The 2010 Stormwater Code revisions included the 2005 Ecology Stormwater Manual plus Edmonds Specific Flow Control Requirements Code Revisions to create Exhibit A: Stormwater Code Supplement to Edmonds Community Development Code Chapter 18.30, a 72-page guide to stormwater management in Edmonds for small and large sites.

The 2016 Stormwater code revisions will include the 2012 Ecology manual (1004 pages) + LID Development Technical Manual for Puget Sound (365 pages) + Rain Garden Handbook (88 pages) + Edmonds Specific Flow Control Requirements, to create Exhibit A: Stormwater Code Supplement to Edmonds Community Development Code Chapter 18.30.

Mr. Shuster reviewed other needs:

- Staff training – a lot of new stuff, DOE training begins this fall
- Developer, homeowner and contractor training
- Administrative revisions – application forms, review checklists, PermitTrax programming modifications
- Maintenance of LID facility – very different from conventional facilities – learning curve

He described the compliance schedule and funding

- Started the process of updating our LID Stormwater management standard to match the most current
- We have started to update the Edmonds Stormwater Code Supplement to require LID Stormwater techniques as the default approach for all size sites (done by 2015)
- Review of Development Code LID-related codes and standards will be integrated with ongoing code update
- Asking for funding from the Stormwater Utility Fund in 2015 budget
- Anticipate grant ecology funding – end 2015 legislative session

He described early actions:

- Staff recommends amending ECDC 18.30 (Stormwater Management) effective January 1, 2015
 - All LID stormwater techniques be designed to the most current standards
 - LID stormwater management be required on all large site projects (~greater than 1 acre) unless shown to be infeasible

Council President Buckshnis commented WRIA 8 had a very good presentation by Redmond who is starting a pilot project with an LID vault for an entire area.

Councilmember Bloom asked about LID techniques that would be used for large projects. Mr. Shuster referred to a 6-8 lot residential project adjacent to Lake Ballinger that included a stormwater retention vault where the water is treated and discharged to the lake. If LID were required, soil analysis would be required to determine if the soils perk. If the soils perk, a variety of LID techniques could be used such as rain gardens, pervious asphalt/concrete driveways, green roof, etc.

Councilmember Bloom asked whether there would be requirements to reduce the building footprint. Mr. Shuster answered that is on the development code side. The generation of stormwater can be minimized via a smaller amount of impervious surface, more vegetation, etc. when the site is laid out.

Councilmember Johnson referred to letters received from Duane Farman and Val Stewart, summarizing they were interested in implementing the programs as soon as possible. Mr. Williams commented both emails were very thoughtful and posed a number of good questions that staff will respond to. Implementation as quickly as possible must be balanced with a thorough and thoughtful review that will require a great deal of conversation with the public including individual property owners, developers and the environment community, all of whom are interested in how elaborate the site planning process should be, how certain the outcomes are and how infeasibility criteria are developed. He referred to the early actions that Mr. Shuster described that will encourage LID and allow proposals to be evaluated against the most current criteria.

8. INTRODUCTION TO CRITICAL AREA ORDINANCE UPDATE

Senior Planner Kernen Lien explained this will be a brief introduction to the Critical Ordinance update. He provided the following regarding Growth Management Act and Critical Areas:

- Critical area ordinance is an outgrowth of GMA
- Critical areas defined in the GMA include:
 - Wetlands
 - Fish and wildlife habitat
 - Critical Aquifer Recharge Areas (none in Edmonds)
 - Frequently flooded areas
 - Geologically hazardous areas (erosion hazard, landslide hazard, and seismic hazard areas)
- Required to be updated periodically by GMA

He described the 2014 - 2015 CAO Update:

- Current CAO has been in effect since 2005
- Critical area regulations are required to be based on Best Available Science (BAS)
- The City's most recent BAS Report was done in 2004
- City Council budgeted \$80,000 in 2014 and 2015 for professional services
- City will be issuing a Request for Qualifications (RFQ) for a consultant to assist with update
- Update BAS Report
- Review existing CAO for consistency with updated BAS report
- Recommended changes where needed for consistency with current scientific information
- CAO update will be reviewed by the Planning Board with final approval by the City Council
- Update required to be completed by June 2015

Councilmember Bloom asked whether the current CAO was based on 2004 BAS Report. Mr. Lien answered yes. Councilmember Bloom asked the date of the most recent BAS Report. Mr. Lien answered 2004; there has not been a comprehensive review of BAS since 2004. BAS is science defined by the GMA in peer reviewed articles. The consultant will review all the available science; there is not one BAS Report because the science applies differently to each jurisdiction. The consultant will develop a BAS Report for Edmonds and then review the City's regulations to ensure they are consistent with the current scientific thinking.

