

EDMONDS CITY COUNCIL APPROVED MINUTES

August 26, 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

Carrie Hite, Parks & Recreation Director
Scott James, Finance Director
Shane Hope, Development Services Director
Patrick Doherty, Econ. Dev & Comm. Serv. Dir.
Doug Fair, Municipal Court Judge
Rob Chave, Planning Manager
Sharon Cates, City Attorney
Scott Passey, City Clerk
Gerrie Bevington, Camera Operator
Jana Spellman, Senior Executive Council Asst.
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 15 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, Police Chief Al Compaan, and City Clerk Scott Passey. The executive session concluded at 6:45 p.m.

2. **INTERVIEW APPLICANT FOR APPOINTMENT TO THE EDMONDS SISTER CITIES COMMISSION**

At 6:45 p.m., the City Council interviewed Sister Cities Commission candidate Michele Fellows. The interview took place in Jury Meeting Room, located in the Public Safety Complex. All City Council members were present for the interview.

Mayor Earling reconvened the regular City Council meeting at 7:00 p.m. and led the flag salute.

3. **ROLL CALL**

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

4. **APPROVAL OF AGENDA**

COUNCIL PRESIDENT BUCKSHNIS MOVED, SECONDED BY COUNCILMEMBER PETERSON, TO PULL AGENDA ITEM 8 FROM THE AGENDA FOR DISCUSSION AND TO APPROVE THE REMAINDER OF AGENDA. MOTION CARRIED UNANIMOUSLY.

Council President Buckshnis explained because tonight is a work session tonight, the title of Agenda Item 8 will be changed to remove "possible action." Action on this item will be scheduled for next week.

COUNCILMEMBER COUNCIL PRESIDENT BUCKSHNIS, MOVED, SECONDED BY COUNCILMEMBER JOHNSON, TO CHANGE THE TITLE OF AGENDA ITEM 8 TO "MUNICIPAL COURT JUDGE COMPENSATION DISCUSSION." MOTION CARRIED UNANIMOUSLY.

5. APPROVAL OF CONSENT AGENDA ITEMS

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

- A. APPROVAL OF CITY COUNCIL MEETING MINUTES OF AUGUST 19, 2014**
- B. APPROVAL OF CLAIM CHECKS #210131 THROUGH #210234 DATED AUGUST 21, 2014 FOR \$911,302.63. APPROVAL OF PAYROLL DIRECT DEPOSIT AND CHECKS #61145 THROUGH #61160 AND #61166 FOR \$478,462.20, BENEFIT CHECKS #61161 THROUGH #61165 FOR \$10,005.57 AND WIRE PAYMENTS FOR \$358,125.50 FOR THE PERIOD OF AUGUST 1, 2014 THROUGH AUGUST 15, 2014**
- C. ACKNOWLEDGE RECEIPT OF A CLAIM FOR DAMAGES FROM KARLA L. THERRIAULT (AMOUNT UNDETERMINED) AND MARK AND CAROLYN BLACKBOURN (\$9,462.31)**
- D. CONFIRMATION OF APPOINTMENT OF MICHELE FELLOWS TO THE EDMONDS SISTER CITY COMMISSION**

6. AUDIENCE COMMENTS

Natalie Shippen, Edmonds, read a request she sent to the Council regarding the Westgate Plan. The Westgate Plan is so full of implementation detail that a discussion of what is implemented has been neglected. Councilmembers have a responsibility to explain any topic they are considering, especially one that involves new theory. The proposed Westgate Plan asks the Council to incorporate incentive zoning and form-based planning into the Comprehensive Plan and the Zoning Code. She requested each Councilmember provide their definition of, 1) incentive zoning and 2) form-based planning. She requested the Council discuss as a group what adoption of those two changes will do that cannot be done under the existing code. She requested the Council schedule 1-2 public hearings and to allow the public to evaluate and participate in the discussion.

Alvin Rutledge, Edmonds, reported on information was provided on August 19 and 20 regarding the King County Boundary Review Board's consideration of Shoreline taking over the Ronald Water District which was approved by King County. The Snohomish County Boundary Review Board will consider the proposal at their meeting on Thursday, August 28. Public Works Director Phil Williams testified to the King County Boundary Review Board regarding the increase in water and sewer rates in Edmonds. Mr. Rutledge encouraged the public to participate in this process which is related to development at Pt. Wells in 3-4 years that will include up to 1,000 units.

Charles Turra, Edmonds, a resident in the Westgate area, reported he just saw information in My Edmonds News last week regarding the proposed zoning changes. He posed a series of questions: what types of businesses is the City is trying to attract and whether it was Walmart-type businesses, why bring in more businesses to compete against downtown business that just beginning to recover, whether there was a need for another pharmacy or Starbucks, who will pay for the infrastructure, whether the City will give tax breaks to multibillion corporations to move there, and how development will affect property values in the adjacent neighborhoods. If the City needs additional tax revenue, he suggested allowing legal marijuana businesses to operate in Edmonds. Mayor Earling requested he provide his contact information to Development Services Director Shane Hope and she will provide further information.

Bill Trinkle, Edmonds, a resident of Pt Edwards, commented Edmonds is a good, walkable city and he was pleased a crosswalk is being installed to cross SR-104.

7. INFORMATIONAL PRESENTATION ON AFFORDABLE HOUSING BY MARK SMITH, EXECUTIVE DIRECTOR HOUSING CONSORTIUM OF EVERETT & SNOHOMISH COUNTY

Mark Smith, Executive Director, Housing Consortium of Everett & Snohomish County, provided a presentation entitled 22,000 by 2035. He provided information regarding:

- What is Affordable?
 - No more than 30% of income goes to the cost of housing including utilities.
 - Affordable Housing: In general housing for which the occupants is/are paying no more than 30% of his/her income for gross housing costs, including utilities. Please note that some jurisdictions may define ah based on other, locally determined criteria, and that this definition is intended solely as an approximate guideline or general rule of thumb.

