

EDMONDS CITY COUNCIL APPROVED MINUTES

February 23, 2016

The Edmonds City Council meeting was called to order at 7:03 p.m. by Mayor Earling in the Council Chambers, 250 5th Avenue North, Edmonds. The meeting was opened with the flag salute.

ELECTED OFFICIALS PRESENT

Dave Earling, Mayor
Kristiana Johnson, Council President
Michael Nelson, Councilmember
Adrienne Fraley-Monillas, Councilmember
Diane Buckshnis, Councilmember
Thomas Mesaros, Councilmember (participated
by phone from 7:03 until 9:54 p.m.)
Dave Teitzel, Councilmember
Neil Tibbott, Councilmember

STAFF PRESENT

N. Bickar, Police Officer
Phil Williams, Public Works Director
Shane Hope, Development Services Director
Scott James, Finance Director
Rob English, City Engineer
Kernen Lien, Senior Planner
Jeff Taraday, City Attorney
Scott Passey, City Clerk
Jerrie Bevington, Camera Operator
Jeannie Dines, Recorder

ELECTED OFFICIALS ABSENT

1. ROLL CALL

City Clerk Scott Passey called the roll. All elected officials were present with the exception of Councilmember Mesaros who participated by phone.

2. APPROVAL OF AGENDA

Council President Johnson requested the following changes to the agenda:

- Move Item 5I, Critical Areas Ordinance Update to follow Item 5B
- Add Reports on Outside Boards and Commissions prior to Item 6
- Move Item 5G, Preliminary December 2015 Quarterly Budget Financial Report, to next week.

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

3. APPROVAL OF CONSENT AGENDA ITEMS

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

- A. APPROVAL OF DRAFT CITY COUNCIL MEETING MINUTES OF FEBRUARY 16, 2016**
- B. APPROVAL OF CLAIM CHECKS #218611 THROUGH #218693 DATED FEBRUARY 18, 2016 FOR \$412,431.29. APPROVAL OF PAYROLL DIRECT DEPOSIT AND CHECKS**

#62072 THROUGH #62081 FOR \$493,340.06, BENEFIT CHECKS #62082 THROUGH #62086 AND WIRE PAYMENTS OF \$537,218.88 FOR THE PAY PERIOD FEBRUARY 1, 2016 THROUGH FEBRUARY 15, 2016

- C. **ACKNOWLEDGE RECEIPT OF A CLAIM FOR DAMAGES FROM ROBERT A. FOLLETTE (\$146.59)**
- D. **CONFIRMATION OF ALICIA CRANK TO THE PLANNING BOARD ALTERNATE POSITION**
- E. **APPROVAL OF AN AMENDMENT TO ECDC 20.03.002 REGARDING THE NUMBER OF DAYS FOR PUBLIC NOTICE**

4. **AUDIENCE COMMENTS**

David Hunnake, Edmonds, hoped the Council would move forward with the Critical Areas Ordinance, pointing out this is at least the sixth time the Council has reviewed it. He referred to an article in My Edmonds News that stated one of the options was to hold another public hearing, relayed his belief that everyone who has spoken about the CAO has done so. The Council is elected to make decisions and citizens have faith the Council will make the right decision. He saw no merit in having another public hearing.

5. **STUDY ITEMS**

A. **PRESENTATION ON EDMONDS FIRE DISTRICT 1 SERVICE OPTIONS**

Finance Director Scott James explained the City's contract with Fire District 1 (FD1) eclipsed the 5-year mark on December 31, 2014, which also marked the time when the contractual relationship could be renegotiated. Both the City and FD1 have expressed a desire to revisit the contract. Since City administration has limited expertise in the provision of fire and EMS services, the administration and Council engaged the professional services of Fitch & Associates to conduct an analysis of fire and EMS services and provide a recommendation how the City can best provide services via the contract relationship with FD1. Fitch & Associates is a fire and EMS consulting team that serves local governments. They have earned worldwide recognition by offering their services to customers in 49 states and 13 countries.

Steve Knight, Senior Consultant, Fitch & Associates, explained Fitch & Associates is a 30 year public safety consulting firm and have now provided services to all 50 states. He described his background; he retired as the Assistant Fire Chief for St. Petersburg Fire & Rescue, Florida, a metro sized fire department, similar in total size to FD1, has a BS in Fire & Safety Engineering, an MPA in Public Administration and a PhD from University of South Florida. After retiring he worked for the International City County Managers Association on fire and EMS, joined Fitch & Associates and for the last ten years also worked for the Center for Public Safety Excellence, the parent organization for the Commission on Fire Accreditation International, the accrediting body for fire departments through the world.

Bruce Moeller, Senior Consultant, Fitch & Associates, explained his background also includes public safety, serving as Fire Chief for several organizations in South Florida including a large urban metropolitan sized fire department, as Fire Chief followed by City Manager for the City of Sunrise, Florida, and Assistant County Administrator and Chief of Staff in Pinellas County, Florida. He has an undergraduate degree in Fire Protection, MPA in Public Administration and PhD in Public Administration.

Dr. Knight presented Question #1: Financial Sustainability:

- Did the City benefit financially from its decision to contact fire services?
- Are these financial savings sustainable?

Dr. Moeller reviewed their overall findings:

- Contracting for fire services has been fiscally beneficial for the City
 - Savings have averaged \$895,000 per year (2010 thru 2016)
- Change from a prescriptive (defined station/staffing levels) to performance-based (e.g. response time) could be more fiscally beneficial to City in the long-run
 - Similar to ILAs for Brier & Mountlake
 - Explore alternatives to current resource allocation and performance

He displayed a line graph and chart of City Operated Fire Department vs. Contract Services 2007 through 2016 illustrating the estimated savings:

Fiscal Year	Net Cost to City	District 1 Budget	Estimated Benefit
2007	\$7,028,170		
2008	\$7,256,018		
2009	\$7,571,969		
2010	\$7,241,814	\$6,203,322	\$1,038,492
2011	\$7,509,761	\$6,513,349	\$996,412
2012	\$7,710,272	\$6,611,109	\$1,099,163
2013	\$7,799,711	\$6,977,263	\$822,448
2014	\$7,973,644	\$7,072,555	\$901,089
2015	\$8,059,760	\$7,289,000	\$770,760
2016	\$8,213,701	\$7,580,000	\$633,701

In response to the above questions, Mr. Moeller relayed:

- Did the City benefit financially from its decision to contact fire services.
 - Yes.
- Are these financial savings sustainable?
 - Yes, especially in the short term. Further savings in the long term with recommended operational changes

Dr. Knight presented Question #2: Operational Assessment:

- Are there operational changes that can improve services to our residents?
- Are there operational changes that can provide greater efficiencies in our fire/EMS services?