Mayor Earling declared a brief recess.

9. PREVIEW OF THE PLANNING BOARD'S RECOMMENDATIONS TO ADOPT A COMPREHENSIVE PLAN TEXT AMENDMENT, ZONING CODE TEXT AMENDMENT, AND ZONING MAP CHANGE TO IMPLEMENT A NEW DEVELOPMENT PLAN FOR THE WESTGATE COMMERCIAL AREA

Mayor Earling reported the Council will hold a public hearing in two weeks (August 4) which likely will be followed by 1-2 more discussions. Tonight staff will present the big picture and the Planning Board's recommendation.

Planning Manager Rob Chave reported the Planning Board held three public hearings; public testimony can be found in the Planning Board's minutes. There is a wealth of material regarding this project; some documents were included in the packet, more documentation is available via a link to the Westgate process on the Planning Division page of the City's website.

The Planning Board's proposal includes three distinct actions:

1. Comprehensive Plan text amendment (policy language)
2. Establishment of new zone (Westgate Mixed Use)
3. Rezoning of commercial properties in the Westgate are to WMU

He reviewed the proposal features:

- No expansion of the existing commercial area
- Additional intensity of development within the commercial area
- Hybrid zone" mixture of traditional regulations (uses, setbacks) and form-based elements not regulated in standards zones (building types and locations, requirements for amenities and open space)
- Mix of building heights depending on location and topography
- "Green Factor" landscape system
- Additional protection for surrounding slopes and trees/vegetation
- Supporting traffic analysis done reflecting higher level of development – no reduction in level of service (LOS)

He displayed maps showing the boundaries of the Westgate study area and the existing zoning (BN-Neighborhood Business, BC-Community Business and BC-EW-Community Business-Edmonds Way). He advised the current building heights in BN are up to 25 feet, up to 30 feet in BC and up to 45 in BC-EW.

With regard to why Westgate, Mr. Chave explained the EDC's white paper identifies economic development-related support for the Westgate Plan, he identified several other issues and trends that support the Westgate Plan:

- Growth – Growth and development is a fact of life in the Puget Sound Region, including Edmonds. The choice made in Edmonds has been to focus growth in existing commercial/multi-family areas rather than expand those areas or rezone adjacent areas.
- Demography – The population is aging and needs new housing opportunities (e.g. for different life stages and housing needs/desires). Current housing choices in Edmonds can be improved by offering more variety and styles. Different housing types also enable the younger generation to locate in the community instead of moving out.
- Environment – Local communities have relatively constrained options for dealing with issues such as transportation and climate change. Land use, such as encouraging transit-oriented development and increasing the mix of uses in compact, defined area can help transportation choices – and the environment. This was a key point made by Forterra, a partner in the project.

Mr. Chave explained the initial phase of the process focused on public workshops and meetings, culminating in a report and proposal by a team consisting of:

- City
- University of Washington, Green Futures Lab
- Cascade Land Conservancy (now Forterra)

The following information summarizes the initial study proposal that was forward to the Planning Board for review and recommendation by the City Council on June 11, 2011 to familiarize the Council with the process to date. One of Forterra's mission is to encourage protection of open spaces; open space cannot be protected without also making urban areas more attractive. Their principles include exemplary commercial centers that are complete, compact and connected; creating sense of place.

He explained before the design started the team:

- Prepared citizen survey
- Site surveys of land uses
- Survey of existing amenities
- Parking counts
- Walking distances and conditions
- Mapping study results
- Analysis of user friendliness
- Neighborhood Identity Comparison

The participatory public process included:

- Community survey by mail and online (October 2010 – March 2011)
- Listening sessions (January 2011)
 - Change – how much, how fast?
 - Traffic – won't more development bring more traffic?
 - Favorites – I don't want to lose my favorites
 - Listening – developers do what they want anyway, how can we have a say?
 - Thoughtful design can make change for the better
- Design workshop (March 2011)
- Alternative preferences Forum (May 2011)

The process included public design workshops intended to:

- Identify community values
- Design for life (activities)
- Incorporate a green infrastructure overlay

He displayed a sample drawing from a workshop. He explained the difference between traditional zoning codes, design guidelines and form-based code:

- Traditional zoning code regulate and emphasize the separation of uses
- Design guidelines modulate building facades and materials
- Form-based codes emphasize the relationship between public and private space to support users and foster local character.

