

EDMONDS CITY COUNCIL APPROVED MINUTES

July 12, 2016

ELECTED OFFICIALS PRESENT

Dave Earling, Mayor
Kristiana Johnson, Council President
Michael Nelson, Councilmember
Adrienne Fraley-Monillas, Councilmember
Diane Buckshnis, Councilmember
Dave Teitzel, Councilmember
Thomas Mesaros, Councilmember
Neil Tibbott, Councilmember

STAFF PRESENT

Phil Williams, Public Works Director
Carrie Hite, Parks, Rec. & Cult. Serv. Dir.
Shane Hope, Development Services Director
Scott James, Finance Director
Rob Chave, Planning Manager
Rob English, City Engineer
Kernen Lien, Senior Planner
Jeff Taraday, City Attorney
Scott Passey, City Clerk
Andrew Pierce, Legislative/Council Assistant
Jerrie Bevington, Camera Operator
Jeannie Dines, Recorder

1. CALL TO ORDER/FLAG SALUTE

The Edmonds City Council meeting was called to order at 7:00 p.m. by Mayor Earling in the Council Chambers, 250 5th Avenue North, Edmonds. The meeting was opened with the flag salute.

2. ROLL CALL

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

3. APPROVAL OF AGENDA

COUNCILMEMBER BUCKSHNIS MOVED, SECONDED BY COUNCILMEMBER FRALEY-MONILLAS, TO APPROVE THE AGENDA IN CONTENT AND ORDER. MOTION CARRIED UNANIMOUSLY.

4. APPROVAL OF CONSENT AGENDA ITEMS

COUNCIL PRESIDENT JOHNSON MOVED, SECONDED BY COUNCILMEMBER FRALEY-MONILLAS, TO MOVE ITEMS 3 AND 4 TO ACTION ITEMS 7.1 AND 7.2 AND RENUMBER THE REMAINING ITEMS. MOTION CARRIED UNANIMOUSLY.

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

- 1. CITY COUNCIL MEETING DRAFT MINUTES**
- 2. APPROVAL OF CLAIM CHECKS**

5. **PROCLAMATION**

1. **PARKS AND RECREATION MONTH PROCLAMATION**

Mayor Earling read a proclamation designating July as Park and Recreation Month.

Parks & Recreation Director Carrie Hite said the proclamation cites the many benefits and values of the Parks & Recreation Department and parks and recreation in general. She thanked the Council and Mayor as well as the community for their support of parks and recreation. For example, 150 people attended the recent Civic Field open house, the biggest open house in her career. She thanked the Parks & Recreation staff team; a very strong group with an incredible work ethic and values who give their heart and soul to the department. She invited the community to participate in events and programs this summer, particularly during Parks & Recreation Month including outdoor movies, sand castle contest, and many other events. Further information is available online and calendars are available at the Frances Anderson Center.

6. **AUDIENCE COMMENTS**

Joe Scordino, Edmonds, a 36-year resident and retired fishery biologist, thanked the Council for allowing the Edmonds-Woodway High School students to provide a presentation on the water quality study. He referred to the Washington Department of Ecology's proposed changes to the Edmonds Shoreline Master Program and recommended the Council reject the suggested changes as they are not based on science. There seems to be a mixed agenda in document, going beyond the requirements of Shoreline Management Act and going into social economic issues rather than science and the needs of a wetland and wetland protection. He was confused when reading the document that Ecology does not cite their own publications such as Wetlands in Washington State, Volume II, Guidance for Protecting and Managing Wetland, a science-based document. Ecology's determination that the marsh is a Category II is equivocal; they do not provide documentation to justify it. Ecology's own documents state, "relatively undisturbed estuarine wetlands larger than one acre are Category I wetlands because they are rare and provide unique natural resources that are considered to be valuable to society," which he said clearly defines the Edmonds Marsh. He questioned why the State would move the marsh into a lower category, diminishing its level of protection when the City's consultants determined in 2004 that the marsh was a Category I wetland. He recommended the Council advise Ecology they do not agree with the proposed changes and proceed using the documentation the State provides to determine the appropriate buffer widths for the marsh.

7. **ACTION ITEMS**

1. **2016 2ND QUARTER BUDGET AMENDMENT AND NEW HUMAN RESOURCES DIRECTOR POSITION**

COUNCILMEMBER BUCKSHNIS MOVED, SECONDED BY COUNCILMEMBER MESAROS, FOR APPROVAL.

Councilmember Fraley-Monillas asked how much has been saved by having a manager instead of a director. HR Reporting Director Carrie Hite said about \$500,000 over the past 5 years.

Councilmember Teitzel relayed his understanding that the change from manager to director would essentially be revenue neutral because the additional salary Ms. Hite receives would be used to increase the manager's salary to a director level salary. Ms. Hite said it would be revenue neutral if Human Resources Manager Mary Anne Hardie was successful in her candidacy to be the director. If Ms. Hardie is not successful, she and Mayor Earling plan to reorganize HR in order to realize savings to pay the

director level salary., Councilmember Teitzel asked whether the cost would be close to revenue neutral or significant if Ms. Hardie was not successful in attaining the position and a person was hired from outside. Ms. Hite answered it would not cost a significant amount; staff would likely need to ask for a bit more money, the exact amount would depend on the reorganization. Councilmember Teitzel relayed his understanding any additional cost would come to Council for approval. Ms. Hite agreed.

Council President Johnson explained she first heard about this via a call from Mayor Earling who said he had heard Ms. Hardie was a second level candidate for position in another city and he didn't want to lose such a valued employee who has done a good job over the years, acquiring more knowledge, skill and education, and that Ms. Hite was interested in returning to her position as a full-time Parks & Recreation Director. Although it may start out to be revenue neutral, the cost at the end of 6 years of going from the top of NR 15 salary to the bottom of NR 20 salary is approximately \$150,000. She was concerned about equity issues, not just other directors who have large staffs and large areas of responsibility but also other managers who are at the top of their scale and who also have large responsibilities. She understands Mayor Earling wants to reward and promote but, 1) it is the Council's responsibility to review all job descriptions which was done 4-5 year ago, and 2) the Council is responsible for all final budgetary decisions. She concluded it was not in the best interest of the City to make this incremental decision at this time so she will vote no.

Councilmember Buckshnis clarified the \$100,000/year savings was realized because the former HR Director was paid a lot of money. Ms. Hite answered the former HR Director was paid at a director's salary level and the City went five years without a director, approximately a \$100,000/year savings. Councilmember Buckshnis said the revenue neutral proposal is to bring back the HR Director position which she found appropriate due to the number of HR issues facing the City and future challenges if the City acquires a Metropolitan Urban Growth Area (MUGA). She summarized it was time to reinstate the position.