He commented FD1's management is excellent and it is an excellent organization. The City has been receiving very high quality services from FD1. For many of the issues they analyze such as staffing, management, deployment, etc. FD1 is on the leading edge. From an operational and financial standpoint, it was an excellent decision for the City to contract with FD1. Moving forward there may be opportunities with regard to how services are provided and to what degree the City is willing to accept different levels of risk. He displayed a table comparing incidents by call type in 2014:

Call Category	Number of Calls			Total
	Edmonds	FD1	Other	
EMS	2,547	6,277	39	8,863
EMS-ALS	1,398	2,993	153	4,544
Fire	450	1,268	123	1,841
Special Ops	8	8	12	28
Service	210	395	2	607
Total	4,613	10,941	329	15,883

Percentage	29%	69%	2%	100%
Calls Per day	12.6	30.0	0.9	43.5

He provided a comparison of number of incidents by call type commenting there may be some operational efficiencies in view of the lower number of fire related calls compared to EMS calls:

Call Category	Number of Calls	Calls per Day	Call Percentage
EMS	2,547	7.0	55.2
EMS-ALS	1,398	3.8	30.3
Fire	450	1.2	9.8
Special Ops	8	0.0	0.2
Service	210	0.6	4.6
Total	4,613	12.6	100.0

Dr. Knight displayed a comparison of 90th Percentile Performance by Call Type:

Call Category	Turnout Time	Travel Time	Response Time	Sample Size
EMS	2.5	5.9	7.5	2,471
EMS-ALS	2.4	5.1	6.9	1,376
Fire	2.9	6.6	8.5	422
Special Ops	2.3	7.4	9.4	8
Total	2.6	5.7	7.5	4,277

He explained Edmonds' average 90% percentile turnout time is 2.6 minutes; national best practice according to the National Fire Protection Association is between 60 and 80 seconds depending on whether it is a fire or EMS call and Commission on Fire Accreditation International is 60 and 90 seconds. He noted they presented this briefly to FD1 and they acknowledge this is an area they are working on.

Dr. Knight reviewed a graph of Average Fire Related Calls Per Day, advising on average Edmonds has less than .10 fire related calls per hour, only a couple per day and they are not concentrated during a particular time. He reviewed a Percentage of Fire Related CAD Incident Types, advising there were 12 Fire Commercial, 11 Fire Residential, 148 Fire Single Engine Response and 136 Fire Alarm Commercial. He explained the fire-related information was intended to illustrate that fire issues were not the community's highest demand and risk.

He displayed a comparison of workload for fire related calls for Station 17, 16, 20 and a graph of Average EMS Calls/Transports by Hour of Day which illustrates the peak periods during the day for EMS calls and EMS transports (approximately 60% are transported). He reviewed a bar graph of Average Calls per Hour of Day for fire, BLS and ALS that illustrates the busiest time is 8:00 – 11:00 a.m., a demand curve is the same in nearly all communities that provide integrated fire and EMS services.

Dr. Knight reviewed a Unit Hour Utilizations chart that compared workload in each station to the upper threshold for work (30% as recommended by International Association of Fire Firefighters), concluding the Edmonds stations are functioning at approximately 10% or 2.4 hours/day on calls. He clarified there is no criticism of value assessment of the workload as crews do not generate their own calls and other non-emergency tasks are handled during the day. This graph illustrates if alternatives to the status quo deployment were selected, there is capacity to absorb more work.

He provided a comparison of mutual and automatic aid response from Stations 16, 17 and 20 into FD1, other FD1 stations into Edmonds and other fire agencies into Edmonds, concluding it is a fairly quid pro quo relationship between the City, FD1 and other providers. He also provided a comparison of Station 20 and Responses to Esperance, finding approximately 10% of their overall workload was dedicated to that area.

Dr. Knight described the Within Rank Staffing Multiplier Adjustment:

Position	Current Multiplier	Recommended Multiplier
Captain	4.583	4
Firefighter/Paramedic	6.0	5.164
Firefighter	4.1	4.582
Aggregate Multiplier	4.582	4.582

He presented the alternatives:

- Alternative 1
 - Maintain current staffing relief multiplier utilized by FD1 at 4.582
 - Upgrade service to all ALS engines/trucks
 - Migrate 24 hour medic unit to 12 hour to cover peak demand
 - Utilize cross-staffed aid/medic units overnight
 - Adjust within rank relief multipliers to put greater emphasis on FF/PM positions but maintain current aggregate staffing multiplier of 4.582
 - Estimated annual savings of \$681,572
 - \$530,195 with the 77.79% Edmonds rate
- Alternative 2
 - Maintain current staffing relief multiplier utilized by FD1 at 4.582
 - Upgrade service to all ALS engines/trucks
 - Commensurate deployment strategies with remainder of FD1
 - Cross staff medic units
 - Adjust within rank relief multipliers to put greater emphasis on FF/PM positions but maintain current aggregate staffing multiplier of 4.582
 - Estimated annual savings or \$1,334,218
 - \$1,037,888 at 77.79% Edmonds rate

Mr. Knight provided a comparison of patient transport rates, advising approximately 50% of BLS calls are transported and approximately 78% of ALS calls are transported or an average of a 60% transport rate. For Edmonds this is 6-7 transports per day by 3 medic units or 2-3 per day for each station.

- Alternative 3
 - Adjust travel time performance objective to 8 minutes rather than 6
 - Would require 2 engines rather than 3
 - Actual performance is 6.6 minutes
 - Improve turnout time by 1 to 1.5 minutes
 - Net difference of 30 seconds to 1 minute
 - Maintain current staffing relief multiplier utilized by FD1 at 4.582
 - Upgrade service to all ASL engines/trucks
 - Maintain 24 hour medic unit
 - Adjust within rank relief multipliers
 - Estimated annual savings of \$1,871,232
 - \$1,455,631 at 77.7% Edmonds rate

He displayed graphs of trends in fire deaths and fires. He displayed a chart of Number of Units Arriving on Fire Calls to illustrate the impact on neighboring fire departments. This analysis found 2 units cover 90% of fire calls; therefore, dropping from 3 units to 2 is a credible consideration. He displayed a percentage of system reliability by station:

Station Demand Zone	Reliability Percentage	Number of Calls
Station 16	81.1	1,348

Station 17	90.1	1,551
Station 20	85.3	1,574

Dr. Knight provided a graph of the probability of overlapping calls by station under Alternative: 15.5% of the time for Station 16, 16.4% for Station 16 and 15.2% Station 20. He provided a Summary of the Alternatives:

	Current	Alternative 1	Alternative 2	Alternative 3
Stations	3	3	3	3
Engine/Truck	2/1	2/1	2/1	1/1
ALS Capabilities	1 station	All stations	All stations	All stations
Medic	1 24-hour 1 cross-staffed	1 12-hour 3 cross-staffed	3 cross-staffed	1 24-hour 2 cross-staffed
Performance	Approx. 6 min	Approx. 6 min	Approx. 6 min	Approx. 6 min for EMS and 8 min for fire*
Total FTEs	50	45	41	38
Estimated Savings Edmonds Rate	\$0	\$530,195	1,037,888	\$1,455,631

* Improve turnout time by 1 to 1.5 minutes and net difference to total response time is 30-60 seconds

Dr. Knight relayed their response to Question #2 above:

- Are there operational changes that can improve services to our residents?
 - Yes, ensure paramedics at all fire stations
- Are there operational changes that can provide greater efficiencies in our fire/EMS services?
 - Yes, recognize reduced fire activity and align resources to increased EMS demand

Councilmember Tibbott referred to the nationwide decrease in fire calls and asked for an explanation for that decrease and whether Dr. Knight believed it was true long term in Edmonds. Dr. Knight commented there are a lot of variables that contribute to the decrease, the biggest is prevention efforts that have occurred since the 1970s as well as design of compartmentalized structures, available protection system, materials do not burn as easily and the improved general awareness of fire safety. Specific to Edmonds, research indicates socioeconomic and demographic factors drive high fire and EMS volumes which Edmonds does not possess.