Through this process the UW identified goals to leverage synergies:

- Create mixed use walkable compact commercial center
- Improve connections for bicycles and pedestrians
- Enhance Westgate identify and visibility
- Prioritize amenities spaces
- Promote civic and private investment
- Incorporate sustainable features
- Regulate building placement and form
- Create variety of housing choices and retail options and parking options

The UW plan regulated the following in Westgate:

1. Amenity spaces
 - Common areas
 - Amenity space
 - Trees
 - Stormwater management
2. Required building lines
 - UW Plan focused development at the intersection, buildings as close as possible to the street
3. Streetscape Standards
 - Internal circulation drive
 - SR-104
4. Building types
 - Rowhouse
 - Live work
 - Stacked dwelling
 - Loft dwelling
 - Courtyard res
 - Side court
 - Commercial block
5. Street Frontage Types
 - Define how buildings meet the street
6. Sustainable and Green Features
7. Development requirements and options
 - Menu of options, includes prerequisites for each

He displayed a diagram prepared by the UW team of the Westgate study area with photographs of features and their possible locations.

Mr. Chave explained the Planning Board's work focused on reviewing the UW/Cascade product and producing Plan and Code amendments that would fit within the City's regulatory system and produce a result acceptable to the community. The current proposal is a product of the Planning Board's review, and reflects a number of changes from the original proposal. Given that SR-104 and 100th will not get smaller, the Planning Board felt it was more appropriate to focus on the quadrants formed by the intersection rather than the intersection itself, emphasizing circulation and amenities within each and allowing each quadrant to develop independently.

He displayed and reviewed several photographs of buildings and uses and spaces created behind buildings. He reviewed the key changes made by the Planning Board:

- The plan's emphasis has been shifted from the adjoining streets/highways to the four quadrants that make up the Westgate commercial area.
- The overall approach is now a hybrid approach combining traditional and form-based elements. Provides for opportunity while not mandating that new development conform rigidly to certain minimum building heights or requiring that all buildings be pushed up against sidewalk lines. Nonetheless, open space and amenity space is still required, as well as pedestrian and non-motorized circulation within each of the four quadrants of the Westgate commercial area.
- Instead of development up to 5 stories, buildings are now capped in most places at 2 or 3 stories, with an opportunity to obtain 4 stories only where the nearby slopes are higher, or where no residence are nearby.
- Street setbacks have been increased from the original 8 feet to 12 feet to provide a wider street interface and to assure that, if needed, turn pockets can be provided for traffic access.

- The intersection of SR-104 and 100th Ave W has a significant step-back requirement radiating from the intersection to assure that a sense of place is provided at this key intersection.

He displayed a map of Westgate topography, identifying the surrounding steep slopes, noting most of the steep slopes are located on commercially zoned properties, not the residential properties. He displayed a map identifying the height at the top of the slope. He displayed a map prepared by analyzing where various building heights would be visible from the surrounding slopes and the proposed building line near the bottom of the slope. He explained in the proposed code the building height is not averaged, it is set at the street front which removes any incentive for building into the slope.

He displayed a map that identifies height limits in various areas:

- Parcels eligible for potential 4th story height bonus
- Parcels limited to 2 stories in height
- Parcels limited to 3 stories in height.

Mr. Chave encouraged Councilmembers to email staff with questions which staff will attempt to answer in advance of the hearing.

Council President Buckshnis expressed her appreciation for everyone who has worked on this including the Planning Board, citizens, etc.

For Councilmember Peterson, Mr. Chave advised the heights on the map are tied to underlying properties. There may be a better way to portray the height but the Planning Board found the circles easy to follow.