Mayor Earling requested an opportunity to address one of the issues raised by Council President Johnson. At Council President Johnson inquiry, the Council agreed to allow Mayor Earling to speak. Mayor Earling said if the Council approves the new HR Director position, the process will include a press release opening the position for 2-3 weeks for anyone who wishes to apply for the position. Ms. Hardie knows that is the process and he assumes she will be a candidate. This is not a slam-dunk deal and he and Ms. Hite were very clear with Ms. Hardie about the process.

Councilmember Fraley-Monillas pointed out the City has gone from under 200 employees to over 220 employees as well as needs to adhere to federal and state laws including personnel policies that have already been updated and job specs that need to be updated. HR attempts to keep the City out of lawsuits by making sure the right thing is done and the right polices are followed to protect both the employer and employee. She did not have a problem with the new HR Director position, it is time for it and a good use of money.

MOTION CARRIED (6-1), COUNCIL PRESIDENT JOHNSON VOTING NO.

Mayor Earling acknowledge part of Council President Johnson's concern was the HR Director position and asked if she had other issues with the budget amendment. Council President Johnson answered no. Ms. Hite advised the Council needed to approve the ordinance approving the budget amendment and the addition of the new HR Director position.

COUNCILMEMBER FRALEY-MONILLAS MOVED, SECONDED BY COUNCILMEMBER BUCKSHNIS, TO APPROVE ORDINANCE NO. 4038, AN ORDINANCE OF THE CITY OF EDMONDS, WASHINGTON, AMENDING ORDINANCE NO. 4024 AS A RESULT OF UNANTICIPATED TRANSFERS AND EXPENDITURES OF VARIOUS FUNDS, ADDING THE

**POSITION OF HUMAN RESOURCES DIRECTOR TO THE SALARY RANGE TABLE.
MOTION CARRIED (6-1), COUNCIL PRESIDENT JOHNSON VOTING NO.**

2. HUMAN RESOURCES DIRECTOR

Ms. Hite said the packet for this item addressed questions raised at the last meeting regarding the HR Director position. No further discussion was needed and the action related to this item was taken in the above agenda item.

8. STUDY ITEMS

1. SHORELINE MASTER PROGRAM UPDATE

Development Services Director Shane Hope explained the City has been in the process of updating the Shoreline Master Program (SMP) for some time. She provided the history including the Planning Board’s recommendations in 2012, City Council revisions, submittal to Ecology in 2014/2015, Ecology’s review, preliminary concerns and discussion, and the Critical Areas Ordinance process. Ecology is here tonight to present their findings and conclusions regarding the SMP. She reminded Ecology has the authority to approve and even adopt SMPs. Ecology has issued a conditional approval, noting many things in the SMP are very good.

David Pater, Regional Shoreline Planner, Washington State Department of Ecology, reviewed:

- Final SMP review process (Ecology issued conditional approval on June 27, 2016)
 - Ecology prepares written findings and conclusions on the SMP update consistency with the SMA and SMP Guidelines.
 - Also responds to the issues identified during the review and comment period.
 - Ecology makes findings and conclusions available to Edmonds and the public.
- Ecology Decision Options
 - Ecology may:
 - (1) Approve the locally adopted SMP update as submitted
 - (2) Approve the SMP amendment subject to the local government making required changes
 - (3) Deny the SMP amendment.
- Edmonds Decision Options
 - Ecology approves the SMP with required changes, Edmonds has 30 days after receiving Ecology’s decision letter to either:
 - Agree to the proposed changes with acceptance letter to Ecology;
 - Submit an alternative proposal. Ecology determines if alternative is consistent with the intent of the changes.
- Ecology SMP approval
 - Ecology will notify all parties of record.
 - SMP effective date is 14 days from the date of the Ecology final approval letter.
 - Interested parties notified of 60 Day GMA appeal period.
 - Appeal period public notice.

Mr. Pater highlighted draft SMP changes:

Issue	Ecology Proposal
Urban Mixed Use IV, 100/50 Setback / Buffer SMP sec. 24.40.090 Shoreline Bulk and Dimensional Standards.	65/50 foot proposed setback/buffer, more consistent with Edmonds Marsh category II wetland classification
SMP 24.40.090: Establish a redevelopment	Propose a 50% redevelopment threshold for buffer

threshold for buffer enhancement.	enhancement on adjacent Edmonds Marsh properties
Urban Mixed Use IV Interim Shoreline Environment Designation SMP sec. 24.30.070	The 65/50 proposed setback/buffer is the appropriate setback/buffer. Therefore the interim designation is no longer needed
SMP reconciliation with new critical areas regulations.	Remove updated critical area elements from the SMP sec. 24.40.020. Applicable sections are part of the new CAO.

Paul Anderson, Wetland Specialist, Washington State Department of Ecology, explained his role as a wetland specialist is to review the technical standards in the SMP related to wetlands and fish and wildlife. Prior to this update, the marsh had been classified as an associated wetland as defined in the implementing rules for the SMA. In looking at aerial photos, it was apparent there were tidal channels and mud flats in the western portion of the marsh showing regular tidal exchange which meant the Ordinary High Water Mark (OHWM) extended into the marsh. The OHWM is the defining boundary for shoreline jurisdiction. He visited the marsh in December 2010 to determine if there was contemporary tidal exchange which is the reason for the change in the jurisdictional designation. Shorelands extend 200 feet landward from the OHWM and also include associated wetlands. Prior to this update, due to the classification as only an associated wetland, shoreline jurisdiction did not extend inland which was the reason for the interim designation and the reason the Unocal and Port properties are considered within jurisdiction. He provided the following citations:

- SMA OHWM
 - on all lakes, streams, and tidal water is that mark that will be found by examining the bed and banks and ascertaining where the PRESENCE AND ACTION OF WATERS are so common and usual, and so long continued in all ordinary years, as to MARK UPON THE SOIL a character distinct from that of the abutting upland, IN RESPECT TO VEGETATION
- Chapter 90.58 RCW, Shoreline Management Act of 1971
 - . . . as that condition exists on June 1, 1971, as it may naturally change thereafter, or as it may change thereafter in accordance with permits issued by a local government or the department: . . .
- Chapter 90.58 RCW, Shoreline Management Act of 1971
- Tidal waters OHWM Criteria
 - High energy environments
 - Where the action of waves or currents is sufficient to prevent vegetation establishment below mean higher high tide, the ordinary high water mark is coincident with the line of vegetation;
 - Low energy environments
 - Where the action of waves and currents is not sufficient to prevent vegetation establishment below mean higher high tide, the ordinary high water mark is coincident with the landward limit of salt tolerant vegetation. "Salt tolerant vegetation" means vegetation which is tolerant of interstitial soil salinities greater than or equal to 0.5 parts per thousand
- WAC 173-22-030, Definitions

He displayed a photograph of the Edmond March taken in December 2010, explaining it was identified as a low energy marine environment and there is evidence of salt tolerant plants in the western portion. He explained one of the issues that arose during the SMP update was potential for grant funding for the water quality program. That program is designed primarily for agricultural land and water courses, not necessary wetlands. A question was raised by Council regarding the basis for the 35-foot buffer and whether it was consistent with Best Available Science (BAS). He explained it is not a science-based buffer, it is a conservation practice that the NRCS has developed on agricultural and forest lands. That program provides grant funding to Ecology. He referred to an Appendix L in the documents provided to

the Council which describes the water types that are eligible for funding as well as standards where and how buffers apply.