Snohomish County Area Median Income for all households is \$67,777 (2011). He reviewed the calculation of affordable housing:

- Affordable Housing for households at 100% AMI
 - $\$67,777 \times 100\% = \$67,777/12 \text{ months} = \$5,648/\text{month} \times 30\% = \$1,694/\text{month max. housing cost}$
- Affordable housing for households at 80% AMI
 - $\$67,777 \times 80\% = \$54,221/12 \text{ months} = \$4,518/\text{month} \times 30\% = \$1,356/\text{month max. housing cost}$
- Affordable housing for households at 50% AMI
 - $\$67,777 \times 50\% = \$33,888/12 \text{ months} = \$2,824/\text{month} \times 30\% = \$847/\text{month max. housing cost}$
- Affordable housing for households at 30% AMI
 - $\$67,777 \times 30\% = \$20,033/12 \text{ months} = \$1,694/\text{month} \times 30\% = \$508/\text{month max. housing cost}$

He provided information regarding Snohomish County:

Income Levels	Income Ranges	Percent of Total Households
30% and below AMI (extremely low income)	\$20,333 and less	11%
30-50% of AMI (very low income)	\$20,334 - \$33,888	11%
50-80% of AMI (low income)	\$33,889 - \$54,221	17%

He provided information regarding Edmonds (median income \$72,000/year):

Subject	Estimate	Percent
Income and Benefits (on 2012 inflation-adjusted dollars)		
Total households	17,396	100%

Less than \$10,000	671	3.90%
Less than \$14,999	488	2.80%
Less than \$24,999	1,326	7.60%
Less than \$34,999	1,419	8.20%
Total	3,904	22.50%

Councilmember Fraley-Monillas asked how many people in a household this represents. Mr. Smith responded HUD uses number of members in a household to determine eligibility for affordability. These numbers do not consider the number of people in a household, only total combined household income.

Councilmember Petso commented affordable housing is often referred to in terms of small units. For a family of five for example, a small unit may be affordable but may be somewhat untenable. She asked whether affordable housing always means tiny units. Mr. Smith answered no. A bedroom unit for five people, although affordable to their income, would not be considered appropriate housing and they would not be housed in that type of housing.

Mr. Smith displayed and reviewed a bar graph illustrating the annual earnings, affordability gap and 100% AMI gap for SS retirement benefit (approx. \$1000/month), minimum wage (\$9.32/hour), \$15 hour, and housing wage (\$17.62/hour). The average monthly rent of a two bedroom apartment in Edmonds including utilities is \$1,097/month.

He referred to a report recently adopted by the Snohomish County Council, vetted by Snohomish County Tomorrow, the Housing Characteristics and Needs in Snohomish County Report, that states by 2035, an additional 22,000 units of housing will be needed, affordable at 0-50% AMI:

Jurisdiction	Total Housing need (units)	30% and less AMI Housing Need (11% of Total)	30-50% AM Housing need (11% of total)	51-80% AM Housing Need (17% of total)
Snohomish County	97,128	10,684	10,684	16,512
Edmonds	2,790	307	307	474

He described ways to get to 22,000 by 2035:

- Reduce poverty
 - Better education outcomes for more students
 - Job training
 - Address income inequality
 - Will always be people who need affordable housing
- Create more affordable housing (new/acquisition and rehab)
 - 2015 Comprehensive Plan Housing Element updates
 - Strategies, goals and polices to meet housing need at 30% AMI, 30-50% AMI and 50-80% AMI
 - Incentivize affordable housing
 - Density bonuses, multi-family tax exemption, fee waivers, reduced parking requirements, etc.
 - Support policies that increase public funding
 - Washington State Housing Trust Fund
 - Local Housing Levy
 - The State authorized counties and cities to establish a housing levy, does not count against State mandated cap
 - Seattle and Bellingham have established

- A Snohomish County-wide housing levy at \$0.20/\$1000 would raise \$15 million/year for 10 years.

Councilmember Petso referred to Mr. Smith's comment that Edmonds uses reduced parking requirements to incentivize affordable housing and asked how that worked. Mr. Smith answered not specifically affordable housing but to incentivize density. Councilmember Petso commented the reduced parking requirements were not actually creating affordable housing but reducing development costs. Mr. Smith agreed. Councilmember Petso observed that increased profits for the developer but did not actually create more affordable units. Mr. Smith responded he was aware of that argument but did not have enough knowledge of projects in Edmonds to say whether reduced parking requirements resulted in more affordability.

Councilmember Petso asked whether any of the other tools such as fee waiver were specifically tied to the provision of affordable housing units or if they were also just developer incentives. Mr. Smith answered some of them, such as impact fee waivers, are tied directly to affordable housing. For example, Monroe recently waived over \$400,000 in impact fees for a 47 unit homeless family development. The developer, Housing Hope, saved over \$400,000 which allowed the AMI level to be reduced for lower income people. He referred to Affordable Housing Alliance (AHA) who is preparing specific city profiles. At the end their profiles is a menu of things cities can do to facilitate affordable housing; these are city specific and will identify what each city is doing. He urged that it be read with a note of caution, for example the report states every city in Snohomish County has adopted smaller lots sizes which facilitate more affordable housing; however, small lot size is defined as 9600 square feet.

Council President Buckshtnis asked whether the funds generated by a local housing levy are used to subsidize developers who are building affordable housing. Mr. Smith answered the funds are used to build, acquire or rehab and the funds must be used to serve populations at 50% AMI and below.

To the question of why try to accomplish 22,000 by 2035, Mr. Smith explained:

- Quality of life in our communities
 - Our communities and neighborhoods are better when people are housed
 - Higher density, attractive and affordable housing promotes community
- Economic Advantages
 - Each dollar of public funds invested in affordable housing generally attracts/leverages an additional \$5 of private equity
 - People who are in housing they can afford have more disposable income to spend in the community
 - Safe, stable, affordable housing for homeless and at-risk populations significantly reduces contact with and cost to a city's criminal justice and emergency medical services
- Common humanity

He displayed several photographs of affordable housing developments:

- Pay attention to design
- Concentrated poverty doesn't work
- Can be attractive, enhance community if done right
 - Mercy Housing Eliza McCabe Townhomes, Tacoma
- Incorporate public art, make attractive
 - Greenbridge Apartments, Seattle
 - Artspace Everett Lofts, Everett

Mr. Smith provided several resources.

Councilmember Mesaros referred to Mr. Smith's indication that the projected need in Edmonds is 307 units at 30-50% AMI. He asked how many units in Edmonds qualify under that AMI. Mr. Smith explained 307 is Edmonds' fair share distribution of the total need in Snohomish County. There are five subsidized housing projects in Edmonds, three owned by Housing Authority of Snohomish County (HASCO), one owned by Compass Health and one owned by Senior Housing Assistance Group (SHAG). He recalled there are none in Edmonds at 0-30% AMI, more at 30-50% and the bulk at 51-80%.