Councilmember Buckshnis looked forward to reading the report. She asked where the data was obtained. Dr. Knight answered it was obtained from SNOCOM, actual 911 calls; they have found the most credible data center is the CAD. Councilmember Buckshnis inquired about the sample size. Dr. Knight advised it was 2014; they pulled and reviewed 3 years but did the analysis on the most recent year, 2014.

Councilmember Nelson referred to the turnout time goal of 60 seconds for EMS and 80 seconds for fire and asked if fire departments throughout the country are meeting that goal. Dr. Knight answered all the accredited fire departments of which there are about 250 have to meet that standard. Research shows approximately two minutes is the average but that research was not performance based but a survey. His experience nationally and personally is if it is managed and measured it can be reduced. Councilmember Nelson said his concern was reducing the turnout time to make up the difference in travel time resulting in a longer response time. Dr. Knight encouraged the City to enter into a performance based contract.

Councilmember Nelson referred to the graphs of trends in fire deaths, and information he obtained from NFPA on home deaths per 1,000 reported fires, observing although fires overall have decreased, the same number of people are dying per 1,000 fires. Dr. Knight responded the civilian death rate is down and the firefighter death rate is down. Research shows the products of combustion are much more volatile and the

plume release rates, and the particles and particulates in smoke are more dangerous. There is clear evidence showing the volatility of fire but the outcome does not translate.

In response to Councilmember Tibbott's question, Councilmember Fraley-Monillas explained Edmonds revised its code to require sprinklers in homes 3,000 square feet and above. The Council may want to consider requiring sprinklers in other construction. Another improvement is in the sprinklers themselves such as they are more sensitive. Dr. Knight agreed technology has changed so that sprinklers are performing as well or better but they also have fewer leaks which is a perceptual issue as communities consider sprinklers. He agreed for long term sustainability and risk management sprinklers systems and smoke detectors are the #1 prevention measure; every time the fire bell rings, the system has already failed. Councilmember Fraley-Monillas said she and former Councilmember Wilson worked on that during her first year on the Council. She noted changes in building requirements have also reduced the number of fires.

Councilmember Fraley-Monillas asked whether their report included overtime. Dr. Knight answered the overall multiplier for coverage is 4.5. Councilmember Fraley-Monillas commented assuming that level of coverage for one position, there would not be much overtime. Dr. Knight answered there are a lot of elements related to staffing for overtime. Although their scope was not to evaluate FD1's management, they found FD1 was very reasonable in their approach, they add .5 FTE for every position, the first 4 positions of 4.5 are covered by the 4 platoons so it is not excessive. There is always a balance between hiring an FTE and covering with overtime. Covering with overtime is financial feasible to a threshold and then it may be necessary to hire an FTE. Another aspect is generally cities/district assume the risk for sick leave, long term illness, workman's compensation, etc., covering it with overtime or potentially a relief multiplier; cities/districts account for vacation and holiday in their FTE. Things that drive overtime include contractual items such as hiring one for one, etc. Councilmember Fraley-Monillas concluded they did not look at overtime due to all the factors. Dr. Knight agreed they did not, their budget analysis captured the entire aggregate budget.

Councilmember Teitzel referred to the savings to the City in Alternative 2 of approximately \$1.3 million and \$1.5 million in Alternative 3, assuming those savings were driven largely by reallocation of labor. Dr. Knight agreed. Councilmember Teitzel asked whether it was assumed labor could be reallocated within FD1 so there was no net loss of FTEs for FD1. Dr. Knight said they always recommend labor reductions be done via attrition so that individuals are not impacted. While that is excellent for the humanitarian aspect, the City would be asking FD1 to assume costs that are shifted from Edmonds' operations to FD1. He advised that would be a negotiated item and outside their scope.

Mayor Earling recognized a great deal of information was provided tonight. He requested Councilmembers contact City Attorney Jeff Taraday, Mr. James or him with any questions and they will transit them to Dr. Knight and his staff.

In addition to the report, Councilmember Buckshnis requested the Council be provided the PowerPoint.

Dr. Knight said they presented to FD1 but have not yet provided them the report. The report will be out in the next 14 days in a draft status for everyone to provide feedback. Their process includes the creation of an appendix that includes all the feedback, their response and any adjustments.

Councilmember Buckshnis summarized the alternatives recommend there be a paramedic at each station. Dr. Knight answered yes. Councilmember Buckshnis commented that was very important due to the aging population in Edmonds. Dr. Knight explained with EMS being 86% of the call volume, it seemed a logical transition. Mayor Earling said some of the alternatives would provide ALS at each of the three stations; currently there is BLS at two.

Council President Johnson acknowledged a number of FD1 staff in the audience, relaying her understanding Fitch & Associates had provided FD1 management a briefing. FD1's annual report to the City is scheduled on March 22, the next opportunity for the Council and FD1 to discuss this issue publically.

Councilmember Nelson inquired about the distribution of ALS responses in Edmonds. Dr. Knight said the report maps out all call volumes and concentrated demand. There were 2 areas of concentration; he recalled they were Stations 20 and 17. A GIS component of the report maps where stations should be located, one uses current stations so there is no capital outlay and another identifies optimized station locations which the City and FD1 may find useful because current performance could be provided from 2 station in the future if they were relocated.

Councilmember Teitzel asked whether citizens could expect a higher survivability rate from enhanced ALS coverage. Dr. Knight answered the majority of calls are BLS but ALS calls are very time sensitive and enhanced coverage would allow ALS units to arrive sooner, a reallocation of service to provide better service. For BLS calls there would not be much difference because the clinical condition does not require that level of service.

Mayor Earling commented on the value of having FD1 personnel present. He recognized the FD1 union will be interested in interacting with Councilmember and there was nothing inappropriate about that. He invited Mr. Taraday to comment on that dialogue. Mr. Taraday said if Councilmembers were contacted by union members, they should feel free to discuss the matter with them but requested they forward any questions and/or concerns to him, Mayor Earling and Mr. James to ensure they get forward to Fitch & Associates and are addressed in the report. He wanted to ensure the Council has the ability to make a fully informed decision whether to implement one of the alternatives and has the best information. Mayor Earling commented Fitch & Associates have been stupendous in providing information and thorough analysis.

B. DEVELOPMENT CODE UPDATE

Development Services Director Shane Hope provided a project overview:

- Development Code updated intended to:
 - Provide more readability, accuracy, consistency
 - Make inadequately addressed code topics more complete
 - Address new issues as appropriate (for example, stormwater LID techniques)
 - Clarify roles and processes
 - Resolve conflicts/overlaps
- Planning Board criteria for update:
 - Public Process:
 - Open & broad-based
 - Principles:
 - Consistency w/ state laws
 - Consistency w/ Comp Plan
 - Predictability + some flexibility
 - Recognition of property rights
 - Clear, user-friendly language & format
 - Enforceability
 - Key Objectives:
 - Reasonable & clear processes
 - Expanded & up-to-date definitions

- Protection of critical areas & shorelines
- Recognition of diverse neighborhoods & their characteristics
- Pedestrian-friendliness & biking access
- Low impact stormwater management

Ms. Hope reviewed:

- Project budget:
 - \$150,000 allocated by City Council
 - \$110,800 used by end of 2015
 - Remaining \$39,200 to be requested as 2016 carryforward in next quarterly budget amendment
- Influencing factors
 - Staff resources
 - Amount of time remaining after regular ongoing work (development review, etc.) and special projects (e.g., SMP)
 - PB principles & objectives
 - Public process & input
 - Stormwater LID integration
 - Changing legal environment (new laws, court cases)

John Owen, MAKERS, reviewed current code topics:

