

# **EDMONDS CITY COUNCIL RETREAT APPROVED MINUTES March 4 - 5, 2016**

The Edmonds City Council retreat was called to order at 8:30 a.m. on Friday, March 13, 2015 by Council President Johnson in the Library Plaza Room, 650 Main Street, Edmonds, Washington.

## **ELECTED OFFICIALS PRESENT**

Friday, March 4

Dave Earling, Mayor  
Kristiana Johnson, Council President  
Michael Nelson, Councilmember  
Adrienne Fraley-Monillas, Councilmember (arrived at 11:10 a.m.)  
Diane Buckshnis, Councilmember  
Dave Teitzel, Councilmember  
Thomas Mesaros, Councilmember  
Neil Tibbott, Councilmember

## **PUBLIC PRESENT**

Friday, March 4

Bruce Witenberg  
Alex Witenberg  
Darrol Haug  
Al Rutledge

## **CONTINENTAL BREAKFAST**

## **FLAG SALUTE**

Council President Johnson led the flag salute.

## **APPROVE AGENDA**

**COUNCILMEMBER BUCKSHNIS MOVED, SECONDED BY COUNCILMEMBER TEITZEL, TO APPROVE THE AGENDA. MOTION CARRIED UNANIMOUSLY.**

## **QUESTIONS TO CONSIDER DURING THE DAY**

1. Should we continue to take notes in executive session?
2. Should we continue to have land use appeals at the City Council?
3. What is the appropriate level of detail for City Council minutes?

## **ICE BREAKER**

Attendees broke into groups of three and identified seven things they have in common. Each group read the things have in common.

## **PRESENTATION BY ANN BENNETT, WCIA EXECUTIVE DIRECTOR: COUNCIL DOS AND DON'TS**

**Ann Bennett, Executive Director, WCIA**, described her background and WCIA:

- Pool of municipalities that self-insures against risk
- 162 member cities
- Self-insure first \$4 million and have coverage up to \$20 million
- Help municipalities reduce risk overall
- Common exposures include land use, personnel, defamation, negligent misrepresentation

Councilmembers have absolute immunity when acting in a legislative role. She described common Council liability exposures and aspects of each:

- Land use
  - Quasi-judicial, acting as judge, need be fair and impartial
  - Appearance of Fairness Doctrine, appear to be fair to a reasonable person
  - Majority of WCIA membership have quasi-judicial hearings go to Hearing Examiner.
  - Be careful about inserting self into land use
- Personnel
  - Councilmembers must stay within legislative role (set policy and budget), everything else related to personnel is purview of Mayor.
  - Council held to City's harassment and discrimination policies
- Negligent misrepresentation
  - Refer specific questions to staff
- Defamation
  - Do not discuss individuals during open session
  - Any untruth gives rise to liability
  - Discuss concerns with Mayor
- Public Works
  - Do not "politically engineer"
  - Avoid promises, assurances and inflammatory statements
- Executive Session
  - Do not leak executive session information
  - An individual does not have right to waive attorney-client privilege
- Email and social media
  - Always use City email
  - Email cannot be permanently deleted
  - Use of personal computer opens it to examination
  - Public records laws always changing
  - Reaching consensus via email is OPMA violation
  - Blogs are slippery slope, keep factual

During her presentation Ms. Bennett provided numerous examples. She responded to Council questions regarding extensive public records request and notes of executive session.

Council President Johnson declared a brief recess.

Council President Johnson requested staff and Councilmembers respond to the questions listed on the agenda by the end of the day. As Council responses are a public record and secret balloting is not allowed under the OPMA, City Attorney Jeff Taraday requested Councilmembers put their names on the sheet. Mayor Earling advised staff was not required to put their names on the sheet.

**JEFF TARADAY, CITY ATTORNEY: ROLES AND RESPONSIBILITIES OF COUNCIL, MAYOR AND STAFF**

Mr. Taraday explained his remarks were intended as food for thought in the small group discussion that will follow. He explained during the past several years there have been occasions when the Council has been concerned the Mayor is getting involved in Council businesses and vice versa:

- When does one overstep into another’s role?
  - Legally: Where are the Mayor – Council boundaries set according to Washington law (RCW 35A)
  - Best practice: where should the boundaries be set to best serve the interest of the City (regardless of what the law says) – for further discussion in small groups
  - State law does not limit the City Council to 30,000 foot level policy decisions. State legislature intended City Councils to be more hands on than a corporate board that meets quarterly

He cited duties according to RCW, asking whether those in attendance believed it was the City Council or the Mayor’s responsibility. He also identified the following responsibilities according to RCW 35A:

<b>City Council</b>	<b>Mayor</b>
Define the functions, power and duties of its officers and employees	Power of appointment and removal of all appointive officers and employees (subject to confirmation if required)
Contract and be contracted with	Shall see that all contracts...are faithfully kept and performed
May adopt and enforce ordinances of all kinds related to and regulating its local or municipal affairs	Shall have the power to veto ordinances passed
	Shall see that all ordinances are faithfully enforced

Mr. Taraday suggested the Council consider:

- Whether to include the Mayor in discussion
  - Can tweak Council’s adoption of Robert’s Rules so that Council meetings are an exchange of ideas, deliberation of policy, and teamwork and not just the Mayor calling on Councilmembers
- Whether the Council wants to be involved in contracts, quasi-judicial land use decision-making, etc.
  - Could reduce the Council’s involvement in contracts by increasing the contract amount delegated to the Mayor
  - Cannot do all things state law gives power to do effectively; if City Council did everything the RCW gives a role to the City Council, Council would be extremely busy.
  - Given limited resources (time and staff), consider where get most bang for buck for Council time.
  - State law gives the City Council great responsibility. So perhaps the question should not be whose responsibility is this but who should be tasked with this responsibility to yield the best results for the City?
- Critical Areas Ordinance
  - State law allows Mayor to recommend legislation
  - No ordinance adopted unless City Council comfortable with it.
  - Council does not have to accept staff’s recommendations but should involve staff in drafting process due to their expertise.