Council President Buckshtnis advised the City will be receiving a specific report from AHA soon. She observed the difference between Housing Consortium of Everett & Snohomish County and AHA is the Housing Consortium is an educational source and can assist the City once it receives the statistics from AHA. Mr. Smith explained AHA provides technical assistance regarding housing for the Comprehensive Plan update, the Consortium provides education, advocacy and outreach.

Councilmember Peterson asked whether funds to rehab trailer parks fit into this structure. Mr. Smith answered yes with qualifications. In Lynnwood two trailer parks were purchased a number of years ago by HASCO and became affordable housing for seniors. Trailer parks, now called manufactured home communities, are the largest source of non-subsidized affordable housing in Washington. Councilmember Peterson observed in order to be subsidized, a community would need to be owned by an organization who could obtain the funds. Mr. Smith agreed.

Councilmember Fraley-Monillas thanked Mr. Smith for his efforts to educate everyone, commenting the more this information is presented, the more people understand what elected need to do to help the citizens in their cities.

8. MUNICIPAL COURT JUDGE COMPENSATION DISCUSSION

Carrie Hite explained she has been working with Council President Buckshtnis to develop this information for the Council. Because the 2014 recommendation filed by the Compensation Commission has been deemed null and void, the judge's salary reverts to the Commission's 2012 recommendation. There are two items before the Council for discussion. First, the 2012 Citizens Commission recommended that the judge be compensated according to 95% of the State schedule to remain eligible for court improvement funds reimbursement. The City was notified by the Washington Courts that a 3% will be provided beginning September 1, 2014. Since the Citizen Commission's recommendation impacted the 2013 and 2014 salary, the City Attorney determined this would be become effective September 1, 2014 without Council action. At the end of 2014 the Council will need to decide the judge's salary in the future and whether to continue with the 95% of the Washington courts to remain eligible for court improvement funds. Beginning September 1, 2014, the increase will be \$189/month or \$757 for the remainder of the year. This was not included in the budget but is within the Court's expenditure authority.

The second item for Council consideration is a recommendation from Mayor Earling. She displayed a 2014 salary survey comparing the population, caseload, caseload type, % of FTE, annual hours, hours per case, judge's monthly salary plus benefit and cases based on FTE for greater Puget Sound region cities that operate a municipal court. With regard to caseload type, she explained some cities have red light cameras that contribute a significant number of cases that are very easy to administer. With regard to the % FTE in court, she noted in addition to the judge, some courts have judicial support positions, commissioners that hear cases, and pro-tem judges for overload.

She reviewed the Mayor's recommendation:

	% of FTE	Annual Hours	Hours per Case	Judge's Monthly Salary + Benefits	Cases based on 1 FTE
Current	.55	1,144	0.15	\$7,864	14,198

Proposed	.75	1,560	0.20	\$8,582	10,412
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She reviewed a Compensation/Cases/FTE summary:

Market	Hours per Case	Caseload per FTE	Salary per FTE	Actual Salary
Edmonds/Current .55 FTE	0.15	14,198	11,443	\$6,293.65
Average	0.27	13,804	11,443	
Median	0.22	9,524	11,659	
Edmonds Proposed .75 FTE	0.20	10,412	11,443	\$8,582.25
Proposed with 3% increase per State Salary Commission			11,780	\$8,839.00

Councilmember Fraley-Monillas noted the caseload for all the cities in the comparison include photo enforcement, except Edmonds and Bothell. Ms. Hite explained some cities have many red light cameras, some have only one. The cities with the most are Lynnwood, Kirkland and Lakewood. Councilmember Fraley-Monillas asked why cities in the area without red light cameras were not included in the comparison. Ms. Hite answered these are the cities in the area that operate municipal courts. Councilmember Fraley-Monillas commented by population, caseload and types of cases, the closest comparison without red light cameras is Bothell. Ms. Hite agreed Bothell was the closest comparison using those criteria.

Councilmember Petso asked whether the % of FTE was arbitrary or represented the workload and hours committed by the judge. Ms. Hite answered the % of FTE column is the actual number the city reported they pay their judge. Councilmember Petso asked whether that typically represents the hours actually worked. Ms. Hite did not know, relaying Edmonds' does not. In talking with Judge Fair, his typical hourly workload is a .75.

Council President Buckshnis advised the 3% was already approved by the State Salary Commission. Ms. Hite agreed, advising it will be effective September 1, 2014. Council can discuss it during the 2015 budget process. After the end of 2014, the recommendation the Citizen Commission made in 2012 for 2013 and 2014 concludes. Council President Buckshnis recalled City Attorney Jeff Taraday stating once the salary has been set, it cannot be reduced. City Attorney Sharon Cates relayed once the Commission has mandated the increase, it cannot be taken away for 2014. Council President Buckshnis asked about 2015, recalling Mr. Taraday stated the salary cannot be offered and then lowered. Ms. Hite answered that is for an elected position, if a person is elected at a salary, the salary cannot be reduced. It was her understanding that because Judge Fair will be leaving and Mayor Earling will be appointing a judge, the salary can be restated by the Council in 2015.

Council President Buckshnis asked whether the court improvement funds would be lost if the salary were reduced. Ms. Hite agreed that would occur. Judge Doug Fair explained Bainbridge tried to reduce the salary for an elected judge. A lawsuit was filed and the city lost. Once the salary for an elected position is set, under State law it cannot be reduced during the term of office. That law applies regardless of whether the person is appointed or elected to the elected position.

Council President Buckshnis summarized next week the Council will only discuss Mayor Earling's recommendation to increase the judge's FTE to .75 an impact of \$2,358/month and \$28,296/year.

With regard to the appointment process, Mayor Earling commented it was imperative to make these adjustments so that the judge is compensated on a fair and equal basis; a .75 made sense to him and Judge Fair agreed. The judge position will be advertised for 2-3 weeks in September and it would be helpful to have this decision made by that time. He planned to assemble a panel of judges to assist with interviews including retired Judge Thibodeau and Judge Dwyer, 9th Circuit Court and 2-3 others.

9. DISCUSSION REGARDING CITY COUNCIL MEETING FORMAT

Development Services Director Hope explained at a Council retreat in May there was discussion about ways to make Council meetings more efficient and effective and allowing more dialogue between Councilmembers prior to voting on an item. One idea that was briefly discussed was the possibility of two study sessions per month alternating with two business meetings per month. At business meetings, the Council would take official action. Study sessions would be an opportunity for Councilmembers to have dialogue, ask questions, etc.; votes would not be taken at study sessions. Under the proposal both business meetings and study sessions would be recorded and televised. Typically at a study session the Council would be seated around a table instead of seated at the dais. Many other cities in this area have a similar format; it works well to get things done and provides an opportunity for conversation.