Land Division “Subdivisions” Types	
Current Code	Proposed Code
Short subdivisions	Short subdivisions
Formal Subdivisions	Formal subdivisions
	Binding site plan (commercial)

He provided details regarding short subdivisions:

- Proposed concept: Define as 8 lots rather than 4 (state allows up to 9 lots) while adding stronger design standards and clearer criteria
- Why? Eliminates incentive for property owners to do 2 side-by-side 4-lot (“short”) subdivisions and instead have unified design

Mr. Owen reviewed design options:

Current Code	Proposed Code
Conventional	Conventional
Planned Residential Development (PRDs)	PRD (?)
Modification Requests	Low impact design (LID)

He explained the LID concept allows greater flexibility to cluster lots & achieve more conservation or enhancement for:

- Existing trees
- Natural areas
- Stormwater LID features
- Native vegetation or
- Solar access

Mr. Owen described standards for LID of subdivisions (conceptual):

May	Must
Width and area for individual lots may vary to	Provide additional protection or enhancement of

certain extent	trees, critical areas, natural features, LID stormwater management, or solar access
Side & rear setbacks may be somewhat reduced when interior to the development (not adjacent to neighboring lots)	Limit total impervious surfaces to certain % of lot
	Provide careful protection to trees being retained
	Not result in overall density greater than allowed for zoning district

Mr. Owen identified other concepts for updating the subdivision code:

- Allow “fee simple” unit lot design for townhomes
- Require sidewalks on both sides of street for larger subdivisions
- Require access directly from a public ROW or from a shared driveway or private street meeting updated City standards
- Clarify language as needed for underground utilities, easements, dedications, etc.

He described the subdivision review process:

- Short plat (8 or fewer lots)
 - Administrative review
 - Appeal to Hearing Examiner
 - Same as current short plat process
- Formal plat (9 or more lots):
 - Hearing Examiner decision on preliminary then Council decision on final plat
 - Appeal to courts
 - Same as current formal plat process

He emphasized this would provide:

- Clearer standards re coverage, massing, stormwater infiltration, etc.
- Less need for staff interpretations” related to impacts to surrounding neighborhoods
- More “internal site flexibility” to protect trees, natural stormwater drainage, provide greater buffers around property, etc.

Mr. Owen identified another current code topics, Signs:

- Sign standards issue:
 - How to calculate sign area
 - What counts as sign area? Entire sign board counts
 - Entire sign structure counts
 - Entire cabinet counts

Mr. Owen reviewed:

- Proposed clarification #1
 - Only the area of the individual letters count
- Sign Area Calculations:
 - Concept: Update the way maximum sign area is regulated for multi-tenant commercial buildings
 - Current: Maximum allowed sign area is now consolidated for all businesses in the building: 1 sf of sign area per 1 lineal foot of building frontage containing the main public entrance
- Proposed clarification #2
 - Apply measurement to individual storefront (and not whole multi-tenant façade)

He described:

- Design concept for wall mounted signs:
 - Signage to be centered, proportional, and shaped to architectural features of the buildings
 - Signage not to exceed 2/3 of individual storefront dimension. This standard also applies to upper level businesses
 - Drawings of examples
 - Allow face of mansard roof on existing 1-story buildings to serve as wall for wall sign
- Concepts for temporary signs downtown
 - Allow stanchion (aka portable post-style) signs as an alternative to A-frame signs
 - Require a permit for stanchion or A-frame signs so they can be tracked
 - Refine requirements for A-frame or “stanchion” signs in the ROW downtown
 - Other standards:
 - One sign per business
 - Must be temporary – not limited by # of days, but must be removed after business hours
 - Must have a city permit
 - 3½ foot height limit
 - Place sign within 2 feet of building and 10 feet of business entry
 - Place signs to maintain at least 4 feet of clearance or pedestrian traffic
 - Otherwise – a blade sign could be used to advertise the additional business
- Downtown directional signs concept
 - Up to 4 locations
 - Master sign plan (subject to design approval from Architectural Design Board)
 - City permit
 - Maintained by entity that sponsors master sign plan
- Pole signs
 - Many Washington cities no longer allow new pole signs
 - Along Highway 99
 - Highway 99: only place in City where pole signs are currently allowed
 - Consider options to limit new pole signs
- Sign code concepts for Highway 99
 - Prohibit NEW pole signs altogether (or prohibit them only on properties smaller than a certain size)
 - Allow monument sign within setback, if sign is not taller than 6’ and not blocking views for traffic safety
- Other sign code issues
 - Legal issues under review based on recent court decisions about signs
 - Miscellaneous clean-up

Ms. Hope recognized there are a lot of topics to be addressed; priorities proposed in the 2016 schedule are:

- Subdivisions
- Signs
- Stormwater LID

Ms. Hope identified next steps:

- City Council questions/comments - Feb. 23
- Planning Board - Feb. 24
- Finalization of Critical Area Ordinance - TBD
- Draft code language for subdivisions and signage - spring 2016
- Continued integration of stormwater LID practices
- Preparation of additional code updates - 2016 schedule

Ms. Hope highlighted other code updates that were not part of original discussion but need to be completed by July 2016:

- Building and Fire Code update (every 3 years)
- Impact fee process as a result of legislation changing the process for single family homes

Councilmember Fraley-Monillas asked what is considered temporary in the sign code. Ms. Hope answered temporary is something that is not permanent or attached. The code refers to temporary as A-frame signs, banners, etc. Councilmember Fraley-Monillas asked whether the Council could determine the length of time for a temporary sign. Ms. Hope answered a temporary sign can be up during the day and taken down at night, displayed for a certain number of days, etc., there are several options.

Councilmember Fraley-Monillas referred to stanchion signs as an alternative to A-frame signs, recalling the stanchions used to designate outdoor dining impacted ADA access on sidewalks. She was concerned with the use stanchion signs on the sidewalk. Ms. Hope clarified the concept was allow one A-frame or one stanchion, not both, located next to the building and there would need to be ADA access. Councilmember Fraley-Monillas commented many of the sidewalks downtown are not considered ADA accessible due to their width. Ms. Hope commented the rationale for the stanchion sign as an alternative to the A-frame sign is it takes up less space on the sidewalk. For example, Mill Creek allows stanchion signs but does not allow A-frame signs. The disadvantage of stanchion signs to the business is they are more expensive than an A-frame sign; an advantage is they do not take up as much sidewalk area.

Councilmember Fraley-Monillas commented in the past she rarely saw A-frame signs, they have proliferated downtown. Ms. Hope agreed there are a lot of A-frame signs; the intent of the proposal is to reduce the clutter. For example there are A-frame signs located around the corner from a business which would not be allowed. If the Council chose, another option is no A-frame signs although there would be pushback from businesses who believe A-frames and other signage provide visibility. She recognized the importance of an active, pedestrian friendly downtown, pointing out successful businesses contribute to that environment. Mr. Owens shared the concern with stanchion and A-board signs; the current proposal includes requirements to avoid blocking the path, providing ADA accessibility, etc. The primary change is requiring a permit for A-board signs. A proliferation of A-frame signs has been seen everywhere, in part because they are so easy. Requiring a permit will allow enforcement, ensures concerns with ADA access are addressed, and encourages more attractive, well-built signs.

Councilmember Buckshnis recalled Natalie Shippen's concerns with signage. Councilmember Buckshnis agreed A-board signs are clutter and need to be regulated as they are not temporary.