He displayed an aerial photograph of the Edmonds Marsh:

- Regular tidal exchange to western portion of Marsh via Shellabarger/Willow Creek
 - Tidal channels, mudflats and dominance of salt tolerant vegetation in this portion of the marsh: Estuarine wetland

Mr. Anderson explained the tidal channels themselves and Willow Creek are where the buffers under the water quality guidelines apply and they would be within the buffers on the marsh itself. In addition to the buffers required by the CAO, Appendix L contains additional guidance (page 101); the second to last bullet states, “Buffers established as part of a water quality program grant may not violate county critical area ordinances, county critical area ordinances, county shoreline rules or other state or local regulations.” He explained if the City has buffers in the critical area regulations, those buffers apply, not the buffers for the grant funding. Ecology may allow a conditional exemption from the minimum buffer width requirements where the presence of a structure impedes the ability to meet the conditions. Buffers as far as the state is concerned and what the science reports, are areas that are vegetated with native vegetation and they should be well vegetated. In this region it is typically forest land.

To the question of why the marsh is now considered a Category II wetland, he said Ecology is not deliberately downgrading the wetland. The 2014 rating system, which was updated in 2004 by Dr. Hruby, was not designed to evaluate tidal wetlands; it is a freshwater rating system but includes criteria for distinguishing between Category I and II. He reviewed the categorization based on special characteristics, explaining the principal criteria is whether the tidal regime is within a National Wildlife Refuge which the Edmonds Marsh is not. He reviewed the criteria in SC 1.2:

- Is the wetland relatively undisturbed (no diking, ditching, hilling, cultivation, grazing and has less than 10% cover of non-native plant species)
- At least $\frac{3}{4}$ of the landward edge of the wetland has a 100-foot buffer of shrub, forest or un-grazed or un-mowed grassland
- The wetland has at least two of the following features: tidal channels, depressions with open water or contiguous freshwater wetlands.

Appendix L includes a definition of riparian buffers which also includes an intact plant community suitable to the region. The criteria listed are from the 1993 Western Washington Rating System. Mr. Anderson explained he believed the Edmonds Marsh was previously categorized as a Category I wetland because the 1993 rating system included a standard that an estuarine wetland 5 acres or larger is Category I; that criterion was not carried forward because size is not a good predictor of wetland function or value. The rest of the criteria were brought forward. The wetland needs to be at least an acre; Edmonds Marsh west of SR 104 is larger than 5 acres but is classified as a Category II wetland because it is relatively disturbed, most of the marsh has been filled, its only tidal inlet is piped for 1100 feet, and there is high intensity urban development surrounding most of the marsh.

He displayed an aerial photo of the Edmonds Marsh, a Category II Estuarine wetland, identifying 50-foot, 100-foot and 150-foot buffers. He relayed they met with Representative Peterson in June at the north end of the marsh and measured the intact buffer along that edge. There is a berm for flood control that contains the marsh; the intact buffer to the north is 13 feet wide and then pavement which is not considered an intact buffer. He displayed another aerial photo of the marsh identifying where the buffer is impaired and the 150-foot buffer. The standard for a Category I buffer requires $\frac{3}{4}$ of the perimeter have a 100-foot intact buffer which does not exist in the Edmonds Marsh. There is intact buffer in the southeast, approximately 100-150 feet of intact forest vegetation, but the rest of the buffer is impaired and has been

previously developed. Only the areas with intact vegetation need to be protected; restoration is a different issue, property owners should be encouraged to restore a site wherever possible.

Mr. Anderson provided additional information with regard to buffers:

- Intact buffers need to be well vegetated
 - Ecology's buffer recommendations are also based on the assumption that the buffer is well vegetated with native species appropriate to the ecoregion
- Wetlands & CAO Updates: Guidance for Small Cities Western Washington Version, 2nd Revision October 2012
- State Supreme Court ruled that under GMA, no requirement to restore degraded buffers
 - "...we cannot require farmers within Skagit County to replant what was long ago plucked up."
- Swinomish Indian Tribal Community v. Western Washington Growth Management Hearings Board (Case No. 76339-9)
 - Same principal applies to Edmonds Marsh and Harbor Square: no requirement to restore degraded buffers

He provided the following regarding shoreline restoration

- WAC 173-26-186(8)(C) requires SMPs to include restoration goals and policies and requires established or funded non-regulatory programs that contribute to the restoration of ecological functions.
- The WAC doesn't require restoration of an existing developed area within a defined SMP buffer.

Councilmember Buckshnis thanked Mr. Pater and Senior Planner Kernen Lien, noting the Council has had at least nine meetings over the past three years, some very heated. She referred to the testing Mr. Anderson did in 2010, and asked if he was aware the tide gate was closed October to March so it did not reflect the true condition of the marsh. Mr. Anderson answered he was aware there was tide gate but not when it was closed. He measured approximately a ½ foot of tidal exchange; it is not the tidal exchange that is the standard, it is the presence of salt tolerant vegetation. Councilmember Buckshnis relayed her understanding of Mr. Anderson's explanation it didn't matter if there was more saltwater in the summer when the gate is open and water freely flowing. Mr. Anderson answered it does not matter but the highest tides also occur in the winter which is the reason the gate is closed.

Councilmember Buckshnis referred to the interim designation, commenting Ecology seemed to think the only reason was the 100-foot buffer. She recalled in December 2013 Mr. Pater commented on the involvement of stakeholders and potential litigation. In considering the interim designation, she recognized there were four stakeholders involved, including Chevron/Unocal "who just wants to get out of Dodge." She referred to their January 2014 letter to Mayor Earling stating they will sue the City if the designation is changed. The marsh was reclassified so the buffers were changed and Chevron/Unocal wants to ensure the zoning stayed the same, which has been addressed. The reason for the interim designation was allowing time for WSDOT to take over the property; the sale is in escrow now pending Ecology approval.