Ms. Hope explained by including all Councilmembers in the conversation, separate community meetings would not be needed as all information can be presented to the Council in a transparent, public process. An exception could be made for the Finance Committee to address routine business as the Council may choose. She summarized alternating study sessions and business meetings would be a more efficient way for the Council to have dialogue. Although the exact details do not have to be included in the code, if the Council chooses this format, some minor amendments to the code will be necessary. If the Council is interested in this format, she suggested providing direction to the City Attorney to craft an ordinance for consideration at a future meeting.

Councilmember Mesaros observed under this proposal, the Finance Committee would meet before one of the study sessions. He felt the committee meetings were quite efficient and typically lasted only an hour. He suggested holding the other two committee meetings at the same time as the Finance Committee meeting. For example, start at the committee meetings at 6:30 p.m. and begin the study session at 7:30 p.m. That would allow the committees to discuss some items that would be scheduled on the consent agenda. Ms. Hope agreed that was an option. One of the rationales behind not having committee meetings was it was difficult to be fully functional for another, longer meeting after a committee meeting. Secondly, committee meetings are often discussion on items that still need to be discussed by the full Council, resulting in repetition.

Councilmember Mesaros commented that was an agenda management issues; items that require discussion by the full Council would not go to committee. The committees could review items that were typically scheduled on the consent agenda. If an item needed to be reviewed by the full Council, it could be discussed at a study session. He acknowledged sometimes the full Council will discuss an item that could have been on the Consent Agenda. Councilmembers can always request an item be moved from the Consent Agenda to the full agenda.

Council President Buckshnis expressed support for the proposed format. She noted there are items that some Councilmembers want discussed by the full Council. To ensure transparency, she preferred to have the Council's discussions televised. A determination can be made by the Council President, Council President Pro Tem and the Mayor regarding items to be placed on the Consent Agenda. She suggested trying this format; if it doesn't work, the format can be changed back. She referred to last week's agenda as an example of how many items ended up on the agenda, several that Councilmembers did not want moved to the Consent Agenda. She summarized eliminating committee meetings will minimize repetition.

Councilmember Fraley-Monillas said she liked this idea because the Council was able to have a full discussion. Sometimes when things are discussed by a committee, by the time it comes to Council, the other Councilmembers may not know the reason the committee supported or did not support an item. Having two study sessions and two work sessions and eliminating two committees will make the

Council's job easier. She did not find the Public Safety & Personnel (PSP) or the Planning & Public Works (PPP) Committees very effective as often staff gives a full report to the committee and then give it again to the full Council. She was uncertain how items would be scheduled on the Consent Agenda as there are different opinions regarding what should be on the Consent Agenda and what should be presented to the full Council. Ms. Hope said the Q&A in the Council packet includes criteria for items that would be on the Consent Agenda although she understood that could differ between Councilmembers.

Councilmember Petso agreed with Councilmember Mesaros, stating she found the committee structure incredibly efficient. If two committee members listen to a presentation such as regarding a lift station and determine it can be on the Consent Agenda, that saves the Council time and does not damage transparency. Councilmembers also have 10-12 days' notice before an item appears on the Consent Agenda and can pull it for further questions if necessary. She was also very concerned with splitting the committees; if the motivation was to include all Councilmember to improve transparency, clearly the one committee that should no longer exist is Finance. It is important Finance Committee items be done in the open and in the public and not by a small group of Councilmembers behind closed doors and placing items on the Consent Agenda. She recalled an example of that in the past with the contingent loan agreement with the Public Facilities District, a \$4 million guarantee by the City, that was placed on the Consent Agenda and did not want to risk that again. If the Finance Committee morphs into a Long Range Financial Task Force she felt that needed to be done in the public. Long Range Financial Task Forces inevitably conclude a levy will be needed in the future and a levy requires the participation and endorsement of all seven Councilmembers. She preferred to retain the current committees or eliminate all of them. Her preference was study sessions and the current committees; the committees could regulate what needs a study session.

Councilmember Johnson was an advocate of this proposal, advising she has seen work effectively in other jurisdictions. One of the big advantages is the format; having the Council seated at the table allows conversation amongst Councilmembers and staff presenting information and it will be easier to see the screen. This is an effective way to do business; change is difficult and there is a tendency to do things the way they have always been done. She supported having study sessions, acknowledging there will be a transition period to sort things out but in the end it was worth trying.

Councilmember Peterson commented one of the most dangerous phrases in the English language is we've always done things that way. He supported the proposal, finding it an excellent idea. The proposed criteria will determine what is scheduled on the Consent Agenda. In his early years on the Council, many items were on the Consent Agenda that had not been reviewed by committee. That changed after some surprise items on the Consent Agenda; the proposal will address that without the unnecessary minutia in committee meetings. The Council can add additional guidelines and Councilmembers have the ability to pull items from the Consent Agenda. The proposed format allows Councilmembers to ask questions of staff, adds transparency and assists staff, the public and councilmembers. It will provide greater opportunity for the public to see more of what is going on and gives Councilmember a better understanding of the details.

Councilmember Bloom said she emailed Councilmembers a proposed hybrid approach but was unable to find it now. She suggested Senior Executive Council Assistant Jana Spellman find the email with her suggested approach. Councilmember Bloom explained she averaged the number of committee items and found an average of 17.2 total items per month. The PSP Committee has a lot fewer agenda items, Finance and PPP Committees have the highest number of agenda items. Her analysis also considered public comments at committee meetings. She found that public comment at committees was more intimate and allowed conversation.

Councilmember Bloom suggested holding committee meetings before meetings and two work sessions to discuss all the items the Council typically considers and are most likely not to be scheduled on Consent Agenda. She also suggested holding committee meetings following one Council meeting per month to discuss items that seem to be Consent Agenda items. This approach would cover all the bases. She was concerned with eliminating the PPP Committee as reviewing the volume of agenda items would be an enormous burden on the full Council. She preferred to have the PPP Committee screen those items.

Councilmember Bloom was also concerned the proposal to continue the Finance Committee, comprised of the Council President and two other Councilmembers, places an additional responsibility on the Council President. An option would be to eliminate the PSP Committee since most of the items are on Consent and those that are not, require discussion by the full Council such as the ethics policy and code of conduct. If the PSP Committee were eliminated, Councilmembers with the exception of the Council President, could be divided among the two remaining committees. She requested the Council consider this hybrid approach and for the information in her email to be provided the next time the Council discusses this topic.