Councilmember Tibbott relayed his interest in LID in subdivisions. He inquired about maintaining more natural vegetation in a subdivision and how that may relate to the CAO. Ms. Hope responded the CAO will apply regardless of the subdivision method. The idea of LID is providing more flexibility on internal dimensions of lots to preserve special features (not a critical area) on a property without reducing the number of lots and retaining the same perimeter requirements.

Councilmember Tibbott said incorporating native vegetation into the design of a subdivision versus requiring a percentage on each lot would result in a better design for the neighborhood and potentially better habitat and sustainability. Ms. Hope agreed, relaying her understanding of Councilmember Tibbott's comments that the City should encourage preservation or planting of native vegetation even if it is not required. Councilmember Tibbott agreed with that emphasis and asked to what extent LID helps accomplish that. Ms. Hope said that the intent of LID is to provide ways to retain trees, native vegetation, solar access, etc.; the standard rectangular approach does not provide those additional values.

Councilmember Buckshnis commented which she agrees LID is a great idea and a trend in the future, it may be difficult to educate Edmonds citizens that it is good for the environment. She often receives complaints about houses that occupy the entire lot. She did not like zero lot line but has seen that used in other cities. Ms. Hope clarified the proposal does not include zero lot line but possibly less setback in the interior between properties.

Councilmember Teitzel relayed his awareness of the controversy over A-frame signs and visual clutter on streets in Edmonds especially downtown. He asked whether staff has talked to businesses and/or the Chamber about A-frame versus blade signs. Ms. Hope answered yes; there is strong support from the business community for continuing to allow A-frame signs although some like blade signs. There was a lot of pushback on not allowing any A-frame signs.

Councilmember Teitzel commented Carmel, California, allows blade signs and wall-mounted signs but not A-frame signs. It is very pleasant to stroll through Carmel; the sidewalks are wide and uncluttered allowing 2-3 people to walk abreast. He was not a fan of A-frame signs and suggested the City consider either strict regulations or banning them. Ms. Hope offered to provide options for more regulation if A-frame signs are allow or not allowing them which is a policy decision for the Council to make.

Mayor Earling declared a brief recess.

I. CONSIDERATION OF THE CRITICAL AREAS ORDINANCE

Senior Planner Kernen Lien provided highlights of the CAO update:

- Update stated in fall 2014, with review of existing code and BAS
- 12 Planning Board and City Council meetings regarding the CAO
- Council adoption January 26, 2016 and Mayor veto
- December 15, 2015 code in Exhibits 1 and 2

He reviewed the intent of tonight's discussion and next steps:

- Review proposed Council amendments (8)
- Flesh out any new amendments
- Next step options:
 - Vote on amendments tonight and direct staff to bring back ordinance for consider, or
 - Decide whether to hold another public hearing and if so,
 - Schedule public hearing on March 15
 - Schedule work session March 22
 - Make decision on the ordinance on April 5

Councilmember Buckshnis said in response to Mr. Lien's opinions in the agenda memo, she changed some of her amendments and created new amendments. If the Council decides to hold a public hearing, Mr. Lien said he will provide comment on some amendments to flush out other potential amendments for the public hearing.

Councilmember Teitzel commented it was a bit of a chicken or egg; he preferred to discuss the amendments tonight, the Council reach agreement on the amendments, and if they are not too different from staff's proposal, to make a decision tonight and schedule approval of the CAO on the Consent Agenda.

Councilmember Tibbott supported moving forward with a decision on the CAO without another public hearing, recognizing there have been two public hearings and a significant amount of public comment via

email and phone calls. He appreciated the information staff provided regarding previous City Council and Planning Board discussions and felt a good, representative discussion has been held.

Councilmember Fraley-Monillas commented the Council passed a CAO; like it or not, it was what the Council discussed and passed and was subsequently vetoed by the Mayor. The Council was now starting not quite over but with an earlier version of the CAO; the Council first saw the CAO in September. Because some of the amendments change the CAO from what was passed on December 15, she felt it was appropriate to have another public hearing. She questioned whether the Council should vote on the amendments followed by a public hearing or hold a public hearing first. City Attorney Jeff Taraday responded whether the amendments are voted on as a proposed slate of amendments is not important; what is important is to get all conceivable possible amendments out for discussion so the public can read them and testify at a public hearing. If there is a public hearing, he did not want to hold it and subsequently develop completely new amendments that were outside the scope of what could have been discussed at the public hearing.

Councilmember Buckshnis commented as a result of the veto, citizens have provided a very different perspective which is why the amendments are different than what was passed in December. She supported having a public hearing because the amendments were different.

Councilmember Nelson expressed interest in doing both, reaching agreement where possible and seeing where it goes.

Councilmember Mesaros commented there has been plenty of public input. He referred to Audience Comments tonight where only one person spoke when everyone knew the CAO was on tonight's agenda and that person encouraged the Council to move forward. Although the amendments may be different than the ordinance passed on December 15, 2015 the amendments are the result of input to Council. He preferred to move forward and if citizens had concerns about the amendments, he was certain they would speak out.

COUNCILMEMBER FRALEY-MONILLAS MOVED, SECONDED BY COUNCILMEMBER BUCKSHNIS, TO SCHEDULE A PUBLIC HEARING. UPON ROLL CALL, MOTION CARRIED (4-3); COUNCIL PRESIDENT JOHNSON AND COUNCILMEMBERS NELSON, FRALEY-MONILLAS AND BUCKSHNIS VOTING YES; AND COUNCILMEMBERS MESAROS, TEITZEL, AND TIBBOTT VOTING NO.

Mayor Earling advised a public hearing will be scheduled on March 15.

Mr. Lien said with the decision to have a public hearing, the intent is to get all the amendments on the table tonight. Because 14 days' notice is required for a public hearing, the earliest date is March 15. If all the amendments are not presented tonight, the notice would refer to the CAO webpage and all the amendments would be listed. As the notice must be published by March 1, he needed all amendments from Council by Monday, February 29.

Councilmember Fraley-Monillas asked whether Council needed to indicate amendments they wanted to add and/or delete by February 29. Mr. Lien answered yes. Mr. Taraday said whether proposed amendments were withdrawn between now and February 29 did not matter; it was important to propose any new amendments and/or changes before February 29. For GMA public participation compliance purposes, it was important to get every conceivable amendment on the table even if it was subsequently deleted. If a Councilmember or he redrafts an amendment and includes it in the packet for public comment, it did not matter if one person proposed the amendment or if the Council voted to make it an official amendment.

Councilmember Teitzel said he reviewed the amendments proposed by Councilmembers Buckshnis and Nelson this afternoon and they appear to overlap, addressing the same section of the CAO. He asked how those would be combined and direction given to staff. Mr. Lien said he will provide comment on the eight amendments in the Council packet as well as the amendments he received this afternoon. Councilmember Teitzel questioned how an ordinance could be proposed for the public hearing if some of the amendments overlapped. Mr. Lien agreed there was overlap but it was important to get all amendments and topics on the table.