In response to a question from Council President Johnson regarding the Council’s decision to be the reviewing authority in quasi-judicial land use decisions instead of superior court, Mr. Taraday referred to Ms. Bennett’s comments regarding risk in quasi-judicial decision-making. He explained in quasi-judicial decision-making:

- If Council makes the final decision, Council is required to be fair and impartial decision maker
  - Difficult when have constituents at City Council meetings particularly if all are on one side of the issue.
  - Cannot always do what those people want, must make decision according to laws.
  - If Council yields to public pressure in violation of law, creates potential liability for City

- From risk management standpoint, greater risk when legislators act as judges.
- Council cannot be involved in land use issues because unknown whether they will come to City Council on appeal
- If Hearing Examiner makes final decision on issues, takes City Council out of quasi-judicial decision-making process
  - Less risk to City
  - Allows freedom to have contact with proponents and opponents of projects
  - If feel Hearing Examiner made a mistake, can direct City Attorney to appeal decision under LUPA
  - Staff can create a process whereby City Council provided notice of upcoming hearings at Hearing Examiner
  - Council may have more job satisfaction and less frustration if act as legislator and not judge
  - Council has greater discretion when acting legislatively than when acting quasi-judicially
  - If Council does not like Hearing Examiner's decisions and code needs to be changed, can direct staff to draft change.

#### Setting Expectations Exercise:

The Council and Administration broke into two groups and identified a list of things they would like the other group to do:

#### Admin

- Use staff as resource
- Make good use of meeting time
- Don't micromanage
- Focus on legislative issues
- Delegate job description below director level to Mayor
- Authorization to go to bid (allow go to bid or have Council approve go to bid and if within amount, proceed), streamline project delivery process
- Authorize Mayor to approve low/no cost changes
- Let majority decisions stand, don't undermine decision
- Let admin know early on if research is needed on topic
- Respect and trust staff's information/contributions
- Trust staff versus hiring consultant
- Be careful of special interests and biases
- Articulate clear vision for Edmonds
- Be willing to talk to staff outside of open session
- Don't put staff on spot at podium
- Work with staff as a team

#### City Council

- Make recommendations regarding policies and legislation
- Provide notice of required updates
- No surprises – keep Council in loop
- Faithfully and accurately enforce ordinances
- Incorporate Council recommendations into ordinances
- Connect the dots on very large project
- Available and responsive
- More than one opinion on policy when appropriate (A, B, C)
- Packet complete and consistent
- PowerPoint at least one day beforehand
- Hold in confidence

- Not so many ad hoc meetings

(Councilmember Fraley-Monillas arrived at 11:11 p.m. during the above exercise.)

Council President Johnson advised the Council Executive Assistant will compile and distribute the above lists.

The meeting was recessed for lunch at Anthony's Beach Café. Following lunch, while still at Anthony's Beach Café, Councilmembers and staff discussed the following:

### **BRAINSTORM HOT TOPICS: HOMELESSNESS AND PEDESTRIAN SAFETY**

**Group:** Patrick Doherty, Dave Teitzel, Scott James, Jim Lawless, Kristiana Johnson, Phil Williams, Carolyn LaFave (*note taker*)

#### **Homelessness**

Problem:

1. Not all convinced the average person in the community knows there is an issue.
2. Do believe there is an issue but that it is not as prevalent or out in the open in Edmonds.
3. For PD the biggest issues are encampments on private property.
4. Possibly more people in Edmonds on the edge/verge of homelessness rather than actually homeless.
5. Expensive housing.
6. PD's experience is that some homelessness is by choice.
7. Homelessness most usually a product of mental health, drug addiction.
8. Living in vehicles... is that considered homeless? People doing this believe their vehicles are their homes.
9. It was stated that 50% of Scriber Lake HS students are homeless or are couch surfing – these students are not counted in censuses.
10. If we talk about it, it may create a bigger problem; i.e., by starting to provide services, etc. will the homeless be drawn here?

Solutions:

1. Young underage mentally ill or drug addicted people need services.
2. Intervene at right point so they don't become homeless.
3. A breakdown in other services contributes to homelessness.
4. What's the impact to the City? Homeless finding shelter in Seattle and spreading to Edmonds, South Snohomish County.
5. Hard for people to break the cycle once they have legal problems.
6. Underfunding for mental health and drug addiction – to combat we need to get the State to fund... this is in the Counties Legislative Agenda (WAC).
7. Provide an avenue for homeless to help themselves, i.e., art program (create art and sell).
8. Need to use a combination of tools – provide services (push for better funding of already existing services), establish limits (don't allow camping in parks, etc.), educate ourselves on services that are available and get this information out possibly through PW employees who are our eyes on the streets.

#### **Pedestrian Safety**

Problem:

1. Lack of awareness of drivers and pedestrians.
2. Some issues are due to engineering.
3. Bicycle safety also part of the problem.
4. Hard to see people at night especially when wearing dark clothing.
5. Need to educate drivers, bicyclists and pedestrians.

## 6. Jaywalking

### Solutions:

1. Free reflectors campaign – similar to water saver program/light bulb program – provide reflectors to wear when walking or biking.
2. Education program – old “STOP, LOOK, & LISTEN” campaign. Should target motorists, pedestrians, and bicyclists. Could be in the schools, videos online.
3. Focus on enforcement – stop jaywalkers and warn or ticket – this creates word of mouth.
4. Create well-crafted message and repeat.
5. Better or new signage, i.e., in Australia “LOOK RIGHT” is painted on the street next to curb so if you are looking at the ground it reminds you to look right for traffic.
6. Possibly use 1% for the Arts or matching grants to fund programs.