Councilmember Fraley-Monillas did not support having committee meetings following Council meetings. Often the Council meets as early as 6 p.m. for an executive session; having a committee meeting following a Council meeting would be very difficult. She suggested dissolving the PSP and PPP Committees and holding the Finance Committee meeting prior to a Council meeting and filming it.

Councilmember Mesaros clarified his proposal was also a hybrid; the committees would be retained and meet at the same time as the Finance Committee. To avoid repetition, the committees can consider items that will be scheduled on the Consent Agenda, items the full Council should discuss will not be reviewed by a committee.

Councilmember Petso endorsed Councilmember Mesaros' approach which would retain the committees. Another option is to shift park-related items to the PSP Committee to better distribute agenda items, noting Ms. Hite already attends the PSP meetings to present items related to personnel.

Council President Buckshnis assured it was not her intent to have Finance Committee meetings that were secret or behind closed doors. She agreed with Councilmember Fraley-Monillas' suggestion to have Finance Committee meetings filmed. She suggested retaining the Finance Committee because of the four cities listed, three kept their Finance Committee. She felt it was more effective to discuss long range financing, budget forecasting and policy discussions in a smaller group setting and then forward it to the full Council. She included the Council President in the Finance Committee to add a third member. She supported trying the alternating study session with only the Finance Committee and if a Councilmember had an issue with a Consent Agenda item, it could be pulled.

Council President Buckshnis said in Council Presidents, Councilmembers and Mayors in other cities agree this is a more efficient method; it avoids duplication of work and information and allows for better communication between Councilmembers and with the public. If the public is uncomfortable with being filmed during a Council during study sessions, their comments can be audio recorded rather than filmed.

Councilmember Peterson said he was initially undecided about keeping the Finance Committee; it makes sense as it is the basis of a lot of decisions. With only the Finance Committee, it can be televised and additional Councilmembers can attend the Finance Committee meeting if they wish because the meetings are noticed as open public meeting. Televising the Finance Committee meetings also allows the public to see the steps in the process. If all three committees are retained, there is no way to televise all three.

Councilmember Bloom asked how the Finance Committee meeting could be televised. Councilmember Peterson explained their meeting would be held before the work session. If all Councilmembers can attend the Finance Committee meeting and it is televised, Councilmember Bloom pointed out the items could just be discussed at a full Council meeting. She supported having two work sessions per month. However, during the budget process it was her understanding the Council President found it difficult to schedule agenda items and she anticipated it would be even more difficult if action would not be taken at two meetings per month.

Councilmember Petso agreed with Councilmember Bloom’s comment regarding scheduling in the final quarter of year. She experienced that last year and recalled Councilmember Peterson chastising the Council with the phrase, “we’re running out of Tuesdays in this calendar year.” If the Council chooses to change the format, she suggested beginning in January.

Council President Buckshnis recalled last year there was a closed record review that consumed a great deal of the Council’s time. She has worked with Mayor and Directors on the extended agenda and preferred to try the proposed process beginning in October. She reiterated her support for retaining the Finance Committee, pointing out three of four cities have a Finance Committee and it is important to have policy discussion and long term planning in a committee meeting.

Mayor Earling advised the discussion will continue next week. Council President Buckshnis relayed the agenda item next week will include action.

Mayor Earling declared a brief recess.

10. DISCUSSION OF PLANNING BOARD'S RECOMMENDATION FOR PROPOSED ZONING CHANGES RELATED TO WESTGATE

Planning Manager Rob Chave provided background on the Westgate code discussion:

- Public hearing on August 4, 2014
- Staff has reviewed the hearing record and follow-up discussion on the draft code. As part of that review, staff suggested:
 - Make sure that the code is consistent with the expressed intent
 - Remove inconsistencies
- Approximately a dozen issues were combined into seven discussion topics:

1. Commercial requirements

- **Clarifying the various building types to include commercial requirements, especially regarding the commercial mixed use types**

Building Type	Residential Uses	Office Uses	Retail
1. Rowhouse	Any floor	Not allowed	Not allowed
2. Courtyard	Any floor	Ground floor only	Ground floor only
3. Stacked dwellings	Any floor	Ground floor only	Ground floor only
4. Live-work	Not ground floor	Ground floor only	Ground floor only
5. Loft mixed use	Not ground floor	Any floor	Any floor
6. Side Court Mixed use	Not ground floor	Any floor	Ground floor only
7. Commercial Mixed use	Not ground floor	Not ground floor	Any floor

8. Assuring commercial space

- Adjusted the building type location diagram (page 8) to be more consistent with the overall intended commercial mixed use chapter of Westgate. (The old diagram is included on page 9 for reference, but will be deleted if the new diagram on page 8 is preferable.

- “Commercial mixed use” is not described as a “commercial block”

He displayed diagrams illustrating where different building types are allowed under the current code and under the revised code. The biggest change is the two residential types. The original UW diagrams showed residential along SR-104, basically where McDonald’s is. Residential building types generally are now focused along 100th at the north and south extremes of Westgate and an opportunity for residential along the slope. He displayed drawings illustrating:

- Adjustments to two residential building types to limit them to secondary commercial locations (removed option for residential only from QFC owned property)
- Adjustment to the commercial mixed use building type (the principal commercial type) to allow it throughout the Westgate zone district

9. Amenity vs. open space

- Clarified the intent to provide both amenity and open space within the area with 15% independent requirement for each
- Amenity space must be public, while open space can be public or private. In either case, each has its own requirements. Preserving slopes can count as open space but is not amenity space.
- Note: no other zone in the city has anything like these requirements

He explained the difference between amenity space, open space and setbacks. Setbacks provide locations for buildings; it does not describe what happens within the setback. Typically in large setback in commercial zones in the City there is a landscape strip along the street, then a parking area, not open space or amenity space.

10. Parking standards

- Remember these are minimums
- Added an increased parking standard (1.75 spaces per unit) for residential units that exceed 900 square feet. This will achieve two goals:
 - More residential parking for larger units (that may accommodate more residents per unit)
 - Provide an added incentive for smaller dwelling units
- Note: 900 square foot units are encouraged for affordability purposes (UW recommended)
- Proposed overall blended parking rate for commercial space is 1/500 square feet
- Existing groceries have 1 space per 350 square feet. Peak use is PM peak hour, much less during other parts of day.
- Commercial uses within an area may have different peak use periods
- Current usage assumes a shared parking area
- Comparisons with other cities show blended parking rates vary widely; many at 1/500 (Mountlake Terrace, Bothell, Issaquah, Redmond, Kent), others at 1/400 (Bothell, Kent) or more. Some have no commercial requirement (Everett, Renton). Rates also vary by location within jurisdiction.
- Residential parking generally varies from 0.75 or 1.0 per unit to sometimes more for larger units.