Councilmember Buckshnis continued, the City also received a letter at that time from WSDOT stating they did not like the 150-foot buffer but did not mind a 100-foot buffer. The third stakeholder, the Port, is surveying the land. She commented there are still a lot reasons to request the interim designation, primarily due to the stakeholders involved, getting WSDOT in control of the property and working with the Port. Mr. Pater responded Councilmember Buckshnis made a valid point but these issues have been going on for a long time. One reason Ecology proposed letting go of the interim was to save the City the trouble of the amendment process in the future. The interim was initially intended for only for two years; it realistically could take longer than that to sort through all the issues. Councilmember Buckshnis

commented there at least is a better understanding. The City recently received approval from WRIA 8 for the final design.

Councilmember Teitzel referred to the description and definition buffers and setbacks. He read from a document by Mr. Pater dated June 11, 2015, public comment responses, that defines buffers and setbacks, "A buffer means an area adjacent to a critical area and/or shoreline that is required for continued maintenance function and/or structural stability of the critical area and/or shoreline. Buffer widths vary depending on the relative quality and sensitivity of the area being protected. Unlike zoning or shore setbacks, shore setbacks are intended to be left undisturbed or may need to be enhanced to support natural processes, functions and values. "Shore setback" means the minimum distance between a structure or use and the shoreline ordinary high water mark. By definition, the buffer is adjacent to the critical area or shoreline and the setback is measured from ordinary high water mark, so if there is both a buffer and setback, they will necessarily overlap." He asked if Mr. Pater still agreed with that description. Mr. Pater responded they overlap but they really support each other. For example, Ecology is proposing a 50-foot buffer and 50-foot setback from the buffer. It is common in newer SMPs to combine the proposed buffer and the setback from the buffer to protect the integrity of the buffer. For example, Island County has that in most designations. He did not see it as an overlap but rather one supporting the other. There may be occasions like the marina which is all industrial pavement so there would not be a buffer but a marginal setback. It depends on the situation how the buffers and setbacks are applied. For example, at Harbor Square, the buffers when applied, do not match up to what exists but could if the site goes through a major redevelopment.

Councilmember Teitzel observed the description refers to the setback measured from OHWM. He cited from Attachment A of Ecology's findings and conclusions, "SMP-required change number three requires a 50-foot buffer with a minimum 15-foot structural buffer setback." He asked if the setback is measured from the OHWM, does that mean the setback is included within the 50-foot buffer and not added to it. Mr. Anderson answered it is more often offset from the buffer to protect buffer, otherwise there is encroachment. He would have worded that differently such as the buffer is adjacent to the critical area and the setback extends from the edge of the buffer outward. Councilmember Teitzel suggested it would be more clear to state the setback is the entire distance from the OHWM from the landward measurement and the buffer is within that setback.

Mr. Lien said there are some places in the City where there is just a setback and not a buffer. The response to public comments that Councilmember Teitzel cited earlier are definitions in the SMP. Shore setback is defined as measured from OHWM and buffers are also adjacent. There may be instances where there is only a setback and some where there is a setback and buffer. The changes required by Ecology on page 544-545 of the packet that refer to setback and buffers at 65, 50 means 65-feet from the edge of the marsh and 50 feet of that is the buffer; previously it was a 100-foot setback with a 50-foot buffer. In function it is really a 15-foot setback on top of the buffer.

Councilmember Teitzel referred to the City of Issaquah SMP regarding setbacks and buffers on Lake Sammamish, which also supports anadromous fish, that states, a "35-foot wide vegetated shoreline buffer and a 15-foot building setback shall be required to protect the lake from adverse effects of development." He asked why there was a net total of 50 feet for Lake Sammamish and 65 feet for the Edmonds Marsh. Mr. Pater answered he worked with Issaquah on their SMP; the Lake Sammamish shoreline is pretty built out with very little buffer. Issaquah was focusing on incentives to bring back the buffer when redevelopment occurs. It is difficult in highly developed shoreline areas; applying a larger setback to a built out environment where the houses average 15-20 feet from the water would create a nightmare of nonconforming uses and potential for variances. That needs to be balanced with the reality of what exists and try to get incentives to slowly get some of the buffer back.

Councilmember Tibbott asked if a 50-foot buffer is a standard width for a Category II wetland. Mr. Anderson answered no, it is smaller. For Edmonds Marsh, the 50-foot buffer is proposed only with redevelopment. Whatever buffer is required in the CAO and brought into the SMP would apply to the southeast corner of the marsh where there is an intact buffer; the 50-foot buffer with a 15-foot setback is for areas subject to redevelopment. Councilmember Tibbott relayed his understanding the buffer was customized for the City of Edmonds. Mr. Anderson answered it was customized because it was already developed and to encourage restoration.

Councilmember Nelson referred to an article in yesterday's Everett Herald, titled "Report: Loss of Salmon Habitat Continues to Grow" which states, "The State's no net loss goal does not result in habitat conditions that lead to recovery because the benchmark is being established in a watershed that is already in a degraded state, not capable of producing properly functioning conditions from an ecological standpoint." He asked Ecology to comment on that. Mr. Anderson said it's catch up because so many sites have already been built out, so many streams have already been culverted. There are restoration opportunities and chances to turn that around and slow it down. The City is already pretty built out which is the reason the City is facing these issues. Mr. Pater said when the City started the process, it first put together an inventory and characterization that defined the baseline conditions of Edmonds' shoreline. The baseline condition is it's very built out and that is the threshold that the SMP looks at in terms of meeting the no net loss of ecological function goals. They do not want to see degradation on a citywide basis of the shoreline beyond what exists now. And in the existing conditions, the marsh is not functioning properly due to development around it. He agreed it was a difficult situation for built out communities but this was one of the compromises made when the SMP guidelines were developed 12-13 years ago.

Councilmember Fraley-Monillas asked about the buffer for a Category II wetland. Mr. Anderson answered it depends in part on why the wetland is a Category II. Under the current guidance, they recommend a 100-foot buffer for an estuarine if impacts of land use around the wetland are minimized and if there is an intact 100-foot wide corridor. Otherwise for an estuarine wetland, it is 150 feet. Councilmember Fraley-Monillas asked about the buffer for a Category I wetland. Mr. Anderson answered 200 feet for an estuarine wetland.

Councilmember Fraley-Monillas said she has heard from a number environmentalist in the City, including Joe Scordino who has the qualifications to question the classification of the Edmonds Marsh. She asked why environmentalist are insistent the marsh is a Category I and why they disagree with Ecology. Mr. Anderson answered it is a valuable resource, it is a large wetland, it has a lot of diverse habitat and it was previously categorized as a Category I wetland. A report done by Pentech in 1998 summarized the characteristics which would have been based on the wetland rating system. He did not know for certain that was the basis for that determination, but under the 1993 rating system, because the marsh was larger than 5 acres, it was an estuarine wetland, it qualified as a Category I wetland. However, when Ecology updated the rating system in 2004, that 5-acre criteria was not carried forward and instead the condition of the wetland was considered such as whether it has an intact buffer, whether it is disturbed, whether it has tidal channels and it had to meet two of those three criteria to be a Category I and Edmonds Marsh only meets 1 of the 3 in its current condition. The estuarine wetland standards were changed between 1993 and 2004; they were not changed in the 2014 update.