**Group:** Al Compaan, Rob English, Bertrand Hauss, Neil Tibbott, Tom Mesaros, Jeannie Dines (*note taker*)

## Homelessness

### Problem:

1. Freelance campers.
2. Squatters in vacant houses.
3. Motor homes in areas where there is no parking for that purpose.
4. Edmonds approach is to keep the homeless on the move.
5. When interested in services, give directions to the homeless.
6. Transients frequenting coffee shops (business owners do not like this, nor do the regular customers).
7. Have seen homeless sleeping in parks in the early morning.
8. 76<sup>th</sup> and 212<sup>th</sup> NW corner – there are bushes at the corner where transients have been seen.
9. Panhandling at SR 104 / 205.
10. Encampment behind Burlington Coat Factory.

### Solutions:

1. Direct the homeless individuals to resources.
2. Affordable housing needed along Hwy 99 – more affordable and more resources. (What is Affordable Housing Alliance doing?)
3. Jail and hospital are not the best place for the homeless.
4. Work with Pastors interested in addressing this issue.
5. Need coordinated effort between cities, churches and other organizations so homeless individuals do not bounce around.
6. “Move them along” strategy not working if all cities are doing this.
7. Need regional coordination.
8. Chronic versus emergency temporary homelessness; transitional homeless need temporary housing.

## Pedestrian Safety

### Problem:

1. Visibility is an issue at night / street lighting.
2. Narrow sidewalks / shrubbery encroaching.
3. Speeding particularly on Olympic View Drive between Talbot and 196<sup>th</sup>.
4. Sidewalks next to fast traffic on SR 104 are a concern.
5. Ferry unloading at waterfront – a lot of pedestrian activity.
6. Not enough ADA curb ramps.
7. Two fatalities last two years.
8. Opportunity for enhancement.
9. Public education needed.

10. Driver and pedestrian inattention.

Solutions:

1. Public education for seniors.
2. Public education for organizations in the city.
3. Sell reflective wrist bands at Saturday Market.
4. Get donation of reflective items from Community Transit.
5. Identify high pedestrian corridors and install street lights.
6. Education at elementary schools; partner with PTA with parents assisting with crossing areas near schools.
7. Grants for bicycle safety education at schools; bike helmets.
8. Recreation zones for high intensity bike/pedestrian/vehicle traffic areas.
9. Recreation corridor/loop around city with reflective material on street so everyone is aware they are entering a zone. (Suggested Olympic View Drive, 88<sup>th</sup>, 92<sup>nd</sup> between Main / Sherwood Elementary.)
10. Signage and rumble strips before crosswalks.

Group: Dave Earling, Diane Buckshnis, Adrienne Fraley-Monillas, Mike Nelson, Carrie Hite, Shane Hope, Sandy Chase (*note taker*)

**Homelessness**

Problem:

1. Homelessness exists in the community.
2. Some people prefer to be homeless; it is the right of the individual; look at alternatives.
3. Homelessness exists because of what has occurred in a person's life. We as a city have to figure out a way to get homeless individuals off the streets. It affects our neighborhoods.
4. Gentleman who comes into the Anderson Center regularly; uses shower and stays for hours; fee for showering has been waived.
5. Homelessness is not likely seen in Edmonds as it may be hidden.
6. Youth homelessness is hidden.
7. Mental illness is a factor.
8. Drugs and alcohol are factors.
9. Homelessness is focused along Hwy 99 in Edmonds.
10. Encampments generally along Hwy 99; transients from different cities.
11. Panhandling on SR 104.

Solutions:

1. Mayor's committee (including Councilmembers) is engaging this issue. A meeting has been held with local pastors/churches to discuss this issue and use community resources.
2. Senior Center offers a cold weather shelter.
3. Need to address youth, mentally ill and chronically alcoholic.
4. Find place to park a vehicle in the evenings for folks living out of their cars.
5. Cold weather shelters.
6. Community solutions such as churches; then regionalize the issue by entering into a coalition with neighboring cities.
7. Police give out cards that provide information for services.
8. Police deliver folks to a shelter.
9. Look at what other cities have done.
10. Pull our resources together on a regional level.
11. Substance abuse help.
12. Multiple aspects to address; not just homelessness but drug/alcohol/mental illness.
13. Get away from the idea that we can cure homelessness in totality, but make progress.

## **Pedestrian Safety**

### Problem:

1. Pedestrians are not paying attention (on phones, texting, distracted).
2. Speed.
3. Lack of visible police presence.
4. Visibility related to stepping into the street / crosswalks.
5. Lack of safe places to walk or cross.
6. Most neighborhoods do not have sidewalks.
7. Tree roots causing buckling on sidewalks.

### Solutions:

1. Many cities are tackling this issue.
2. Education component combined with increased enforcement.
3. Engineering component (signage).
4. Utilize different methods of slowing people down.
5. Flag program is helpful
6. Clothing (wearing black at night crossing the street is dangerous).