11. Large-format retail

- Incentives have been added for large-format retail uses (e.g. groceries, drug stores):
 1. Added bonus points for large-format retail in the height bonus table (page 37)

2. A potential for 5 more feet of building height to accommodate the need for higher ceiling space in large-format retailers (the extra 5 feet is only available when a large format retail space is provided in the building (page 6/7). If the bonus is obtained for large format retail space, the space cannot be subdivided into small retail in the future.
3. Intent is for existing large format retail to be retained; note existing leases/ownerships and Bartell's interest in expanding their investment.

Mr. Chave displayed and reviewed a Height Bonus Score Sheet that identified amenities already required and items that qualify for height bonus.

12. Building Design

- A series of design standards have been added, addressing such things as massing and articulation, orientation to the street, ground level details, pedestrian facades, and blank walls. This includes a 12-foot minimum ceiling height for the first floor commercial space in the commercial building types
- One further change is needed – acknowledge outdoor uses such as outdoor dining spaces

Mr. Chave displayed diagrams in the code for the BD zones downtown.

13. Traffic and setbacks

- While traffic study shows no overall impact on levels of service, any further development will be analyzed for detailed traffic impacts (e.g. turning movements, access points)
- 12-foot setback preserves options; SR-140 study will provide additional recommendations for right-of-way improvements. Improvements for connecting the Westgate quadrants will be part of future plans.

Councilmember Bloom asked what the 12-foot setback is from. Mr. Chave answered from the right-of-way. The pavement is within right-of-way as well as some of sidewalk area, basically the property line adjoining the right-of-way. Councilmember Bloom referred to the area of SR-104 west of PCC where there is a 12-foot setback from SR-104. Mr. Chave clarified the 12-foot setback is from the right-of-way; generally the sidewalk is within the right-of-way. In most instances, the 12-foot setback would start at the back of the sidewalk. Councilmember Bloom asked the width of the sidewalk in that area. Mr. Chave answered it varies between 5 and 8 feet; most of it is within the right-of-way. He summarized the 12-foot sidewalk is not from the paved edge, it is typically from the sidewalk edge.

Councilmember Bloom explained she walked on the sidewalk along SR-104 in that area of Westgate with a friend a few weeks ago and found it scary and uncomfortable because the sidewalk is so narrow. She observed a 12-foot setback from that would not be not very far. For comparison, she walked the Lynnwood Crossroads development at 196th and Hwy 99. The sidewalks area 12 feet wide, the corner store is setback approximately 30 feet and another store to the west is setback 30 feet from the sidewalk with a drive-through. Although Hwy 99 is a busy road, walking there was not nearly as uncomfortable due to the 12-foot sidewalk and the 30-foot setback. She summarized a 12-foot setback from SR-104 with 5-6 foot sidewalks is completely inadequate. She encouraged Councilmembers to walk in that area. Mr. Chave commented the lower multi-family building near Compass has a typically arrangement for walking, a planted area between the roadway and the sidewalk with trees. He commented the location of buildings is much less important than the interface between the walkway and the travel way.

Councilmember Bloom said she was unable to walk as far east as Compass because of her discomfort with the proximity to the traffic. Mr. Chave agreed a narrow sidewalk adjoining the travel way is not desirable. Councilmember Bloom calculated if there is a 12-foot setback and 6 feet is used for a sidewalk,

the building will be 6 feet from the sidewalk. Mr. Chave explained there is typically 6-8 feet between travel way and the edge of the right-of-way; frequently that is where the sidewalk is located. Under this proposal there would be an additional 12 feet, providing 18-20 feet from the travel way. Councilmember Bloom observed if the sidewalk is widened to 12 feet, 6 feet of the 12 foot setback would be consumed. Mr. Chave explained the intent is provide enough setback to allow separation from the walking area and the travel way. As redevelopment occurs, there would be a green planting area/buffer between the travel way and the sidewalk.

Councilmember Johnson inquired about the current setback. Mr. Chave advised it is 20 feet.

Councilmember Mesaros observed the proposed parking is 1/500 square feet. He asked about the current parking ratio at QFC. Mr. Chave answered it is approximately 1/350 square feet. The parking ratio on QFC's property is lower than 1/350 square feet, more like 1/370 square feet. The 1/350 square feet was calculated by counting the parking that is typically used by QFC.

Councilmember Petso thanked Mr. Chave and staff for working on these changes, advising several of her questions have been addressed by the changes. As she still has a large number of issues, she will schedule a meeting with staff. She asked for a copy of tonight's presentation. She referred to the building type diagram and expressed concern that the commercial mixed use (formerly commercial block) was the only type of building allowed on several parcels such as Taco Bell, PCC, QFC, Key Bank, Starbucks, FedEx, Ivars and Goodwill. She noted some other Bartell Drugs are doing lot line to lot line mixed use with the Bartells on the bottom. She expressed concern with requiring so many properties to build the commercial block building. Mr. Chave answered it is not required, it is an option.

Councilmember Petso referred to the Goodwill parcel, pointing out no other type of building was allowed. Mr. Chave agreed that may be true for Goodwill. Councilmember Petso reiterated that was true for Taco Bell, PCC, QFC, Key Bank, Starbucks, FedEx, Ivars and Goodwill. She offered to meet with staff to discuss an alternative. There are many services provided at Westgate that that building type does not provide, for instance a gas station. Mr. Chave advised the gas station is further east. She inquired about a drive-through in a lot line to lot line building. Mr. Chave explained in this proposal a commercial mixed use building is not lot line to lot line due to the 15% amenity and 15% open space requirement

Councilmember Petso commented for Type 7 buildings, decks count as open space; however, the definition of open space in the code is unobstructed from the ground up. Mr. Chave explained the 15% amenity space is required; if a developer goes above 15% they may be able to use some of it as open space. Councilmember Petso assumed lot line to lot line would be a possibility with the exception of the setback.