Council President Johnson asked what Ecology expected to receive from the City within the 30-day deadline. Mr. Pater responded it obviously will take longer than 30 days. There are two options for the Council to consider, 1) agree with required changes, or 2) propose alternatives to the required changes. Ms. Hope said it would be helpful to have an indication from Council that they need more than 30 days. Mr. Pater agreed, a letter or email prior to the July 26 deadline requesting more time. He noted the reason for the 50-foot buffer and 15-foot setback was based on the science Mr. Anderson presented and the land

use situation of the marsh and issues that have occur over the years. Ecology must base its decisions on firm legal ground because anyone can appeal the SMP if approved with the required changes. Ecology feels comfortable they have built a strong record for that case in the findings and conclusions. Ecology is open to alternatives, but the City needs provide its own justification for alternativeness via communication to the Ecology Director.

Council President Johnson asked how long an extension Ecology would consider granting the City. Mr. Pater answered a month or two but he did not want it to drag on a year. Ecology needs to defend any potential appeal. Ms. Hope said further discussion/direction on the SMP is scheduled on July 19 and August 3 agendas.

Councilmember Buckshnis said she requested City Attorney Jeff Taraday look up the interim designation, believing the Council had significant grounds in view of Mr. Pater's statement regarding an interim designation when there is the potential of lawsuits. Mr. Taraday relayed Councilmember Buckshnis' email asked the definition of an interim official control. His office researched and that exact phrase is not defined. He offered to email the Council the definition his office found related to that phrase and discuss it further if necessary. The definition of interim official control would not turn the decision whether the environment is determined to be an interim shoreline environment.

Councilmember Buckshnis reiterated there are four stakeholders and the City has letters from two, one saying they will sue the City. Her issue continues to be that an interim designation can be supported, it is more than the 100-foot buffer issue, it was the 4 stakeholders. She believed Chevron/Unocal was almost done with the cleanup. Mr. Pater agreed they are, in conversations with Chevron's lawyer a few months ago, there were concern with 100-foot buffer proposed by Council. Mr. Pater said his understanding is that Chevron/Unocal would have to do a more intensive clean up within that buffer on their property which is why they are concerned with a 100-foot buffer. Councilmember Buckshnis said if the cleanup is almost complete, WSDOT has no problem with the 100-foot buffer. The WRIA-8 funding indicates a lining will be provided in the stream if necessary. She expressed interest in the escrow moving to WSDOT and if the cleanup is nearly done, that justifies the interim designation.

Councilmember Teitzel said he it's easy to drawn down into minutiae, talking about buffers and setbacks, shoreline jurisdiction, etc. and lose the big picture. The big picture is trying to restore the water quality in the marsh to support the return of salmon. Everyone supports that goal; the question is how to get there. He read from attachment A of the findings and conclusions, page 537 of the packet, regarding the SMP, "While restoring the buffer at Harbor Square could contribute to improving water quality, retrofitting the storm water treatment system would provide a much greater ecological lift and require a smaller footprint. Unfortunately, the habitat benefits of a wider buffer are limited by the marsh's relative isolation within a highly developed urban landscape." He asked whether Ecology still agreed with that statement. Mr. Anderson answered definitely, the biggest threat to the marsh and the fish is water quality. With the differences in buffer width within this urban landscape, an intact corridor is not going to happen; cleaning up the water provides the greatest benefit. Councilmember Teitzel relayed his concern is if a buffer and setback that extends too far toward Harbor Square is required, it can be a disincentive for any redevelopment possibly in perpetuity which will preclude any stormwater improvements. He cautioned the Council not to establish a limit that could preclude improvements; it is an opportunity cost to the environment.

Councilmember Tibbott asked if there were opportunities for buffer averaging around the marsh; possibly some parts would require or benefit from a 100-foot buffer and a 25-foot buffer would be adequate in other areas. Mr. Anderson answered because the remaining intact buffer on the marsh is very limited, buffer averaging opportunities are also very limited. Buffer averaging requires shrinking the buffer in some areas and enlarging it in other areas when in reality only the southeast corner and possibly the old

detention pond on the Unocal site are the only areas where much intact buffers remains; the rest has already been degraded.

Councilmember Nelson commented Ecology has muddied the water. Prior to 2010 the marsh was called one thing, and now Ecology, whose mission is to protect, preserve and enhance Washington's land, air and water for current and future generations, has shrunk the marsh's protective buffers and found an exception to make the protective buffers even smaller. He agreed the City needed to work with its neighbors because at the end of the day, the marsh will not get better without their help.

Council President Johnson asked whether it is the City's or the State's responsibility to determine the marsh's classification. Mr. Anderson answered it depends on why she is asking. If she was only looking at implementation of the City's CAO, she would look to staff. The State is the resource and provides technical assistance, developed the rating system and are frequently asked whether it is being interpreted correctly. If it is only a City matter and the City is not seeking the State's opinion or assistance, it would be up to the City but the State also has a role in determining the classification in the cases of permitting and impact to the wetland. In the event of in-water wetland permitting, the City and State processes are separate. At this time the City is using the State's wetland rating system. In previous CAOs, some jurisdictions chose to develop their own rating scheme which created a great deal of confusion which is one of the reasons for a State system which they recommend cities use. When a question arises about the rating, Ecology makes that decision.

Mayor Earling asked if Ecology staff was available to respond to questions at future Council meetings. Mr. Pater and Mr. Anderson both answered yes.

Councilmember Mesaros said Councilmember Nelson's statement raised the idea of developing incentives for improvement. He asked how to structure the SMP so that an adjoining property owner is interested in making improvements to preserve the marsh when they redevelop. If the SMP is so restrictive that the adjoining property owners says "why bother," that does not result in improvements to the marsh. He referred to the paragraph Councilmember Teitzel read about stormwater runoff, commenting that is an incentive to improve the area around the marsh. Whether there is a 75 foot or a 200-foot buffer, if the runoff is not improved, the water quality will deteriorate. He was interested in creating incentives for adjoining property owners so that in 10-15 years, people recognized that the decisions made in 2016 improved the water quality.

Councilmember Fraley-Monillas said she is one of only Councilmembers who has lived in Edmonds their entire life and remembered 40 years ago when the marsh extended to SR-104. She reminded that the marsh has been chipped away at; what used to be a beautiful preserve has been degraded to a much smaller marsh.