Council and staff proceed to the Senior Center for the following presentation:

### **FARRELL FLEMING, SENIOR CENTER DIRECTOR: PRESENTATION ON COMMUNITY CENTER PLANS**

Mr. Fleming provided the following:

- Vision – To build a world class regional facility with a holistic model program that maximizes the full potential of participants of every age - connecting and strengthening our community
- History:
  - 1967: Senior Center begins offering programs on site.
  - 1971: HUD recognizes the Center as a national model for its multi-purpose approach.
  - 1972: Center acquires \$300K HUD grant to purchase land. City provides \$100K match.
  - 1973: City acquires present waterfront property (2 buildings) for purpose of senior center.
  - 1998: Mayor's study of options for renewing senior center. Fundraising study.
  - 2007: Structural Study finds it would be cost prohibitive to retrofit existing bldg. (\$3M+).
  - 2013: City's Strategic Action Plan calls for long term solution for updating Senior Center and designates Senior Center as Lead with Parks & Rec Dept.
  - 2014: City of Edmonds endorses (via resolution) ESC to demolish existing bldg. and construct community center.
  - 2015: City & Center agree on ground lease terms, sign option to lease. Initial WA State \$1.25M grant, Rick Steves \$.5M donation
- Goals:
  1. Construct a new state of the art, sustainable, model community facility that serves citizens of all ages.
  2. Offer a range of dynamic & engaging programs emphasizing health and wellness.
  3. Protect, preserve and enhance rare waterfront property for community use.

Sally Knodell, Senior Architect, Environmental Works, introduced Roger Trucker, Executive Director, Environmental Works, John Barker, Landscape Architect, and described Environmental Works. She displayed and reviewed:

- Site Context
- Site Context Plan
- Site Plan Concept

- Approximately same number of parking spaces
- One-way drive isles
- Double-loaded parking
- Landscaping
- Stormwater treatment on Railroad Avenue
- Indoor/outdoor seating
- First Floor Plan
  - Conference room
  - Community lounge open to views
  - 4000 sq ft banquet room w/ seating for 240 at tables
  - Movable wall to separate into 2 smaller spaces
  - Stage
  - Commercial kitchen
  - Support spaces
  - Thrift store on east side
    - Could be multipurpose rooms if thrift store moves in future
  - Potential for coffee area with inside/outside service
- Second Floor Plan
  - 2-story space at top of stairs
  - 4 multipurpose spaces 700 sq ft,
  - Storage
  - Admin spaces
  - Conference room
  - Clinic space
  - Restroom
  - Support space

Phi Lovell described why the new Edmonds Community Center needs a 30' tall building:

1. Should have same 15 foot first floor ceilings the same as are required in BD zones
2. Need 12 feet ceiling height on second floor to accommodate uses and 3 feet between floors to accommodate structural steel above ballroom
3. Roof design slopes west to east to maximize elevation on shoreline and provide enough slope to collect stormwater in onsite cisterns
4. Allows a higher ratio of glass to solid wall which allows more natural daylight
5. Accommodates mechanical and electrical systems
6. Site functionality: proposing first floor at elevation 15 feet in consideration of sea level rise

Ms. Knodell continued her review:

- View from Northeast
- View from Northwest
- View from Banquet Room
- View from Community Lounge

Ms. Hite commented on collaboration between the City and Senior Center and the intent for the building to be a senior/community center. Mr. Barker has been the primary designer of the City's waterfront walkway. The City has contracted separately with Mr. Barker to develop concepts to connect the Ebbitide.

John Barker, Landscape Architect, reviewed:

- Shoreline Restoration Concept – 'Beach Cove'
  - Remove bulkhead
  - Reconfigure and raise parking, same number of parking stalls

- Encourage connections from railroad and walkway to unify waterfront.
- Armoring with boulders to protect from king tides
- Stairways for public access to beach
- Native vegetation and beach logs to help restore beach
- Bioswales on edges of parking to route stormwater through bioswale, into rain garden and onto beach.
- Seawall along promenade
- Seatwall on side of promenade

Ms. Hite commented on the open competitive process in even years for State grants for water access; she anticipated the park in front of the community center would be very competitive in the grant cycle. A resolution to apply for an RCO grant will be presented to Council in the next month; grants are due May 1 and are funded the following year.

Discussion and questions followed; topic included the roofline of the Ebbitide next door, whether a seawall could be built to protect the building and account for sea level rise instead of engineering the building, intent of the dune to absorb waves and create habitat, the Tulalip Tribes’ approval of this approach, life expectancy of the building (70-80 years), 30+ foot concrete building piles, roof slope, fill material between piles and the building, architectural design to account for sea level rise in addition to raising the finished floor, opportunity for the building to be a case study with the AIA Resiliency Program, measures to mitigate water intrusion into the building, proximity of the building to the beach, and whether protection from storm surge could be mitigated by locating the building further from the water.

Mr. Fleming described next steps including presenting this early concept to the board in 2 weeks and at the annual membership meeting on March 30 with an opportunity for input.

Daniel Johnson, Campaign Manager, identified campaign Co-Chairs Diane Buckshnis and Rose Cantwell, and reviewed fundraising to date;

<b>Sector</b>	<b>Goal</b>	<b>Raised</b>	<b>Balance</b>
Leadership (individuals)	\$2,500,000	\$525,000	\$1,975,000
Board	\$300,000	\$137,026	\$162,974
Government	\$5,500,000	\$1,800,000	\$3,700,000
Foundations	\$2,000,000	\$30,000	\$1,970,000
Business	\$400,000	0	\$400,000
Community campaign	\$300,000	\$12,026	\$287,974
<b>Total</b>	<b>\$11,000,000</b>	<b>\$2,605,922</b>	<b>\$8,495,948</b>

Mr. Johnson described grants they plan to pursue and other funding sources. The public campaign will begin once 75-80% has been raised.

The Council and staff returned to the Library Plaza Room.

(Councilmember Nelson left the retreat at 2:52 p.m.)