Councilmember Petso observed the rationale for a different parking standard was to encourage more units because that would be more affordable. She recalled Mr. Smith stating that smaller units are not necessarily affordable housing. Mr. Chave explained there are direct and indirect methods of housing affordability. Most of what Edmonds does is indirect because the City does not have a formal affordable housing mechanism. The direct methods used in the past include supporting the Housing Authority when they purchased buildings, Section 8 housing. Indirect methods are reducing costs such as reducing parking or smaller units. He agreed indirect methods do not directly result in affordable housing but the goal was to reduce the overall cost factor for housing. As Mr. Smith mentioned, by partnering with the AHA, they may be able to provide some of the necessary support to pursue affordable housing. A key element is tracking, monitoring and enforcing affordable units/rents.

Councilmember Petso expressed concern with simply providing smaller units. Mr. Chave commented another reason for smaller units is demographic changes such as aging households and younger people

looking for a different type of housing. That is one of the reasons reduced parking for smaller units potentially makes sense.

Councilmember Petso expressed support for the 12-foot minimum ceiling height and asked if the minimum ceiling height downtown was 15 feet. Mr. Chave answered only in the retail core. Councilmember Petso observed additional building height would be allowed for greater than a 12-foot ceiling height. Mr. Chave answered the extra height is only allowed if building includes a large format retail, a minimum of 15,000 square feet.

If she accepts that the height limit was calculated to be appropriate for the surrounding residences Councilmember Petso asked whether it would be inappropriate if additional height were allowed. Mr. Chave answered the building heights were substantially the surrounding heights except in the southeast quadrant. If the Council was willing to allow the additional height in other locations, the southeast quadrant could be excluded. The size of the properties in that area makes it questionable that a large format retail could be built in that location. In the other locations the building heights are nowhere near the surrounding slopes. Councilmember Petso recalled a development agreement does not provide a way to restrict the future use of a building. Mr. Chave answered the code can specify once the bonus has been accepted and the minimum 15,000 square foot space provided that subdividing is prohibited.

Council President Buckshnis pointed out the Compass apartments are not point based incentive zoning; it was a contract rezone. The Westgate Plan is predetermined point based incentive zoning for bonuses which Edmonds has never utilized before. Mr. Chave said Compass was not a contract rezone; the zoning was proposed by a developer and certain things were required to achieve an additional 5 feet in height. Council President Buckshnis pointed out that development was not form-based code that addresses streetscape, landscaping, etc. Mr. Chave recalled the setbacks for the Compass development were substantially smaller such as 4 feet.

In response to Councilmember Petso's concern, Council President Buckshnis pointed out live-work, stacked and courtyards are allowed on the corner of the Goodwill property. She assured this will not result in a Compass type development because the City has never before utilizing point driven incentives. Mr. Chave pointed out the setbacks are larger than Compass and Compass did not have any requirement for open space or amenity space. Council President Buckshnis agreed with Councilmember Bloom that a 12-foot setback is not sufficient and she preferred to retain the 20 foot setback. Mr. Chave explained an option would be to retain the 20-foot setback until the SR-104 study was completed.

Councilmember Fraley-Monillas agreed with Councilmember Bloom that it is an uncomfortable area to walk. For next weeks' discussion, she asked for a drawing of where things would be in the right-of-way. Mr. Chave offered to provide cross sections.

Councilmember Peterson asked how much space is needed in the setback for a travel lane or parking. He was concerned if the setback was too large, there would be a sidewalk between the highway and a drive-through. Mr. Chave recalled language in the proposed code that does not allow drive-through between building and street. Councilmember Peterson asked whether the setback would be green space. Mr. Chave explained recent development on SR-104 in Westgate was with a 20-foot setback. Developers typically do not build a building with a 20-foot setback; buildings are typically built further onto the property with a parking lot between the building and the sidewalk and travel way because the 20-foot setback pushes them there. The only requirement the City has is a 5-foot planting strip. Retaining the 20-foot setback in the interim would allow the 15% amenity space and 15% open space to be accomplished in that space. Councilmember Peterson asked whether open space can be in the setback. Mr. Chave answered it can.

Councilmember Mesaros referred to Councilmembers Fraley-Monillas' and Bloom's comments about walking on SR-104. He often walks from his home at Pt. Edwards to Esperance at 238th & 84th approximately 3 miles. He agreed it was much safer at the Compass development. The proposal will improve the existing situation in the Westgate area. He noted it was particularly bad west of the commercial area on SR-104 along the Woodway border.

Councilmember Bloom referred to Nick Echelbarger's presentation to the Economic Development Commission about Salish Crossing. One Commissioner expressed concern about spillover parking; Mr. Echelbarger said Salish Crossing has 4.66 spaces/1,000 square feet. Mr. Chave agreed, noting it was a huge parking area. Councilmember Bloom relayed Mr. Echelbarger's comment that Lynnwood Crossroads had 3.9 spaces/1000 square feet. She expressed concern that the parking would not be sufficient if residential was added to the existing 1/350 square feet. Mr. Chave advised the residential parking standards would be in addition to the commercial parking standards. Councilmember Bloom was also concerned with traffic egress and ingress, anticipating it would be worse with buildings closer to the street.

Councilmember Bloom reported she visited the Compass development today to inquire why their commercial space is not completely full; one space is occupied and two are empty. She learned the three spaces were built to be live-work spaces but the City does not allow it to be used as live-work space. The tenant, Farmers, had to do a great deal of tenant improvements to create office space. The broker raised many issues associated with residential/retail close to SR-104 including traffic speeds, difficulty getting in and out, signage not visible from the street and venting is an issue for a bakery or restaurant. Mr. Chave agreed office space is difficult to convert to commercial space. Councilmember Bloom relayed the broker's indication that even if the space could be vented properly, smells would cause problems for residents.

Councilmember Bloom clarified she was not opposed to residential at Westgate but she has not seen combined residential and commercial work well in Edmonds due to contradiction between residential and commercial spaces. Residential requires privacy; there are no setbacks proposed for privacy. She believes the concept of residential sharing parking with retail is a fantasy that will not work. It appears the entire space could potentially become commercial mixed use. She anticipated developers will do whatever maximizes their profit. Her office is located in a building with below ground retail; the landlord said he made enough money on the condos that he did not need to fill the office spaces. She was concerned with filling the entire area with mixed use and considering it a destination when the destination is the waterfront and downtown. The comments Councilmember Petso provided today excerpted from approximately 20 emails from citizens reflect those same concerns. She recommended the Council discuss the reality of how this will work and suggested locating residential in a more private, specific area rather than giving a developer free rein to place commercial and residential in the same place.