Mayor Earling declared a brief recess

2. **EDMONDS WATERFRONT CENTER AND BEACH REHAB SCHEMATIC DESIGN REVIEW**

Parks & Recreation Carrie Hite reviewed the history:

- In 2014 Council passed a resolution supporting the redevelopment of the senior center
- In 2015 Council unanimously approved the Option to Lease and the Ground Lease, giving the senior center to begin their capital campaign and begin schematic design of the new center, now proposed as the Waterfront Center.
- At the February 2016 Council retreat, the initial schematic design was presented

Ms. Hite explained the lease agreement requests the senior center obtain Council approval of the schematic design. She is also seeking Council approval for the park redevelopment schematic design. The waterfront center and the park redevelopment are treated as one project and there is a shared parking lot.

Farrell Fleming, Executive Director, Edmonds Senior Center, said this presentation was similar to what was provided the City Council at the retreat. This design was shared with the Architectural Design Board (ADB) last week and 200 people attended the June 22, 2016 open house. He introduced the Edmonds Waterfront Center - connecting and enriching our community and reviewed:

- 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
- 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.

Phil Lovell relayed the senior center is very interested in keeping the community updated. There are regular briefings with the Senior Center Board, the membership, opportunities for the public to weigh in including public meetings and a presentation to the ADB last week: He shared the ADB's comments:

- Very interested and supportive of the project including the concept, location, programs and benefits to citizens and seniors
- Minor observations about locations of interior doors and adjacency of rooms
- Most observations were related to siting of the building and the site
- Very interested and excited about the beach restoration
- Concerned about parking capacity, specifically ADA parking
- Very interested in utilization of native/natural materials for building exterior so there is a northwest appearance/style but also concerns about durability and maintenance
- Concerned about drainage characteristics, drainage direction, how swales operate and drain into rain garden
- Concern/awareness about the immediate adjacency of the blank north wall of Ebbtide, concern about the alley look of 8-foot walkway, width and availability of through passage from Railroad Avenue to waterfront
- Provide adequate space for service deliveries
- With regard to the building:
 - Height of the building versus sea level rise, suggestions to lower ceiling heights to accommodate rooftop activity
 - Comments/concern with amount of glass due to energy and maintenance issues
 - Highly interested in sustainability rating and would like to see LEED gold if possible.
- Expressed desire to continue with the project

Sally Knodell, Senior Architect, Environmental Works Community Design Center, described Environmental Works and reviewed the project phases: schematic design, design development, construction documents. They have done extensive programming investigation with the senior center team. She displayed the site plan concept and identified:

- New parking lot configuration that will organize and clarify navigation over the current parking lot
- Removal of the existing bulkhead
- Building oriented to maximize views from public spaces

- The 30-foot wall of the new building will back up to the 5-foot Ebbtide blank wall and help minimize its presence in the shoreline context and people in the building and public spaces will not look at blank wall
- Railroad Avenue walkway to the beach past building on north edge
- Treat stormwater in parking lot via use of bioswale, stormwater currently not treated.
- Water travels through bioswale into rain garden which provides further water quality treatment, distention with discharge to Puget Sound under the marine walkway
- Marine walkway in front of building with large patio
- 8' walkway between building and Ebbtide and load/unload on that corner near walkway
- Directive from senior center team was to give back to the community and have the building be a beacon along the waterfront and draw people in from the marine walkway so the programming spaces and activities can be shared with the community

She displayed the first floor plan and identified spaces:

- Thrift store remain on site, located on Railroad Avenue side
- Restrooms
- Elevator
- Support spaces
- Main entry from Railroad Avenue
- Conference room located adjacent to entry
- Open stairs
- Coffee kiosk with access from inside and the building and via an outside window
- 2-story community living room space
- Banquet room that seats 240 with a movable partition to separate into 2 spaces
- Commercial kitchen
- Stage at south end
- Support spaces, mechanical spaces, green space, table/chair storage
- Marine walkway
- 14 feet between building and edge marine walkway and 8-10 feet before concave bulkhead

She displayed the second floor plan and identified spaces:

- Seating area
- Two-story space open to community living room below
- Four multiple rooms oriented to view with two movable partitions
- Senior Center admin space
- Light medical clinic spaces for healthcare providers
- Restrooms
- Conference/flexible meeting room space
- Land Use code requires 30% of dimension of the site to be view corridor. This proposal has 50%

She displayed a 3D view from the northeast (Railroad Avenue), identifying the exterior of the thrift store that provides space for public art and/or banners, senior center office spaces on 2nd floor, stone wall with rainwater cisterns to collect water from roof to flush toilets, entry, and stone wall around side of building. She displayed a 3D view from northwest, identifying the curved wall of community living room and multipurpose rooms above the banquet room. They will be investigating glazing for the curved wall; the next level of design will include energy modeling.

Mr. Knodell displayed 3D views from the banquet room and community living room, advising there is some discussion about a fireplace element. She displayed 3D views of the shoreline restoration concept, advising the flood plain elevation is 14, the existing senior center first floor elevation is 12 and sometimes

floods. The shoreline's consultant, Herrera, recommends the first floor elevation be located at 15 to accommodate for sea level rise and minimize hazards from high tides. The team's position is to have a protected strip between the marine walkway and the banquet room with a 2-foot sill, operable windows and no doors to the patio due to the difficulty with flashing the opening. For the occasional days of active weather, consideration is being given to protective devices for the western glazing such as shutters or structural fabric.

Ms. Hite explained as part of the design of the new center, the City engaged John Barker to assist with the redevelopment. The original drawings included stairs and impervious surface to the beach. They have been working with Mr. Barker to provide more habitat area while maintaining access to the beach. She displayed a 3D view of the shoreline restoration concept – beach cove, advising it is consistent with the SMP which specifically calls out removal of the creosote pier. She explained the intent is similar to Brackett's Landing South, some of sidewalk will be at grade with the sand, a seawall, stairs, and hand boat launch. This design was developed via a meeting with the Tribes, Aquatic Lands Enhancement Account (ALEA), and Water Access. She recalled the Council adopted a resolution in April allowing staff to apply for \$1 million in grants, \$500,000 from Water Access and \$500,000 from ALEA.

Observing this a shoreline of the State and under Ecology jurisdiction, Councilmember Teitzel asked how 24 feet between the western edge of the building and bulkhead comply with the setback and buffer requirements in the SMP. Senior Planner Kernan Lien answered the setback for the building in the updated SMP for this area is 15 feet from the bulkhead and a 40-foot setback from the bulkhead for parking. The requirement for a 30% view corridor that Ms. Knodell mentioned is also part of SMP.

