

# **EDMONDS CITY COUNCIL APPROVED MINUTES**

## **September 6, 2016**

### **ELECTED OFFICIALS PRESENT**

Kristiana Johnson, Mayor Pro Tem  
Thomas Mesaros, Council President Pro Tem  
Michael Nelson, Councilmember  
Adrienne Fraley-Monillas, Councilmember  
Diane Buckshnis, Councilmember  
Neil Tibbott, Councilmember

### **ELECTED OFFICIALS ABSENT**

Dave Earling, Mayor  
Dave Teitzel, Councilmember

### **STAFF PRESENT**

K. Crystal, Police Officer  
Phil Williams, Public Works Director  
Shane Hope, Development Services Director  
Scott James, Finance Director  
Rob Chave, Planning Manager  
Rob English, City Engineer  
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 7:07 p.m. by Mayor Pro Tem Johnson in the Council Chambers, 250 5<sup>th</sup> 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 with the exception of Mayor Earling and Councilmember Teitzel.

### **3. APPROVAL OF AGENDA**

**COUNCILMEMBER BUCKSHNIS MOVED, SECONDED BY COUNCIL PRESIDENT PRO TEM MESAROS, TO APPROVE THE AGENDA IN CONTENT AND ORDER. MOTION CARRIED UNANIMOUSLY.**

### **4. APPROVAL OF CONSENT AGENDA ITEMS**

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

- 1. APPROVAL OF COUNCIL MEETING MINUTES OF AUGUST 23, 2016**
- 2. APPROVAL OF COUNCIL SPECIAL MEETING MINUTES OF AUGUST 23, 2016**
- 3. ACKNOWLEDGE RECEIPT OF A CLAIM FOR DAMAGES FROM DIANE M. LOBAUGH (AMOUNT UNDETERMINED) AND FROM JACKIE L. STUDIOSO (\$240.00)**

4. **APPROVAL OF CLAIM, PAYROLL AND BENEFIT DIRECT DEPOSIT, CHECKS AND WIRE PAYMENTS**
5. **JULY 2016 MONTHLY BUDGETARY FINANCIAL REPORT**
6. **APPROVAL OF UPDATED INTERAGENCY AGREEMENT WITH WESTERN WASHINGTON UNIVERSITY FOR THE SUSTAINABLE CITIES PARTNERSHIP**
7. **AUTHORIZATION FOR MAYOR TO SIGN THE RESOLUTION FOR THE 2017-2022 SIX-YEAR TRANSPORTATION IMPROVEMENT PROGRAM**

5. **PRESENTATIONS/REPORTS**

1. **PRESENTATION ON 2016 SCARECROW FESTIVAL -EDMONDS MUSEUM**

Dave Buelow, representing the Edmonds South Snohomish County Historical Society, aka Edmonds Museum, thanked the city, citizens and businesses for their support of the museum and the Scarecrow Festival. This year is the fourth annual festival; the reasons the festival was started and continues include:

- Provide a free, fun, family friendly event for the City
- Provide a segue into the fall, trick-or-treating and the Museum's Heritage Day Dinner
- Attract visitors to the City and its businesses
- Website includes a map of scarecrows
- Decorate the City
- Promote the museum

He provided the following:

- Statistics for the 2015 festival:
  - 85 scarecrows registered on website
  - 2300 votes cast on website
  - Over 5000 unique visitors to the museum website
- Basics of the festival
  - Handmade
  - Family friendly
  - Categories
    - Residential
    - Food & beverage
    - Retail
    - Service providers
    - Financial, insurance and real estate
    - Government, art, school and civic organizations
  - Key dates
    - October 1 – 22: Scarecrow registration
    - October 23 – November 4: Voting
    - November 5: winners softly announced at Heritage Day Dinner
    - November 7: Formal presentation to winners at museum at 7:00 p.m.
      - 1<sup>st</sup> prize: 2017 Museum membership
      - 2<sup>nd</sup> prize: Certificate
      - 3<sup>rd</sup> prize: Bragging rights

He encouraged the public to attend the museum's Heritage Day Dinner at Holy Rosary at 7:00 p.m. on November 5 that will feature Glen Farley, KING TV newscaster. He described differences between last year's and this year's festival:

- Announcement of top vote getter
- Social media presence on Facebook, Twitter and Instagram
- Signs for people/businesses with scarecrows to place in a window or next to scarecrow

He provided the museum website and festival hotline:

- [www.historicedmonds.org](http://www.historicedmonds.org)
- 425-774-6507

He referred to flyers regarding the festival that were distributed to Councilmembers and encouraged the Council to consider participating in the creation of a scarecrow. Their goal is 100 scarecrows; several businesses have found building a scarecrow to be a great teambuilding exercise.

Councilmember Buckshnis recalled former Councilmember Petso's grandson's scarecrow No Noggin. She posted her hockey scarecrow on her Facebook page to remind people of the festival.

Councilmember Fraley-Monillas inquired about the museum dinner on November 5. Mr. Buelow said flyers are available now, invitations will be sent out soon and tickets will be available soon on their website. The dinner on November 5 is at 5:00 p.m. at Holy Rosary

2. **PRESENTATION ON HOMELESSNESS BY CITY OF LYNNWOOD COUNCIL  
PRESIDENT M. CHRISTOPHER BOYER**

Christopher Boyer, Lynnwood Council President, explained he is also the Pastor of Good Shepherd Baptist Church in Lynnwood. When he took the position approximately 12 years ago, the church was looking for a pastor with non-profit management experience due to their interest in building low income senior housing on their excess property. That project has been a great success and an asset to the community. Until he got involved with that project, he did not know much about homelessness. As a result of that work and seeing on a day-to-day basis the number of homeless in Lynnwood, many who come up 196<sup>th</sup> or Highway 99 from Edmonds, he realized homelessness was a real issue in Snohomish County particularly in south Snohomish County.