**ANN MACFARLANE, PROFESSIONAL REGISTERED PARLIAMENTARIAN: MASTERING MEETINGS USING ROBERT’S RULES OF ORDER**

Council President Johnson introduced Ann Macfarlane and described her background. Each Councilmember was provided a copy of “Mastering Council Meetings” by Ann G. Macfarlane, PRP, CAE, and Andrew L. Estep, CAE. Ms. Macfarlane presented “Jurassic Parliament, Mastering Meetings using Robert’s Rules.” She asked Councilmembers to complete a card identifying their biggest concern(s) at meetings. She described the

workshop method, and each attendee was given a role and speaking points for a mock Council meeting. Topics covered included:

- Meeting discussion
- No one may speak a second time until everyone who wishes to do so has spoken once
- Speaking to the chair
- Seeking recognition from the chair before speaking
- Discussion without a motion
- Request for information/point of information
- Main motions
- One thing at a time
- Amendments
- Friendly amendment
- Germane discussion
- Call the question
- Criticizing past actions
- Role and authority of chair and members
- What members can do when things go wrong
- Point of order
- Appeal of chair's ruling
- Control
- Structuring effective discussion
- Unacceptable remarks

Ms. Macfarlane referred to a book, "Compelling People: The Hidden Qualities that Make Us Influential" by John Neffinger and Matthew Kohut. She responded to Council questions regarding point of general privilege, procedure for chair to participate in discussion, small board rules in Robert's Rules, withdrawal of a motion by unanimous consent, informal discussion, and committee meeting format. She distributed and described "Using the Exploratory Round Robin Method."

(Councilmember Teitzel left the retreat at 4:33 p.m.)

Ms. Macfarlane asked each attendee to write down one valuable thing they learned today that they will use in the future.

### **WRAP-UP**

Council President Johnson referred to notice of the March 24<sup>th</sup> Highway 99 Interactive public workshop. She reminded Councilmembers to complete the sheet with the three questions. A brief discussion followed whether staff needed to attend tomorrow; Council President Johnson encouraged staff to attend and assured their time would be well spent.

The first day of the retreat concluded at 4:40 p.m.

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### **SATURDAY, MARCH 5, 2016 – CALL TO ORDER**

The second day of the Edmonds City Council retreat was called to order at 9:00 a.m. on Saturday, March 5, 2016 by Council President Johnson in the Library Plaza Room, 650 Main Street, Edmonds, Washington.

**ELECTED OFFICIALS PRESENT**

Saturday, March 5

Kristiana Johnson, Council President  
Michael Nelson, Councilmember (arrived 9:15 a.m.)  
Adrienne Fraley-Monillas, Councilmember  
Diane Buckshnis, Councilmember  
Dave Teitzel, Councilmember  
Thomas Mesaros, Councilmember  
Neil Tibbott, Councilmember

**ELECTED OFFICIALS ABSENT**

Dave Earling, Mayor

**STAFF PRESENT**

Saturday, March 5

Al Compaan, Police Chief  
Phil Williams, Public Works Director  
Carrie Hite, Parks, Rec. & Cult. Serv. Dir.  
Patrick Doherty, Econ. Dev & Comm. Serv. Dir.  
Shane Hope, Development Services Director  
Scott James, Finance Director  
Jeff Taraday, City Attorney  
Scott Passey, City Clerk  
Sandy Chase, Senior Executive Council Asst.  
Jeannie Dines, Recorder

**PUBLIC PRESENT**

Saturday, March 5

Bruce Witenberg  
Alex Witenberg  
Darrol Haug

**CONTINENTAL BREAKFAST**

**FLAG SALUTE**

Parks & Recreation Director Carrie Hite led the flag salute.

**APPROVE AGENDA**

**COUNCILMEMBER FRALEY-MONILLAS MOVED, SECONDED BY COUNCILMEMBER BUCKSHNIS, TO APPROVE THE AGENDA. MOTION CARRIED UNANIMOUSLY.**

**COUNCILMEMBER BUCKSHNIS MOVED, SECONDED BY COUNCILMEMBER TEITZEL, TO ADD TO THE 9:30 – 10:15 CITY BOARDS, COMMISSIONS, COMMITTEES AND TASK FORCES' EXPECTATIONS, RETURNING TO COUNCIL THREE COMMITTEE FORMAT EACH TUESDAY AT 6:00 P.M.**

City Attorney Jeff Taraday advised this would be for discussion only, as the Council could not take action at a special meeting on an item that was not on the agenda.

**MOTION CARRIED UNANIMOUSLY.**

**COUNCILMEMBER FRALEY-MONILLAS MOVED TO ADD ROLL CALL TO THE AGENDA. MOTION DIED FOR LACK OF A SECOND.**

Council President Johnson advised the minutes would reflect who was present.

Council President Johnson referred to materials provided in the notebook that will not be discussed including the Code of Ethics, Code of Conduct, Jim Reed's Cultural Statement and Ground Rules for Conducting a Retreat, resolution establishing a procedure for keeping/maintaining minutes of City Council executive session, and recent articles and research regarding homelessness.

**QUESTIONS TO CONSIDER DURING THE DAY**

- 1. What are our expectations for the City's advisory groups?**
- 2. Should we provide training to the City's advisory groups?**

### 3. Should we reestablish Transportation Committee, Parking Committee or Salary Commission?

#### **ICE BREAKER**

Councilmember Teitzel introduced the ice breaker, three truths and a lie. Each attendee told three truths and a lie about themselves and the group determined which one was a lie.

Councilmember Fraley-Monillas distributed and read “Ten Commandments of Community Leadership.” She encouraged Councilmembers to call AWC to get the booklet.