Councilmember Petso was pleased with the changes/improvements the Planning Board made. She observed the survey indicated the public was interested in more and better amenities spaces. She did not find that any property provided a public amenity space; they all appeared to be private such as a rooftop garden or interior courtyard. She asked whether there was a requirement for public amenities. Mr. Chave answered the general amenity requirement is 15% of any property; it can be arranged in different ways. Amenities for residences will necessarily provide more privacy; the amenity spaces for commercial will be for the customers and public. He summarized the amenity space will depend on the type of development.

Councilmember Petso referred to improved connections and did not find a requirement for that. Mr. Chave suggested she email him that question and he would research it further. As an example, he pointed out the requirement for connected parking lots and pathways on adjoining properties.

Councilmember Petso referred to a photograph of a building with a Bartells on the first floor and residential above and asked if that similar to Building Type 7, commercial block mixed use. Mr. Chave answered yes. Councilmember Petso commented in the current plan that type of building was allowed on nearly every lot in the Westgate area. She asked whether there were side setback or could those buildings be physically adjacent. Mr. Chave answered they could be adjacent if the individual property owners wanted a downtown look. Building codes would come into play which may require some separation and there will be setback from the streets. Councilmember Petso commented there is no rear or side setback for that building type. Mr. Chave answered the rear setback would be the surrounding area rather than internally within the developed area.

Councilmember Petso observed the commercial parking requirement is approximately half of what is required for a grocery store and the residential requirement is equivalent the current requirement for a studio apartment, very minimal provision for parking. She was concerned that would lead to economic leakage as those who currently shop at Westgate go to less crowded areas. Without requiring parking, she

asked how a repeat of the Compass building would be avoided where the commercial space was vacant and property owner was satisfied with his profits on the residential. Mr. Chave responded parking is an interesting subject; parking standards are minimums. There is not much room for overflow in Westgate so there is a strong incentive for development to provide the necessary parking. Before providing funding, banks want to know the parking need and the parking provided. Historically parking standards have largely been a blunt instrument because they do not acknowledge different markets for individual properties or stores. For example, he noted the PCC parking lot is well used most of the day, whereas the previous Albertsons parking lot was vacant much of the day.

Mr. Chave explained if parking is established by use, it inhibits different businesses from moving in/out of a space. For example, at one time there were different parking standards downtown for offices versus restaurant versus retail; when one use moved out it was difficult for a different use to provide additional parking. At one time there was an ability to pay into an in-lieu-of parking fund which ultimately provided no parking. A blended rate makes the most sense for a mixed use development; the exact parking ratios will depend on the development mix.

Councilmember Petso commented on historic undesirable experiences that resulted in the existing requirements downtown such as a commercial height requirement to ensure the commercial space was usable, a percentage of usable retail space on the ground floor and requiring retail at the street level. She noted there were no requirements for first floor height or commercial percentages on the first floor. Mr. Chave advised the commercial building types determine what is allowed on each floor; for example, the ground floor of a commercial building must be commercial. The frontage types address the arrangement of floors to the street front. Sufficient height has been provided, 35 feet for 3 stories and 45 feet for 4 stories, to prevent a subterranean ground floor. Councilmember Petso asked whether there was enough height for a restaurant use or would a builder construct 8 foot commercial ceiling heights and 10-12 foot residential ceiling heights. Mr. Chave answered the number of floors paired with the height prevent that. The Council could impose a ground floor height for retail.

Councilmember Petso displayed a photograph of a house adjacent to the Compass mixed use building. She asked whether the slope heights in the Westgate area have been carefully measured to avoid having the residential lot completely wrapped by a building. Mr. Chave displayed the map of height at the top of slopes prepared using the City's lidar information. He was confident the situation Councilmember Petso described would not happen. Councilmember Petso asked whether height variances would be allowed. Mr. Chave answered it is essentially impossible to justify a height variance.