Mr. Lien introduced Council amendments, advising the amendments in the packet are numbered; the amendments submitted this afternoon are not:

ECDC 23.40.220.C.4 – physically separated/functionally isolated

- (1) Require determination to be made by a qualified critical area consultant
 - Maintains flexibility
 - May be costly for smaller projects
- (2) Involve Council in determination for physically separated and functionally isolated, restoration projects and exemptions
 - Council generally not involved in implementation of the development code
 - Inserts politics into what is supposed to be a decision based on science
 - Creates appearance of fairness issue
 - Variety of decision types in code
 - Type I: staff decision without notice
 - Type II: staff decision with notice, appealable to Hearing Examiner
 - Type III: Hearing Examiner decision, notice required, appealable to City Council
 - Type IV: Quasi-judicial
 - Type V: Legislative process
 - Instead of involving Council, consider a Type I, II or III decision for exemptions for emergencies, operation, maintenance and repair; passive outdoor activities

Mr. Taraday commented it would be helpful to understand what the goal is of bringing the decision to the Council; one of other processes may work better to accomplish that goal. If these came to the Council as currently proposed, it would be an open record hearing which would require creating a new process. He suggested the Council consider whether they wanted Council meeting time consumed by open record hearings on what could be very small proposals within a critical area.

Mr. Lien pointed out there are costs associated with permit processes; for example the permit for a Type II is about \$800 and \$1600 for a Type III.

Councilmember Buckshnis provided the example of a second tree cutting that occurred a couple years ago and rather than charging \$100,000, staff charged \$15,000. With regard to the daylighting of Willow Creek and the flexibility described in ESA's memo, she wanted to ensure the Council was apprised of those decisions. She recalled discussions with regard to Jacobsen Marine, American Brewery and the spray pad and an interim ordinance that allowed those to occur. She wanted to ensure the Council was informed of anomalies on very important projects to ensure they represented what the public wants. Although staff may call it politics, she called it socioeconomic impacts.

Mr. Taraday commented it was one thing to come to the Council with a permit application and ask the Council to make a decision on the application; it was very different for the Council to be informed of pending applications and decisions. He was unclear whether the intent was an informational notice or the Council would be in a decision-making role. Councilmember Buckshnis commented if they wanted 100-foot buffers in the sand at the entrance to Willow Creek, she wanted an opportunity to comment. She questioned how the Council could be part of the process on very important projects such as daylighting

Willow Creek; acknowledging she did not want to be involved in all projects. Mr. Taraday commented with regard to code enforcement matters, unless there was a possible settlement that would require Council action, the determination of a fine for purposes of enforcing the code has always been an administrative function. The only exception would be if a subject of enforcement wanted to negotiate a settlement agreement. Councilmember Buckshnis recalled one issue came to the City Council during executive session.

Councilmember Fraley-Monillas asked what would constitute an emergency. Mr. Lien recalled Talbot Road washout as an example; the critical area report was done after the work was done along with mitigation. He said emergencies also include removal of a hazard tree; a tree poses an imminent threat, it can be removed and the information submitted afterward.

Mayor Earling suggested Mr. Lien review all the amendments and then respond to questions.

Mr. Lien continued his presentation regarding proposed amendments:

ECDC 23.40.220.C.4 – physically separated/functionally isolated (con't)

“Potentially isolated”

- Change to “interrupted buffer”

ECDC 23.40.220.C.7.b.iv – Hazard tree replacement

(3) Change the required diameter of deciduous replacement trees from one inch dbh to one to two inches dbh

- Larger tree not necessarily better for restoration
- Smaller relative root ball for larger tree
- More difficult for tree to become established

ECDC 23.40.320 Normal Maintenance of Vegetation Definition

(4) Change normal maintenance of vegetation from...trees less than 3-inch dbh to trees less than 4-inch dbh...

- Normal maintenance exemption in ECDC 23.40.230.C.2
- Allows the clearing of slightly larger saplings as a critical area exemption

ECDC 23.90.040.C.1 – Native vegetation

(5) Apply to RS-8 zone

- If considered, would also apply to RS-10
- Would greatly expand the area the provision would apply to
- RS-12 and RS-20 established because the presence of critical areas
- Comprehensive Plan designation
 - Single-family Resource (RS-12, RS-20)
 - Single-family Urban (RS-8, RS-10)

(6) Change “...native trees over 10 inches in dbh make up more than 70 percent of the canopy cover” to “...native trees over 6 inches in dbh make up more than 40 percent of the canopy cover.”

- May trigger the requirements of this provision on more properties than the original proposal
- Original proposal based on specific habitat features
- Amendment intended to preserve more canopy coverage
- May be further refined through development of UFMP

Frequently Flooded Areas

(7) Do not consider amendment to ECDC 19.00.025 and 21.40.030 at this time

- Frequently flooded area are critical areas
- Building code regulates development in the flood plain

- Proposed amendment to definition height intended to compensate for requirement to build two feet above based flood elevation
- Is appropriate to consider at this time

Status Reports

(8) Require periodic reports to the City Council including number and type of critical area decision and effectiveness of implemented mitigation/enhancement

- Effectiveness monitoring and reporting is cost prohibitive
- Detailed reports can be time consuming and expensive
- With existing resources could provide periodic reports with basic data, for example:
 - How many buffer reductions were granted and where
 - Number of critical area determinations
 - Number and general type of physically separated/functionally isolated buffer determinations.
- Clarify “biannual”
 - Twice a year or every two years?

Appendices

Insert new Appendix A – Map of Critical Areas in Edmonds

- Not regulatory - used for reference purposes only
- Maps do not show the exact locations of all critical areas and are not regulatory
- Subject to change

Insert new Appendix B – Listing of critical areas in Edmonds with buffer widths and category/classification designations

- Cost prohibitive
- Would have to visit every property in Edmonds
- Critical areas not fixed in time or place

ECDC 20.15.215 Restoration Projects

Restoration of historic ecological functions is encouraged

- Which “historic” period
- Looking to improve existing conditions

Project proponent proposes buffer width necessary to ensure success

- Should have some specific parameters

Director reviews and forwards recommendation to City Council

- Same issues with Council administration of the code as previously discussed

Definitions

Move from Part IV to Edmonds Community College 23.40.010

Add definitions

- Council to reflect Edmond City Council
- Best Available Science

Exemptions

Director shall forward exemption requests to City Council for approval

- Emergency Activities
- Operation maintenance and repair
- Passive Outdoor Activities

ECDC 23.40.040.C – Areas subject to the provision of the CAO

Replace to refer to new appendixes if appendixes are adopted

ECDC 20.40.040.D – Areas adjacent to critical area

Keep only first sentence and delete the remainder of the section

Mayor Earling clarified the deadline for Councilmembers to submit amendments is February 29 so they can be referenced in the public hearing notice. Mr. Lien agreed.

Councilmember Tibbott referred to amendment #5, pointing out much of that area is already developed and asked about applying it to undeveloped R-8 or R-10 areas. Mr. Lien explained the RS-12 and RS-20 zones were established in part due to the presence of critical area such as steep slopes and streams in that area. The Comprehensive Plan designation for RS-12 and RS-20 is Single Family Resource Area; the Comprehensive Plan designation for RS-8 and RS-10 is Single Family Urban. Other items that trigger when this provision is applied; it must be these zones as well as 40% of the canopy comprised of 6 inch dbh trees and associated with streams, wetlands or steep slopes. While potentially it could apply to a larger area, in reality there are few properties where this would be triggered and therefore it not have a great impact. Councilmember Tibbott asked if there were other ways to address retaining native vegetation in those areas other than an amendment that included RS-8 and RS-10. Mr. Lien referred to subdivision and LID techniques; LID includes not only stormwater and rain gardens but also reducing setbacks in one area to save trees in another area. He agreed there were other ways to address retaining native vegetation.

Councilmember Buckshnis asked why Exhibit 27 was included in the packet if Mr. Lien did not think it should be included in the CAO. Mr. Lien answered it was included at the request of several Councilmembers. He clarified critical area maps are used by staff for reference purposes but are not regulatory.