Councilmember Petso recalled amenity spaces must be public; she asked whether the amenity space could be elevated such as on the roof of a parking garage. Mr. Chave answered he did not believe so but would need to check. It is not allowed to be on the rooftop such as a roof garden. Councilmember Petso said a courtyard in front of a building such as the Hazel Miller Plaza is a more valuable amenity. Mr. Chave advised it could be on top of a submerged parking garage. A garage deck is when the top of the garage is at ground level or below.

Councilmember Petso inquired about the ability to construct a building lot line to lot line. She observed there is a 12-foot setback from the two major streets and other than that it is the fire code setback unless the property abuts a residential area. Mr. Chave answered amenity space and open space must be provided. Councilmember Petso observed decks count as open space and amenity space can be on top of a parking garage. Councilmember Peterson pointed out Mr. Chave already said amenity space could not be

on top of a parking garage. Councilmember Petso pointed out amenity space could be a deck on a subterranean parking garage. Mr. Chave clarified that would be ground level amenity space. Councilmember Petso asked whether private balconies could provide open space. Mr. Chave answered he did not think so but he would verify that.

Councilmember Fraley-Monillas asked whether the 15% amenity space was public space. Mr. Chave answered amenity space is defined as publicly accessible and usable by the public, it is not necessarily publicly owned. An example is the seating area outside Starbucks.

Mayor Earling relayed Agenda Items 12 and 13 are being deleted.

11. PRESENTATION ON DEVELOPMENT CODE UPDATE AFFECTING THE CG ZONES IN THE HIGHWAY 99 AREA

Planning Manager Rob Chave explained the Planning Board recommendations focused on two issues:

1. 2-floor commercial requirement before residential units can be added
2. Parking standards

He reviewed goals for the update:

- Remove obstacles to redevelopment
- Encourage retention of commercial uses while encouraging more residential uses along Hwy 99 – develop a “community”
- Take advantage of transit and other development scenarios developing along the corridor in other jurisdictions (Lynnwood, Shoreline, Everett)

With regard to the commercial requirement, he explained:

- Planning Board looked at two options with the focus on removing the requirement for two floors of commercial space:
 - No commercial requirement
 - Minimum requirement (e.g. equivalent of 1 floor of commercial across the site)
- Planning Board recommended no requirement with a review after one year of experience

With regard to parking standards, he explained:

- Planning Board looked at two options:
 - Single blended rate of two-tiered parking requirement based on access to Hwy 99 (1/400 square feet or 1/600 square feet)
 - A parking study option was also considered, where a project-specific study could be approved in lieu of the specified standards
- The Planning Board recommended the two-tiered parking system and the study option

He advised the Council will have a public hearing on the proposed revision to the development code.

COUNCILMEMBER FRALEY-MONILLAS MOVED, SECONDED BY COUNCILMEMBER MESAROS, TO EXTEND THE MEETING FOR 10 MINTUES. MOTION CARRIED UNANIMOUSLY.

Councilmember Fraley-Monillas inquired about Shoreline and Lynnwood’s parking requirements. Mr. Chave answered Lynnwood required 1 parking space per unit for residential in their Hwy 99 Mixed Use nodes and 3/1,000 square feet for commercial. He was uncertain whether Shoreline had any parking requirements unique to Hwy 99. Councilmember Fraley-Monillas remarked there is already overflow into the neighborhoods from businesses on Hwy 99.

Mr. Chave relayed this is the Planning Board's recommendation; for the public hearing the Council could advertise the other options the Planning Board considered. Councilmember Fraley-Monillas expressed support for flexibility in developing standards on Hwy 99 to encourage development.

Councilmember Johnson commented she is familiar with the ITE parking generation report. She recalled the intent was to avoid recalculating parking requirements when a business leaves and was replaced by another business. She felt the best information was local information such as determining the amount of parking provided at Safeway, Ranch 99 and Top Foods based on square footage. Mr. Chave advised Top Foods provided far more parking than was required. Top Foods found the huge expanse of unused parking was not producing revenue and began to redevelop within their property. He urged caution when looking at existing parking provided for a specific use by a specific developer at a point in time; it does not necessarily reflect what the standards are or should be. In addition parking needs vary based on use and even the specific company.

Councilmember Petso asked staff to provide standards applicable to a rezone. Mr. Chave advised this is text amendment to the Zoning Code not a rezone. Councilmember Petso commented one of her concerns is the elimination of the commercial requirement is not consistent with CG Zone or the Comprehensive Plan; both call for Hwy 99 to be a commercial area. She requested the City Attorney consider that. She asked whether the changes to the CG Zones would apply to the Port property or any other CG-zoned property in the City. She recalled reference to a Hwy 99 Task Force and Planning Board joint discussion in February which was not publicly noticed and no minutes were taken. Recently Mr. Taraday informed the Council a recommendation was null and void for failure to comply with the Open Public Meetings Act and she requested the City Attorney research whether that meeting somehow tainted the process.

Councilmember Bloom asked whether the CG Zone text amendment applied to all CG and CG2 Zones in the City. Mr. Chave answered the only one he could recall outside the Hwy 99 is Harbor Square. Harbor Square was a contract rezone with very specific standards. The amendment could be limited to Hwy 99 if the Council chose. He will research whether there are any other CG or CG2 zones.

12. REPORT ON CITY COUNCIL COMMITTEE MEETINGS OF AUGUST 12, 2014

This item was deleted from the agenda.

13. REPORT ON OUTSIDE BOARD AND COMMITTEE MEETINGS

This item was deleted from the agenda.

14. MAYOR'S COMMENTS

Mayor Earling reported he and staff are working on the budget. The decision packages have been submitted and he will be reviewing them next week. The budget will be presented to the Council on October 7.

Mayor Earling reported the Pacific Little League did very well in the Little League World Series; the first time a Little League team from Snohomish County has been involved at this level. A Welcome Home Celebration will be held tomorrow at 6 p.m. at Lynndale Park in Lynnwood. Councilmembers are invited. He and Lynnwood Mayor Nicola Smith will be there.

Mayor Earling reported on meetings with Fire District 1 FD1. They have settled their union contract and there will be substantial increases in the contract amount in 2015. He will provide further information when it becomes available.

15. **COUNCIL COMMENTS**

Council President Buckschnis advised she is in the process of developing the extended agenda which includes budget discussions. She invited Councilmembers to inform her of other items they would like added to extended agenda. She commented on the Pacific Little League's Welcome Home Celebration tomorrow evening.

Councilmember Mesaros thanked Councilmember Johnson for organizing Sunday's volunteer picnic.

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

This item was not needed.

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

This item was not needed.

18. **ADJOURN**

With no further business, the Council meeting was adjourned at 10:09 p.m.