Councilmember Mesaros observed the southern property line is unusual. He asked about extending the walkway to the fishing pier. Ms. Hite recalled extending the walkway also came up at the open house. She has been in contact with the Ebbside Homeowners Association and they are not interested in working with the City to extend the walkway but she is still trying to find a win-win. The City owns an easement in front of the Ebbside which is being considered as a possibility to extend the walkway. Councilmember Mesaros asked about the jog in the southern property line. Ms. Hite said that is the existing condition and she was not sure why.

Councilmember Fraley-Monillas inquired about the number of parking spaces and whether there would be more than currently exist. Ms. Knodell advised it is the same. Ms. Hite said removing the creosote pier eliminated a great deal of parking but reconfiguration results in the same amount of parking. Councilmember Fraley-Monillas observed the design of the parking will make it easier to get through the parking lot.

Councilmember Tibbott referred to the ADB's concern about a service entrance and asked how that was addressed and whether there was parking for a larger truck or people dropping off donations. Ms. Knodell identified the load/unload parking space for the thrift store, back of house, commercial kitchen, stage, etc., explaining it may be reconfigured to be parallel to the edge and to ensure it does not impact drivers exiting the parking lot.

Councilmember Tibbott inquired about the walkway. Ms. Knodell answered it is a service walkway and not intended to be accessible to the public. The team will explore that concept; it may warrant a gate to diminish the possibility of unsavory activities.

Ms. Hite said they are seeking the go ahead from Council. As stated in the lease with the Senior Center, the City Council must approve the schematic before they can proceed with design development. She requested the Council provide guidance regarding any changes or a go ahead for the City to provide in writing to the Senior Center the Council's authority to proceed with design development. The lease also

requires the Senior Center return to Council after design development for the Council to weigh in. The Council will also have an opportunity to weigh in at the construction document phase.

Councilmember Nelson asked about alternative forms of energy such as solar panels. Ms. Knodell agreed onsite renewables are a great way to increase the green presence. The primary source that is the most viable for this site is ground source heat pump, a very durable system with a great payback. The electrical engineers are very concerned about solar panels on this site due to exposure to saltwater. All the panels being manufactured at this time have metal components; there is a concern with the metal due to corrosion. The other complicating factor is solar panels perform best when they are clean; salt layers would quickly build up on these but because they delicate, it is not advisable to have people wiping them off to maximize performance.

COUNCILMEMBER FRALEY-MONILLAS MOVED, SECONDED BY COUNCILMEMBER TIBBOTT, TO APPROVE THE SCHEMATIC.

Council President Johnson said this is scheduled on the Consent Agenda next week. She recommended scheduling it as an action item for a vote next week as this is a study session and this is the first time the Council has seen it. Ms. Hite agreed approval on next week's Consent Agenda was fine.

COUNCILMEMBER FRALEY-MONILLAS WITHDREW THE MOTION WITH THE AGREEMENT OF THE SECOND.

Mayor Earling requested staff have the letter drafted and signed and provided as part of next week's packet.

3. PRESENTATION ON FIVE CORNERS PLANNING AREA

Development Services Director Shane Hope explained some Councilmembers were not on the Council when this work was drafted. Planning Manager Rob Chave reviewed the origin of this effort:

- Partnership opportunity and EDC recommendation to City Council
- Planning initiated with contract and partnership between
 - City of Edmonds
 - UW/Green Futures Lab
 - Cascade Land Conservancy (Forterra)

He provided highlights of the history:

- UW studies in 2010-2011
- City focused on Westgate plan and code first
- Five Corners roundabout completed 2014
- Westgate approved in 2015

He reviewed a process overview diagram that included public outreach meetings in 2010-2011 and described project phases:

- Phase 1: Site analysis and online survey
- Phase 2: Listening session and audience response survey
- Phase 3: Design workshop and draft plans

Mr. Chave described considerations used in planning:

- Pedestrian connections
- Cycling connections
- Green connections

- Green features
 - Street trees, green street edges, green roofs
 - Stormwater treatment, bioswales, rainwater harvesting
 - Rain gardens, permeable paving, pocket parks, courtyards

The UW team developed a design alternative that was presented with the Westgate recommendation in 2011. The Westgate plan moved forward; the Five Corners plan has been idle since. He highlighted features of the Five Corners plan:

- Building emphasis at the street edge and plazas
- Considered more walkable than Westgate
- Buildings oriented around roundabout, take advantage of semi-public space with additional crossings and pedestrian atmosphere
- Use backs of buildings and parking lots to buffer surrounding neighborhood to fit into Five Corners context

He identified next steps:

- Prioritization and placement in City work plan
- UW recommendations needs to be verified and translated into City code
- Plan direction is already in place
- Planning Board review, including public hearing(s) and recommendation
- City Council consideration and final action

Council President Johnson said she was involved in this effort and would be more than pleased to have this completed this year. She asked how likely that was given the Planning Board’s schedule. Ms. Hope said it cannot be completed this year. A lot of work still needs to be done to refine it and the Council’s priorities are the code update and the Highway 99 subarea plan. Producing a good product that has been updated will take a little longer; it would be worthwhile to consider in 2017. Mr. Chave said one of suggestions in the agenda memo was to have this as an item for the Council retreat early next year, an opportunity to consider where this fits with other priorities. Ms. Hope said it could be presented to the Planning Board late in 2016 to get them thinking.

Council President Johnson recommended the City Council forward it to the Planning Board. Mr. Chave said there are a number of Planning Board Members who have not seen the Five Corners information.

4. WILHOIT PROPERTY DONATION

Parks & Recreation Director Carrie Hite requested Council’s consent for the Mayor to sign a deed of property for property off Main and 9th. The property owner, Doyle Wilhoit, approached the City, interested in donating the property to the City. The City commissioned a Phase 1 environmental assessment on the property and there are no concerns after vetting by the city attorney, engineering and planning departments. The City has an easement on the property for utilities and the property is located within the Shell Creek corridor. She displayed an aerial view of the property, advising preservation of the wetland and water from the creeks on the property is consistent with the Parks, Recreation and Open Space Plan PROS and Stormwater Plan. There is no access to the property and it is essentially a steep ravine but its preservation benefits the City. She requested approval on the Consent Agenda.

It was the consensus of the Council to forward to the Consent Agenda for approval.

5. AMENDMENT #3 ILA WDFW FISHING PIER

Parks & Recreation Director Carrie Hite advised this is an amendment to the agreement with Washington Department of Fish and Wildlife for construction of the pier. The original agreement was for the assessment and design, the first amendment was for construction, the second amendment was to extend the time period, this amendment allocates the additional \$500,000 to the City (\$450,000 from RCO and \$50,000 from WDFW) to recoup the costs of additional construction.