#### **RETURNING TO COUNCIL THREE COMMITTEE FORMAT EACH TUESDAY AT 6:00 P.M.**

Councilmember Buckshnis introduced the topic, commenting study sessions have become regular meetings. With topics coming up such as long range planning, annexation, homelessness, affordable housing, salary increases, public works and park projects, bonding, etc., she recommended returning to the informal committee format with staff and two Councilmembers, tape recording of meetings and no cameras. Councilmember Fraley-Monillas provided background on why the format was changed from committees to study sessions. The following comments/suggestions were voiced by Council and staff:

- Would eliminate all ad hoc committee meetings for which there are no notes
- Committees save time all around
- Opportunity for good, open, facilitated discussion on issues instead of pushing issues through without talking about it
- Opportunity for frank discussion with directors and staff
- Certain Councilmembers did not trust other Councilmembers’ review and pulled everything from the Consent Agenda
- Committee systems requires trust
- Two committees of three Councilmembers versus three committees of two Councilmembers
  - Can get closer to Council consensus with three discussing an issue
  - Addresses trust issue
  - Staff only needs to attend two meetings
- Consider whether simple things can be delegated to Admin and not go to Council at all
- Reason Council returned to dais was roundtable format did not work well
- Be as efficient as possible, timing an issue with once a month committee meeting
- Instead of subject matter committees, committee format on alternate Tuesdays
- Depends on what committees are established
- Timing a big concern; once a month committee meetings results in delays
- Sequential rather than simultaneous for transparency and minute taker can attend all
- Committees meet twice a month and if full Council meeting needed, start at 8:00 p.m.
- Transparency issue can be overcome, committees only discuss and refine issues and final decision made by Council
- Allows for informal, frank discussions and saves time
- Once-a-month committee meetings can create a timing issue
- How often items are pulled from Consent will determine efficiency
- Staff presenting to different committees not a big issue
- Remodel of Chambers AV not designed with returning to roundtable study session format in mind
- From staff prospective helpful to have as many tools as possible to present to Council and have good conversations/decisions
- The change away from committees happened when there was not a lot of trust on Council. Items were often discussed at committee, scheduled on the agenda and then scheduled on Consent which added time to staff’s work and was inefficient

- With trust, committee could be useful and would give staff opportunity to review with Council
- Committees twice a month, and allow action/decision at all Council meetings
- What is problem trying to solve – opportunity for Council to discuss issues?
  - Not interested in going backward, recognize what currently doing is not working.
  - One solution would be more frequent committee meetings, staggered the start times and rotate times each month
  - Transparency issue can be resolved via the use of a webcam, tripod and movable microphones.
- Audio rather than not video recording committee meetings would be a step backward with regard to transparency
- Councilmembers required to study items presented to a committee they are not on in order to understand what they voting on
- In current process, all Councilmembers hear same information at the same time, previously had to read all information given to committees and read the minutes
- Current process provides full transparency, videoed, audience and TV audience can see/hear
- Raise the minimum amount for Public Works projects, provide monthly summary
- Lower the amount for Parks & Recreation projects
- Concern with efficiency of committee meetings if Councilmembers have to listen to audio and read minutes
- Add more informal discussion at dais, round robin format
- Currently not having study sessions, having business meetings and calling them study sessions. Need an opportunity to study issues without pressure/rules of a business meeting. Seating at table in front of dais facilitated conversation
- A lot of land use issues coming up, could be difficult reaching consensus with seven people
- Three people is a small enough group to hammer out solutions and big enough to provide a representative sample of Council so an issue has legs when it is brought to Council
- Idea of committees is who is driving the car, some issues do not get on an agenda. Instead of formal committees, there are now ad hoc committees with no minutes or transparency
- Committee agendas driven by committee chair, Council agendas driven by Council President and Mayor
- Transparency issue of committees is easy to address
- Could have committee meeting on second Tuesday and study session fourth Tuesday
- Mountlake Terrace had study sessions and business meetings, no committee meetings. Study sessions were around a table
- Any format can work as long as it is a timely way to get things done
- Depends on how much discussion Council wants to be involved in before making decision
- An option would be a group discussion followed by Council meeting
- Establish subcommittee to make proposal how committee format would function
- Federal Way had 2-3 committees, staggered meeting times, seated at table, land use/transportation committee met twice a month. Committees had three members, but sometimes entire Council would go to the committee meeting if important issue. If item not ready for Consent, ready for focused discussion at Council and possible action
- Recommend two committees, three official members on each, staggered meeting times.
- Mukilteo held committee meetings on a different night than Council meetings to allow anyone to attend. Study sessions held at table on camera, informal discussion
- Staff likes to give Council information to assist with decision making
- Not sure how Mayor's taskforces fit into committee structure
- Whatever work for Council, trust openness and transparency and understanding about process
- In another city, initially had committee structure, experienced same challenges as Edmonds, switched to alternating business/study sessions, worked for a while but difficulties with emergent issues. Changed to study sessions at table, some Councilmembers had issues with camera angles. Returned to dais and now

have study and action items on all agendas so 2-3 touches on items. Have a process that allows informal, frank discussion at dais

- Well run organizations allow time for small group discussion
- Consecutive committee meetings, allow Councilmembers to attend both if want. Affords opportunity for Councilmember discussion between meetings
- Committees foster better communication rather than surprises
- Negatives can be overcome
- All models have been tried at different cities
- Regardless of process, articulate what “small” decisions are. Agree on typical things that do not need much time and could go directly to Consent
- Every city has its own unique way to get business done. Kirkland has two Council meetings/month, study session 6:00-7:00 p.m. on policy-related topics such as homelessness, pedestrian safety, CAO in roundtable format with staff support. At 7:00 p.m. move to Council Chambers for business meeting. Also have four committees with three Councilmembers on each, each Councilmember serves on two committees. Committee meetings held throughout the month
- Form a subcommittee to develop a proposal to meet the needs of the Council – save time, frank discussion, informal discussion, efficient way to move business through
- Most federal, state and local governments have committees, not everyone on committee, that is reality of legislative process. It works, may need to build on trust issue
- Technical challenges related to transparency are not a big leap
- Is stilted communication at study sessions at dais the problem we’re trying to solve? Mayor tends to run study sessions and business meetings the same. Could excuse Mayor from study session and have Council President run the meetings at a table
- As new Councilmember, would be tempted to attend committee meetings not assigned to so would not save him time
- Committee meetings allow for more free flowing discussion and back and forth with staff

Council President Johnson declared a brief recess.