10. CONTINUED DISCUSSION OF COMPREHENSIVE PLAN UPDATE

Development Services Director Shane Hope provided background on the Comprehensive Plan:

- Provides long term community planning and public process
- Required under Growth Management Act (GMA)
- Must be internally consistent
- Cannot be amended more than once/year (with certain exceptions)
- Must be implemented by local government through budget and other activities

She reviewed Comprehensive Plan elements that are required and optional for cities under GMA:

- Required:
 - Housing
 - Land Use
 - Transportation
 - Capital Facilities
 - Utilities

- Economic Development*
- Parks & Recreation*
- Optional:
 - Conservation
 - Solar energy
 - Subarea plans
 - Any other topic relating to physical development within community

*if budget allows

She described Edmonds' existing Comprehensive Plan:

- Last amended in 2013
- Reviewed in spring 2014 for consistency with current state laws
 - Found to be mostly in compliance with need for some updating

She identified Edmonds' existing Comprehensive Plan elements (2013):

- Community Sustainability
- Land Use
 - Shoreline sensitive areas map
 - Stevens Memorial Hospital
 - Master Plan
 - Edmonds-Woodway HS Master Plan
 - City Park Master Plan
 - Pine Ridge Parks Master Plan
 - SW County Park Master Plan
 - Port of Edmonds Master Plan & Strategic Plan
 - Housing
 - Transportation (2009 Plan)
 - PROS Plan (2008)
- Community Culture & Urban Design
 - Community Cultural Plan
 - Streetscape Plan
 - Economic Development Plan
- Utilities
 - Sewer Plan
 - Water Plan (2010)
 - Storm & Surface Water Plan (2010)
 - Edmonds Drainage Basin Studies
 - Meadowdale & Perrinville Drainage Studies
 - SW Edmonds Basin Study

She described the 2014 update process:

- To be on separate track from 2015 update
- Planning Board has held public hearing and recommended 2014 Comprehensive Plan updates:
 - Text revision for Westgate
 - Replacement of old PROS plan with new PROS plan approved by City Council in early 2014
 - Replacement of old Community Cultural plan
 - Planning Board recommendation – scheduled for City Council public hearing and possible action on 8/4

She described the 2015 update:

- Every few years cities and counties must do major review of Comprehensive Plan and development regulations as necessary, update them
- Next major review and update is due June 30, 2015
- Development Services staff recently completed extensive checklist under GMA

She described general direction for the City:

- Planning Board held June 25 public hearing and recommended moving forward with basic update to include new data and general clean-up
- City Council reviewed proposed recommendation for 2015 update and provided general direction to move forward with basic update, including new data and general cleanup and also approved budget amendment for temporary part-time planner assistance

She identified update issues

- Census data out of date (largely based on 2000 data)
- New jobs and population forecasts to be incorporated (Snohomish County Tomorrow process) extending from year 2025 to 2035
- Transportation Plan needs major updating (process just getting started)
- All other elements need updating (except any updated in 2014) to reflect newer data and information or streamlining
 - Possible exception: Sustainability element since its very general
- Some outdated documents may need to be removed from reference
- Performance measure and action steps (optional) may be considered for each major element

The public process will include:

- Creation of special webpage with information added on a regular basis (after technology upgrades are completed)
- Numerous public meetings of Planning Board
- Numerous public meetings of City Council
- At least one open house
- Press releases
- Article(s) in City newsletter
- Presentations to interested orgs
- Notice to nearby jurisdictions, tribes, state agencies
- Ongoing opportunities for comment
- Public hearing by Planning Board
- Public hearing by City Council

Ms. Hope explained the Development Services Department is working on preliminary aspects of update including:

- Obtain assistance from temporary part-time planner
- Review SCT materials and countywide planning policies
- Review buildable land data
- Obtain housing profile data from AHA
- Review guidance from state agencies
- Review guidance from PSRC
- Coordinate with public works, on RFQ process for Transportation Master Plan and SR-104 Complete Streets Analysis

She explained each element to be considered for updating, one by one based on schedule with any minor changes. No final decisions will be made until entire Comprehensive Plan is drafted and considered at

public hearing. She reviewed the Estimated 2015 Comprehensive Plan Review and Update Schedule and likely updates to be drafted for discussion in 2014:

- Sustainability element
 - Planning Board: August 27 or September 10
 - City Council: September 23
- Housing Element
 - Planning Board: September 24
 - City Council: October 14
- Land use Element
 - Planning Board: October 8 or 22
 - City Council: December 2
- Streetscape/Street Tree Plan
 - Planning Board: December 10
 - City Council: Early 2015

She concluded no major policy changes are expected. There is a lot of work ahead to include:

- New transportation element consistent with land use element
- Updated data and information throughout
- General cleanup and refreshing
- Streamlining (e.g. removal of outdated components)
- Possible addition of performance measure and action steps.