Councilmember Buckshnis commented several other cities require reports be made to Council. She questioned how the Council would be apprised of how the CAO is working without a reporting requirement. Mr. Taraday responded the reporting requirement is much less problematic than having decisions made by the City Council. Ms. Hope said it is certainly appropriate to provide reports to Council and staff is not opposed to providing reports to the Council but want the reporting requirement to be clear and realistic. Councilmember Buckshnis asked how the reporting requirement should be referenced. Ms. Hope answered there were several options; it could be included in the CAO, as part of the budget or a resolution. Councilmember Buckshnis referred to another city's ordinance that specifies performance standards that the Council is apprised of.

Councilmember Buckshnis referred to the ESA memo and Willow Creek as example of flexibility and restoration. She asked how the Council could be involved in that. Ms. Hope relayed her understanding that Councilmember Buckshnis was interested in big projects, advising there was a way to do that as many of those would be very public decisions. Councilmember Buckshnis referred to the exemption for Lake Ballinger and suggested doing the same for Willow Creek. Ms. Hope agreed that was a possibility.

Councilmember Tibbott asked how many critical area exceptions arise in a year. Mr. Lien advised there were 428 separate critical area decisions in 2015 which included critical area determinations, subdivisions, and building permit reviews. Councilmember Tibbott asked how staff would report on that many decisions. Mr. Lien clarified that number does not include phone conversations and counter discussions regarding critical areas. A report to the Council could identify the number of buffer reductions and physically separated and functionally isolated decisions, variances, etc. and provide a few examples of the larger ones. The permitting system could be modified to facilitate the creation of a report.

Councilmember Tibbott envisioned a semi-annual or annual reporting period. Mr. Lien referred to the amendment which stated biannual and requested clarification of whether that was twice a year or every two years. Councilmember Tibbott suggested an annual report regarding the types of decisions would be adequate. He recalled when he was on the Planning Board, interest in whether enhancement/mitigation worked. Mr. Lien said staff could provide examples, but reporting on the effectiveness of mitigation would take a significant amount of work. Typically mitigation has a 5-year monitoring requirement with reports to the City in years 1, 3 and 5 and 100% survival in year 1, 80% survival in year 5 or replanting.

Aaron Booy, ESA, agreed those are the typical performance standards attached to mitigation plans and required ongoing monitoring and maintenance; 5 years is the baseline minimum and 10 years for more complex projects or in-water/wetland work which require a federal permit. Reporting on success toward meeting those performance standards would be reasonably feasible because monitoring plans are usually submitted to the City. Looking at the performance standard, the survival of tree species, the diversity and percent of canopy established would provide a good idea of how well the mitigation effort will protect the adjacent resource. Requiring additional reporting on the effect of that mitigation on the stream or wetland would require a great deal of additional work such as monitoring stream temperatures.

With regard to tracking and reporting, Councilmember Teitzel asked whether the process could be standardized to track only exemptions to code, compile those and create a report for Council. Mr. Lien answered yes, that could be done via modifying the permitting process. The level of detail the Council is interested in will determine the amount of staff analysis and compilation. Councilmember Teitzel said he was did not want to create more work for staff but wanted to ensure the legislative intent was followed. Mr. Lien anticipated it could be incorporated into the permit system.

Councilmember Teitzel referred to the proposal to remove the requirement related to sea level rise, commenting there was scientific data available that sea level rise will happen. The National Research Council states it will be 6.5 inches in 50 years and 2 feet by 2100. It would be irresponsible not to address that now, especially when the senior center plan was evolving. He did not want to allow the senior center to build at existing grade and in 30 years have the ground floor flood during a King Tide due to the increase in sea level. He favored retaining that provision in the CAO.

As the Councilmember who drafted the reporting requirement, Councilmember Nelson explained his intent in requesting a report was to determine the cumulative impact of critical area decisions on critical areas. If monitoring is required, the data exists and it is only a matter of compiling and reporting in an understandable way.

Councilmember Teitzel read 23.40.000 Purpose, “A. The purpose of this title is to designate and classify ecologically sensitive and hazardous areas and to protect these areas and their functions and values, while also allowing for reasonable use of private property.” He pointed out there is a delicate balance between not unduly infringing on private property rights and restricting what property owners can do on their property while protecting critical areas. The question is whether reasonable use of property by private property owners can be allowed and create a no net loss or improvement over the current state. He believed that was possible and the CAO as proposed largely accomplished that. Some amendments will be improvements but he encouraged the Council to be aware of the need to preserve the right for private property owners to make improvements to their property within reason.

Councilmember Fraley-Monillas agreed with Councilmember Teitzel, commenting that was the reason the Council was taking so long to review and adopt the CAO. Although staff has provided a great deal of research, there is more research available for Council review to ensure the best CAO for the City. She looked forward to continued discussion.

Mr. Lien suggested future Council packets include only information relevant to that meeting. The Council did not object.

C. APPROVAL OF INTERLOCAL AGREEMENT WITH ALDERWOOD WATER AND WASTEWATER DISTRICT FOR WASTEWATER SOLIDS DISPOSAL

Public Works Director Phil Williams explained this Interlocal Agreement would set the terms under which Edmonds could treat and dispose of wastewater solids from Alderwood Water and Wastewater

District if the need arose such as in an emergency or a planned outage for major maintenance. The City has provided this service to Alderwood as well as Lynwood and King County in the past. The Interlocal Agreement establishes a price for those services at \$0.40/dry pound. The Interlocal Agreement is similar to mutual aid for the fire department.

COUNCILMEMBER FRALEY-MONILLAS MOVED, SECONDED BY COUNCILMEMBER TEITZEL, TO MOVE THIS TO THE CONSENT AGENDA. MOTION CARRIED UNANIMOUSLY.

(Councilmember Mesaros discontinued his participation at 9:54 p.m.)

D. PRESENTATION OF A PROFESSIONAL SERVICES AGREEMENT WITH TETRA TECH FOR THE SEAVIEW PARK INFILTRATION FACILITY

City Engineer Rob English explained the Seaview Infiltration Facility Project was identified via a flow reduction study on Perrinville Creek. The City received a \$663,000 grant from Ecology in 2015 for the project. In accordance with City policy, Tetra Tech was selected via a consultant selection process. The proposed scope includes eight tasks such as data collection, additional hydrologic modeling, final design and support services. The overall fee is approximately \$184,000 which includes a \$13,640 management reserve. Staff recommends approval on the Consent Agenda.

It was the consensus of the Council to forward this item for approval on next week's Consent Agenda.

E. REPORT ON FINAL CONSTRUCTION COSTS FOR FIVE CORNERS ROUNDABOUT INTERSECTION IMPROVEMENT PROJECT AND ACCEPTANCE OF PROJECT

City Engineer Rob English displayed several photographs of the Five Corners roundabout, explaining the project was substantially complete in November 2014 but had a one year plant establishment which is the reason for the delay in project acceptance. The award amount was \$2,934,597; the final cost paid to Marshbank Construction was approximately \$3 million, approximately 2.3% over budget which is within reason for that size project and complexity. Project funding sources included a \$1.5 million federal grant, approximately \$1 million in water and stormwater utility funds, local traffic impact fees and funds from the 112 Fund for utility conversion.