**ORGANIZING GOALS, PRIORITIES AND 2016 TIMELINE**

Council President Johnson advised the packet includes priorities from 2014 and 2015. The following list of priorities was developed prior to the retreat, with the addition of a few at the retreat. Council and staff participated in a dot exercise to identify what they wanted on the 2016 work plan (each person was provided 5 dots):

<b>Council Issues</b>	<b>Council Dots</b>	<b>Staff Dots</b>
Long Range Financial Plan	1	3
Homelessness	1	3
Affordable housing	4	1
Traffic safety	2	1
Sea level rise	2	
Crumb rubber	3	
Reassess work meetings		
Walkway system safer and connected	1	
Highway 99	5	
Marijuana shop in Esperance		
ADA accessibility		
Five Corners redevelopment	3	
Public comment process	1	
Review boards and commissions		

Effective leadership training		
Code updates with and without redlines		
Strategic Action Plan	3	
Follow-up		
Annexation/Esperance	2	3

<b>Staff Issues</b>	<b>Council Dots</b>	<b>Staff Dots</b>
Affordable housing		
Homelessness	1	
Sea level rise		
FDI/Budget	1	3
Livability		
Quality of life: transit services, park system, beach access to Waterfront		
Community vision/branding/theme		
Maintain charm		
Attract younger generation		2
Public safety staffing needs: crime prevention, crime analysis, narcotics, SRO	2	2
Port of Edmonds coordination		
Economic development and planning		4
Height issue		2
Attract best candidates to fill key positions		
Succession planning for senior staff		1
Build and maintain customer service culture		
Improve communications including city's web pages and social media		
Financially sustainable funding of pipe replacement via rate revenue		1
City's IT system		
Maintenance of City owned buildings		1
Pavement preservation system – long time secure funding	1	4
Capital investments in parks		2
Workforce: hiring and retaining experienced staff		
Long range financial plan	1	3
Highway 99		2
Code updates (other than land use)	1	2

The exercise revealed the following priorities:

<b>Issue</b>	<b>Combined Council/Staff Dots</b>
Long range financial plan	8
Highway 99	7
Affordable housing	5
Pavement preservation system – long time secure funding	5
Annexation/Esperance	5
Public safety staffing needs: crime prevention, crime analysis, narcotics, SRO	4
FDI/Budget	4
Economic development & planning	4

Council President Johnson advised she and Ms. Chase will summarize the above and provide the results to Council. Next, Council President Johnson explained in addition to the extended agenda, she wanted to have a planner for the year with upcoming issues for the Council. The planning calendar will be posted in the Council office and she requested Councilmembers and staff add to it. Suggestions included putting the calendar on a shared drive so everyone has access to it and developing a yearlong Extended Agenda.

### **CITY BOARDS, COMMISSIONS COMMITTEES AND TASK FORCES**

- 1. What are our expectations for the City's advisory groups?**
- 2. Should we provide training to the City's advisory groups?**
- 3. Should we reestablish Transportation Committee, Parking Committee or Salary Commission?**

Council President Johnson referred to a list of advisory groups and disbanded/inactive groups. It was agreed to:

- Bring to Council as an agenda item disbanding the Library Board. (There has been a recommendation from the Library Board and Mayor to disband the Board, but no official action has been taken.)
- Add Mayor's Task Force on Pedestrian/Bicycle Safety

Discussion followed regarding the formation of a public advisory committee for Civic Field, the Civic Field master planning process, boards/commissions versus Mayor's task forces and the functions of each, and committees subject to OPMA only if created by ordinance.

### **Expectations:**

- **Notes vs. Minutes**

The following comments/suggestions were voiced by Council and staff:

- Planning Board/Parks and Architectural Design Board (ADB) need to be as detailed as possible
- Historic Preservation Commission could have focused notes
- Depends on impact of committee, want more detail for Planning Board and ADB
- Summary notes are good for most, less expensive, annual report to Council
- Prefer notes instead of minutes, written comments can make discussion sound worse
- Summary notes and audio is available if meeting is recorded or talk to person in attendance
- Three types of minutes: detailed, summary, action minutes – decide for each. In favor of summary minutes for Council, have full audio/video record. Minutes are record of what happened, not what was said
- Detailed minutes are not necessary and may be redundant when there is audio/video, but action minutes may not be enough. Summary minutes identify issues, concerns
- Like the current fairly detailed minutes for City Council, Planning Board and ADB
- More detail is important for City Council, Planning Board and ADB. Detailed minutes can be misunderstood. Summary/action sufficient for some boards/commissions
- Detailed minutes for ADB, Planning Board, City Council, notes for the rest.
- Minutes are approved by the body at next meeting, notes are not. Reason executive session notes are called notes and not minutes is because they are never reviewed/approved by City Council. Notes are unapproved notation of what took place
- Originally took notes at committee meetings, expanded to minutes
- Lodging Tax Advisory Committee is required by State law
- Take notes (not approved at next meeting) at meetings except Planning Board, ADB and City Council
- Option: record meeting and create minutes after the meeting

Mr. Taraday recommended summary or action minutes be taken and approved at every board or commission that was created by ordinance. The following appeared to be the group's consensus:

- Other than Council, Planning Board and ADB, each board/commission/committee determine whether summary or action minutes
- Each board/commission/committee determine who will take minutes – staff or a member

- **Public Access to Meeting Locations**

Council President Johnson explained the goal has been to hold meetings at open public locations to avoid the need for a door monitor; only the HPC still requires a door monitor. Suggestions/comments included:

- Can be difficult to find a consistently available public space
- Public spaces include the senior center, library meeting room, Plaza Room, Frances Anderson Center
- Investigate installing a camera in City Hall foyer with monitor in meeting room and the person at meeting could buzz people in
- Investigate securing City Hall offices spaces so the front door could be left open
- Have been investigating a card swipe system

It was agreed staff would research technology solutions for potential inclusion in the 2017 budget; and in the meantime, move meetings to open public spaces.