Councilmember Fraley-Monillas asked about a Master Plan for Highway 99. Ms. Hope answered that is not proposed for this Comprehensive Plan update. She plans to propose development of a Highway 99 Master Plan as soon as the Comprehensive Plan update is complete.

Council President Buckshnis referred to the old Stevens Hospital Master Plan and asked whether Swedish-Edmonds would be required to provide a new Master Plan or will it be incorporated into a Highway 99 Master Plan. Ms. Hope proposed removing the old Stevens Hospital Master Plan.

12. REPORT ON CITY COUNCIL COMMITTEE MEETINGS OF JULY 8, 2014

Finance Committee

Councilmember Petso reported on items discussed by the committee:

- 2014 May Budgetary Financial Report – Approved on Consent Agenda
- Discussion of Edmonds Public Facilities District and City of Edmonds Interlocal Agreement – Discussed by full Council
- 2014 2nd Quarter Budget Amendment – Discussed by full Council
- Sales Tax Reporting – Finance Director advised too detailed reporting may result in disclosing single taxpayers' information which is prohibited by RCW
- Two public comments

Public Safety & Personnel Committee

Councilmember Fraley-Monillas reported on items discussed by the committee:

- Renewal of Interlocal Agreement with Snohomish Regional Drug & Gang Task Force 2014-2015 – Approved on Consent Agenda
- Discussion Regarding Code of Ethics – Full Council after editing and review by City Attorney
- Two public comments

Parks, Planning & Public Works Committee

Councilmember Bloom reported on items discussed by the committee:

- Authorization to Amend Interlocal Agreement with Snohomish County for "Urban County" Requalification with HUD – Discussed by full Council
- Authorization for the Mayor to sign a Professional Services Agreement with Murray, Smith & Associates for Design Services for the 2015 Sewer Replacement Project – Approved on Consent Agenda
- Proposed Addition to Development Fee Schedule – Approved on Consent Agenda
- One public comment

13. MAYOR'S COMMENTS

Mayor Earling reported Sound Transit will be making an important decision on Thursday regarding the siting of a second maintenance and operations base. Sites under consideration include the Edmonds School District property in Lynnwood and three sites in Bellevue. A third maintenance and operations facility will eventually be required.

14. COUNCIL COMMENTS

Councilmember Johnson reported there will be no City Council meeting next Tuesday as it is the fifth Tuesday. The next City Council is Monday, August 4 which will allow everyone to attend the Northwest SEED solar workshop on Tuesday, August 5 from 6:30 – 8 p.m. in the Brackett Room and to vote.

Councilmember Fraley-Monillas reminded Tuesday, July 29 is Edmonds Night Out at Frances Anderson Center from 6 to 8 p.m.

Councilmember Mesaros reported they are still moving forward with developing an evaluation procedure for the City Attorney services provided by Lighthouse Group. Review of the evaluation procedure is tentatively scheduled for the August 4 Council agenda.

15. CONVENE IN EXECUTIVE SESSION REGARDING PENDING OR POTENTIAL LITIGATION PER RCW 42.30.110(1)(i)

COUNCIL PRESIDENT BUCKSHNIS MOVED, SECONDED BY COUNCILMEMBER MESAROS, TO EXTEND THE MEETING FOR SEVEN MINUTES. MOTION CARRIED UNANIMOUSLY.

At 10:02 p.m., Mayor Earling announced that the City Council would meet in executive session regarding pending or potential litigation per RCW 42.30.140(1)(i). He stated that the executive session was scheduled to last approximately 5 minutes and would be held in the Jury Meeting Room, located in the Public Safety Complex. No action was anticipated to occur as a result of meeting in executive session. Elected officials present at the executive session were: Mayor Earling, and Councilmembers Johnson, Fraley-Monillas, Buckshnis, Peterson, Petso, Bloom and Mesaros. Others present were City Attorney Jeff Taraday and City Clerk Scott Passey. The executive session concluded at 10:05 p.m.

16. RECONVENE IN OPEN SESSION. POTENTIAL ACTION AS A RESULT OF MEETING IN EXECUTIVE SESSION

Mayor Earling reconvened the regular City Council meeting at 10:05 p.m.

17. ADJOURN

With no further business, the Council meeting was adjourned at 10:06 p.m.