Public Works Director Phil Williams commented this was a very interesting project and it took some time to get consensus from the community to move forward. The project included a good design team, DEA, which helped keep change orders down and a great job was done by Project Manager Jaime Hawkins, and the contractor, Marshbank Construction which resulted in the delivery of the project on time and almost at the construction budget with very low change orders. He concluded staff is very proud of the project and he was hopeful the Council felt the same.

Council President Johnson recalled the long road to complete this project. She agreed it was very successful, included beautiful artwork and provided good flow. She thanked staff for their hard work.

It was the consensus of the Council to forward this item for approval on next week's Consent Agenda.

F. PRESENTATION OF PUD UTILITY EASEMENTS FROM EDMONDS-WOODWAY HIGH SCHOOL FOR THE 76TH AVE AT 212TH STREET INTERSECTION IMPROVEMENTS PROJECT

City Engineer Rob English explained this follows acquisition that staff presented to Council previously. Easements are needed for two Snohomish County PUD switch boxes that will be placed on Edmonds

School District (ESD) property for the underground utilities at the intersection. The City secures the utility easements for Snohomish County PUD. The total area was approximately 1,000 square feet; the appraised value was the same as was used to acquire the easement for right-of-way from ESD. With the discount for an easement, the appraisal was approximately \$15.50/square foot for a total compensation of \$16,000 that will be paid federal funds for the project with a 13% local match.

It was the consensus of the Council to forward this item for approval on next week's Consent Agenda.

G. PRELIMINARY DECEMBER 2015 QUARTERLY BUDGETARY FINANCIAL REPORT

This item was rescheduled to the March 1, 2016 meeting.

H. ADOPTION OF GMA COMPLIANCE RESOLUTION

COUNCIL PRESIDENT JOHNSON MOVED, SECONDED BY COUNCILMEMBER NELSON, TO EXTEND THE MEETING FOR 15 MINUTES. MOTION CARRIED UNANIMOUSLY.

Development Services Director Shane Hope explained this is related to the requirement for all cities to review and update as necessary their Comprehensive Plan and development regulations by certain dates. The date for the City to complete that process was June 30, 2015. The State allows a one year grace period for the CAO when all other Comprehensive Plan and development regulation updates have been completed. The City's development regulations are in compliance with GMA although they need improvement and the Comprehensive Plan update has been completed. Legislative action is required to make the finding that the City is in compliance and for the State to indicate Edmonds is in compliance. She recommended the resolution be approved on next week's Consent Agenda. She requested the Council include in the resolution the date the Council expects to complete the COA process.

It was the consensus of the Council to forward this item for approval on next week's Consent Agenda and to insert the date of April 30, 2016.

J. REPORT ON OUTSIDE BOARDS AND COMMISSIONS

Councilmember Buckshnis reported Councilmember Teitzel and she interviewed four applicants for the Tree Board and selected two who will be on next week's agenda. At her first Tree Board meeting as the Council liaison, the Board discussed creating a work plan with 3-4 items. She also attended the Salmon Summit and found it fascinating to hear about different aspects of the environment. She relayed at the Paris Summit, 196 nations agreed climate change is real.

Councilmember Nelson reported Police Chief Compaan attended the SERS meeting because he was unable to attend. The meeting included ongoing discussion about potentially consolidating SNOCOM and SNOFAC. Snohomish County Tomorrow meets tomorrow.

Councilmember Fraley-Monillas thanked Councilmember Buckshnis serving on the Tree Board, commenting she would bring some much needed "kumbaya" to the Tree Board. Councilmember Fraley-Monillas reported the Health District met twice this month. She is serving on a committee looking at buy-back of legal drugs. The Health District is concerned with the epidemic of heroin overdoses occurring across the state. Snohomish Health District hired a consultant to study the Health District becoming a branch of Snohomish County, the model that exists in most counties.

Councilmember Fraley-Monillas advised she emailed Councilmembers the specifications for the Council Administrative Assistant/Legislative Assistant; further information is available on the City's website. She has been asked to develop a list of questions for candidates and invited Councilmembers to provide input.

Councilmember Teitzel reported on the Disability Board meeting he attended with Councilmember Fraley-Monillas. The purpose of that Board is to consider reimbursement claims by former firefighters and law enforcement personnel for things not covered by medical insurance.

Councilmember Teitzel reported the Port Commission meeting included a report on their successful booth at the Boat Show. He visited the Boat Show and found the Port's booth very professional. The Port reported their moorage occupancy is in the high 90% range. The Port expressed concern they are no longer a voting member of the EDC; he encouraged the newly formed EDC to proactively reach out to the Port and treat them as a partner in growing the City's economy.

Councilmember Teitzel reported the Historic Preservation Commission (HPC) held a public hearing regarding listing the North Sound Church on the local historic registry. Following the public hearing, the HPC directed staff to prepare an agenda for Council approval of the listing.

Councilmember Tibbott reported the Affordable Housing Alliance did not meet in January and will meeting tomorrow. He will also attend the Snohomish County Tomorrow meeting tomorrow.

Council President Johnson reported she also attended the HPC meeting. She was interested in the public hearing on the First Baptist Church of Edmonds, which the HPC approved for inclusion on the historic register. Council consideration is scheduled for the April 5 meeting. She reported the Snohomish County Cities Association meeting that she attended with Mayor Earling and Councilmember Fraley-Monillas included an excellent program regarding homelessness and what the cities of Everett and Marysville are doing and what the Cocoon House is doing for youth 12-18 years of age. Their services are available 24/hours/day to anyone in Snohomish County.

Mayor Earling reported the Sound Transit Board will prepare a draft ST3 plan by the end of March that will be advanced for public input before the Board decides whether go to ballot in November. He reported negotiations are intense and troublesome at times. Snohomish County is the smallest sub-region and are taking a firm stand with the intent of light rail reaching Everett.

6. MAYOR'S COMMENTS

Mayor Earling reported with the change in Snohomish County Executive, former Executive Assistant Linda Carl who left the City to work in the Snohomish County Executive office no longer had a job; a position was identified for her as the Executive Assistant for the Health District.

Mayor Earling reminded the deadline to apply for the Economic Development Commission is February 26. Applications will be distributed to Council as soon as possible so they can begin make their selection.

Mayor Earling reported the Chamber is sponsoring a clam chowder contest on Saturday; he was selected as one of the judges in the blind decision process.

7. COUNCIL COMMENTS

Councilmember Buckshnis thanked everyone who has contacted her regarding the CAO.

Councilmember Nelson greatly appreciated the City's efforts to evaluate the current fire/EMS service. He heard the word efficiencies used several times during the presentation and that the City was currently getting very high quality service for its citizens that is leading edge and that there is appropriate staffing. As the City moves forward in the process, he asked the Council and citizens when enhancing services and cutting costs, not to diminish the ability to fight fires. For example, one option would be to change fire

response times from six to eight minutes; having a fire engine take two minutes longer to respond to a burning house sounds more risky, not less. He has not seen data that fires can be put out faster or that fires are less dangerous; in fact he has seen the opposite. He urged the Council and citizens not to risk safety for efficiency.

Council President Johnson thanked everyone for their vigorous and engaged discussion. She was very pleased with the Fitch & Associates report and found them to be excellent advisors. She was also pleased with that the work being done to ensure the CAO is the best it can be which will help the City in the future as the CAO will be in place for 10 years. A public hearing on the CAO is scheduled on March 15; the deadline for Council to submit comments to Mr. Lien is February 29.

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

This item was not needed.

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

This item was not needed.

10. ADJOURN

With no further business, the Council meeting was adjourned at 10:20 p.m.