(Councilmember Fraley-Monillas left the meeting at 11:58 a.m.)

- **Support Staff and Consultants**

Suggestions/comments included:

- Foresee Diversity Commission consultant continuing this year
- Tree Board may need consultant, staff members rotating to attend. Tree Board interested in assistance with special events and Tree City USA application. Staff provides 75% of information for Tree City USA application
- Council Assistant assists Tree Board with updating website, noticing, etc. Prefer to transfer responsibility for Tree Board out of Council office
- Amend Tree Board ordinance to establish regular meeting date/time so special meeting notice is not required
- Is Tree Board needed? May/may not be required for Tree City USA designation
- With the retirement of Council Assistant, IT has been posting/editing meeting videos. Council President Johnson will discuss a solution with Mr. James

- **Periodic & Annual Reports**

Council President Johnson explained the Planning Board provides a quarterly report and others provide periodic/annual reports. Suggestions/comments included:

- Ordinance identifies whether report is required and timing, could amend ordinance
- Allow flexibility on timing, forcing a board to make a report when they are not ready is not productive
- Periodically discuss if boards/commissions serving function they were established for
- Ordinance could state quarterly report and stagger reports throughout year
- Tree Board not necessarily required for Tree City USA designation, most record keeping is done by staff. Rules require Tree Board or department assigned to caring for trees
- Where legally obligated should meet deadlines. Where have flexibility, designate quarter
- Like hearing live report from every board/commission during the first quarter

It was the consensus of the group:

- Council Assistant research the due date for each board/commission's report and Council consider changing dates if necessary
- Councilmember Buckshnis, Mr. Williams, Ms. Hite and Ms. Hope discuss whether to have a Tree Board or assign it to a department
- It is not necessary to have a Council representative on every board/commission

- **Council Study Requests**

Council President Johnson posed the question, how does Council get individual boards and commissions to do the things it wants addressed? Suggestions included:

- Majority of Council provide direction at a Council meeting
- During first quarter report, opportunity for Council to identify priorities for board/commission
- Issues arise throughout the year, Council can direct board/commission to consider an issue and report back
- Schedule time for Council to discuss/identify issues they want boards/commissions to address
- Boards/commissions can come to Council outside annual report if an issue arises

### Training Needs

- **Open Public Meetings Act**
- **Code of Conduct and Ethics Policies**
- **Robert's Rules of Order**

Council President Johnson commented board/commission members could benefit from introductory training. She suggested annual training for all boards/commission regarding the OPMA and other legal training, how to conduct efficient meetings, etc. Discussion followed regarding issues raised in the past by some board/commission members about the Public Records Act, assigning all board/commissioner members a City email address, staff's efforts to ensure all boards/commissions have annual training and the challenge to get everyone to attend, providing board/commissioner members manual/printed information, availability of some training such as OPMA online, providing training annually during first quarter, Council deciding if training should be done and administration determining how to implement, requiring each board/commissioner member to take online training within a certain period of time and requiring board/commissioner members to abide by adopted code of conduct and ethics policies.

### WRAP-UP

Council President Johnson expressed her appreciation to Staff and Council for attending, recognized Ms. Chase and Ms. Bevington for their assistance, and thanked the public for attending. She requested Councilmembers complete the questions of the day. Councilmembers thanked Council President Johnson for organizing the retreat. Council/staff comments included:

- Appreciate staff's professionalism and responsiveness to questions. Commit to doing his best over the next three years not to put staff on the spot from dais. Look forward to continuing to work together
- Action-packed, organized retreat. Appreciated field trip. Great to work with staff and Council. Have work cut out, accomplished some things, look forward to an exciting year
- Great for Council to see community center plan. Appreciate Councilmembers' commitment to staff, makes everyone's job easier. Appreciate Council's professionalism
- Chemistry of this group is good, safe place
- Collaborativeness of group is something not seen before. Divergence of opinion leads to good outcomes. There is eagerness to offer thoughts as well as listen to others' thoughts
- Great group, appreciate opportunity to provide prospective and listen to prospective in safe environment
- Presentations by Ann Bennett and Mr. Taraday helpful

- Follow-up on items identified in dot exercise
- Ann Bennett's presentation important, good to learn from others' mistakes
- Work is proceeding on most of items on Strategic Action Plan, check in 1-2 times/year
- Appreciate collaborative style, look forward to working with Council. Staff now has relationship with Council that has been missing
- Value fun in an organization, committee meetings sound more fun.
- Heard while campaigning that residents want to see City Council lead. There are times when need to listen, trust information that has been compiled and make a decision. Challenge Council to learn how to do and be effective at it during the coming year
- Recently contacted by citizens interested in discussing homelessness; met with them but not sure how to proceed
- Very useful discussion, appreciate civil, respectful discourse
- Good group, putting fun back in functionality. Encourage Council to consider committee structure
- Fun retreat, appreciated speakers. May be helpful to have more frequent retreats. Big issues on list, can get a lot done when focus on one issue. Council meetings may be too chopped up

The retreat was adjourned at 12:50 p.m.