Councilmember Teitzel asked whether construction was on track for reopening the pier in late August. Ms. Hite answered testing is being done of the center joint of the pier, the results will be available next Monday/Tuesday. If all is good, the pier could open in August; if all is not good, the opening date may need to be extended. There are funds in the budget to address additional concerns.

It was the consensus of the Council to forward to the Consent Agenda for approval.

6. PRESENTATION OF A SUPPLEMENTAL AGREEMENT WITH BERGERABAM FOR THE FISHING PIER REHABILITATION PROJECT

City Engineer Rob English advised BergerABAM is the design engineer of record on the pier. In last month's discussion about the change order and extra work for the edge repair on the pier, the budget included an amount for extending BergerABAM's contract. The services they provide include site meetings to review submittals. The total supplemental amount is \$40,500 which will be reimbursed by the grants that Ms. Hite mentioned. He recommended approval on the Consent Agenda.

It was the consensus of the Council to forward to the Consent Agenda for approval.

7. PRESENTATION OF GOODS & MATERIALS AGREEMENT FOR SOLE SOURCE JUSTIFICATION FOR THE PROCUREMENT OF STONE CLADDING, PAVING AND SITE FURNISHINGS FOR THE VETERAN'S PLAZA FROM COLDSRING

Parks & Recreation Director Carrie Hite advised this is a request for authorization of a sole source contract for stone and granite for the Veteran's Plaza. SiteWorkshop has been working with the community group and the City to develop construction document for the Veteran's Plaza, the permit will be issued as soon as a contractor is selected. The bid documents will be completed by the end of the week and the project will go out to bid. The stonework at Veteran's Plaza is quite significant and requires an 8-12 week order time. SiteWorkshop has done their due diligence to find alternative vendors for this product; their documentation indicates they were only able to find one vendor. The Veteran's Plaza Committee has asked to use an American quarry and American-made stone for the Veteran's Plaza. This the only vendor in the United States that SiteWorkshop was able to find; they worked with them to develop the sole source paperwork.

Public Works Director Phil Williams explained the committee looked at quarries and selected a product. The company that reps that product from that quarry has an exclusive relationship. They will also cut, polish and deliver the final product ready for installation. They are the only ones that can do that which is the reason for the sole source justification; a competitive bid would not be a useful exercise in this circumstance. This stone is a design issue and was selected by the private donors who are largely paying for the project. The only way to accomplish this is to execute a sole source agreement. The justification is provided and it complies with the City's purchasing policy.

Councilmember Mesaros relayed the Veteran's Plaza has raised \$486,747; there are resources to have the best. He did not know stone was made in a country. Ms. Hite relayed it was important to those working on the Veteran's Plaza to source it from the United States.

Councilmember Teitzel appreciated and supported the concept of buying American. He asked if there were other non-American vendors that could provide a similar product and what the cost differential would be. Mr. Williams responded this is an architectural design issue. The committee looked at what stone is available and selected this; it is not available from another quarry in this country. He was not sure if an identical stone would be available from another country or whether the committee looked internationally.

Councilmember Fraley-Monillas commented they raised the money, they should be able to get the stone wherever they wanted and she supported buying American. Ms. Hite said the City is managing the contract and finances and must abide by the purchasing policies and rules and regulations. She agreed it is primarily privately raised funds with the exception of \$30,000 in City money.

It was the consensus of the Council to forward to the Consent Agenda for approval.

8. AUTHORIZATION FOR MAYOR TO EXECUTE A LEASE AGREEMENT WITH NEOPOST FOR POSTAGE METER EQUIPMENT

City Clerk Scott Passey explained the 5-year lease agreement with Pitney Bowes for postage equipment expired July 1, 2016. Neopost provided a very attractive proposal; staff visited their facility in Tukwila, received a demonstration of the equipment, visited their service department and were impressed with their product and service. Their proposal is less than the City is paying Pitney Bowes now and NeoPost will provide equipment equivalent to the current equipment and possibly better. Software enhancements will streamline the process for registered and certified mail. The proposal is a 5-year lease agreement with NeoPost and a monthly lease amount of \$600/month, which is \$150 less than the current lease. He recommended approval on the Consent Agenda next week.

It was the consensus of the Council to forward to the Consent Agenda for approval.

9. MAYOR'S COMMENTS

Mayor Earling emphasized to the Council this is an extremely busy time of year for staff with contracts, projects, the audit, the CAFR, beginning the budget process, and the second floor is very busy. He highlighted the hard work staff doing, commenting it was phenomenal with all the projects underway. He acknowledged a few staff were added this year and he anticipated adding a few more. He encouraged Councilmembers to hang around City Hall and see the amazing amount of work that is being done. He thanked the Council for approving the HR Director position.

Mayor Earling encouraged Councilmembers to attend the Council Snohomish County Cities and Towns meeting on July 21 that will include a presentation by the Economic Alliance.

10. COUNCIL COMMENTS

Councilmember Nelson commented it was a tough weekend; when he heard about what happened in Dallas, he reached out to the Edmonds Police Chief, asking to go on a ridealong, to sit side by side with police officers. On Saturday night he spent eight hours on a ridealong, watching the professionalism, respect and fairness that officers exhibit to citizens. The City is fortunate and lucky to have these officers. He also attended the community vigil by Snohomish County NWACP on Sunday to listen and learn from members of the community who are hurting.

Councilmember Fraley-Monillas reported on training she attended at the Snohomish Health District on heroin and opioid use in Snohomish County. She referred to an article in the Los Angeles Times

regarding the high heroin and opioid use in the Everett area; drugs are being trafficked from southern California to Everett. In some cases, there is a connection between homelessness and drug abuse.

Councilmember Buckshnis agreed it has been a difficult week. She advised Rhondi Nordal, Students Saving Salmon, will make a presentation to WRIA 8 next Thursday.

Council President Johnson reported the Edmonds in Bloom tour is July 17 and the Edmonds Cemetery Walk Back in Time is July 21.

Councilmember Teitzel encouraged the public to attend the Wenatchee Youth Circus who will be performing Friday and Saturday. The tightrope, trapeze, etc. acts are performed by youth 18 years.

Councilmember Mesaros thanked Councilmember Nelson for his comments, noting Councilmember Nelson is a former deputy sheriff and understands the risk law enforcement face as they defend and keep citizens safe as well as the tensions involved in their job. Many of the risks are unknown at the moment of confrontation.

Councilmember Tibbott commented on how exciting it was to be in Edmonds at this time in history. It was amazing to see the Edmonds Waterfront Activity Center moving forward and he found the involvement in the Civic Field planning process remarkable. Edmonds is on the map and the word is getting out that exciting things are happening.

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

This item was not needed.

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

This item was not needed.

13. **ADJOURN**

With no further business, the Council meeting was adjourned at 9:48 p.m.