After being elected to the Lynnwood City Council, at the Council retreat he urged his colleagues to do something about homelessness. The second year, the Council gave him the go ahead and a Council task group on homelessness was formed. The task group began by listening to City employees whose work was regularly impacted by the homeless, social service organizations who were working with the homeless, and talking to homeless people to learn what they needed. They quickly reached some understandings, first, homelessness is not a monolithic problem; there is not a single profile of who is homeless in south Snohomish County. There are men, women, children, entire families, educated people, people without high school diplomas, people who formerly had high paying jobs, people who have always worked for minimum wage, a profile that matches all the other neighbors in Lynnwood.

Mr. Boyer relayed when talking to someone who is homeless they often say they are living outside, in their car or another situation but their home is Edmonds, Lynnwood, Mountlake Terrace, etc. and they want to stay as close as possible to the place they think of as home, often the last place they were living. Another thing the task group learned, one can think of homeless neighbors in two broad categories, first, temporary unsheltered, people who through an accident, loss of job, outstanding medical bills, etc. have not been able to keep up with the financial demands and have fallen off the edge. For this group, it is usually a matter of helping them find temporary shelter, a new job, discharging their financial obligations and getting them back on their feet. The second category is the chronically homeless, people who have been homeless for many years. Most have addiction or mental illness issues or physical disability that prevent them from living a "normal life" and they need extra services such as social security disability,

DSHS, etc. as well as help navigating a pathway to stability so they can address their underlying issues.

Mr. Boyer referred to Maslow's hierarchy of needs, relaying someone's mental illness or addiction cannot be addressed if they are cold and hungry. As a result of the task group's findings, Lynnwood distributed an RFP to social service providers who were already working with the homeless in the area. The RFP stated the social service provider would provide in Lynnwood for one year some interaction with the homeless, establish a path to provide more services, do a community needs assessment regarding homelessness and begin working with other municipalities around Lynnwood and Snohomish County and begin to form alliances to address the issue together. No one city in south Snohomish County can solve the issue of homelessness within its boundaries without the help of other jurisdictions and agencies.

At the beginning of 2016, Lynnwood contracted with the YWCA of King and Snohomish County who provide an excellent staff member for \$75,000/year. He acknowledged it is not a complete solution to the problem but it is a beginning. He invited the Council to seriously considering joining Lynnwood as they continue working with YWCA and to get someone imbedded with the police department as Lynnwood, Everett and Snohomish County have done and start working on identifying homeless neighbors, finding out what they need and getting them moved toward homes.

Councilmember Fraley-Monillas asked Mr. Boyer to describe the work the imbedded social worker does, relaying her understanding an imbedded a social worker gives people information regarding mental health, drug/alcohol treatment, etc., forms relationships with people and trains members of the police department. Mr. Boyer said the imbedded social worker first has to overcome the barrier of trust. People who are temporarily unsheltered are embarrassed and not want their neighbors to know they are homeless; overcoming those barriers requires establishing trust. For those who are chronic homeless, their initial response to someone trying to help is that they are a mark or someone out to get them; overcoming those barriers requires showing them the social worker is truly interested in working with them to address their problem but not allowing them take advantage.

Councilmember Buckshnis commented the YWCA and Trinity Place have done wonders for women in transition and their children and are working with Rick Steves to identify another facility for families. She asked how the imbedded social worker assists the homeless such as does the person locate temporary housing. Mr. Boyer responded the embedded social worker has the ability and authority to reach out to various programs and agencies that provide housing; the overall problem is there is not enough transitional, emergency or truly affordable housing. He noted there is a difference between what is truly affordable and what the building industry calls affordable. In the long term his personal hope was Edmonds, Lynnwood, Mountlake Terrace, Brier, Woodway and Mill Creek could put money together to build either a shelter and/or transitional housing to address the immediate need of the homeless until they can get into affordable housing which is beginning in Lynnwood and there are plans for in Edmonds. Councilmember Buckshnis asked if that would be similar to SHARE in King County. Mr. Boyer agreed SHARE was a good resource in King County but they have not expanded to Snohomish County.

Councilmember Nelson commended Mr. Boyer, his fellow Councilmembers and the City of Lynnwood for taking the initiative on something that is so overwhelming, taking the initiative to hiring someone and providing an inspiring model. He asked how Lynnwood tracked/measured success. Mr. Boyer responded the imbedded social worker and the YWCA have developed rubrics and are providing quarterly reports. He offered to provide the Council the reports. Councilmembers Tibbott and Teitzel have all the task group's records and findings which they could share.

Councilmember Tibbott commented it was interesting to hear how Lynnwood got started and their perspective. He inquired about affordable housing facilities and treatment centers in Lynnwood including

how they were funding. Mr. Boyer answered a new 20-bed detox facility will be opening in Lynnwood in the next year via Evergreen Mental Health network. A 40-unit housing complex for homeless veterans recently opened just outside Lynnwood (within Lynnwood's municipal urban growth area). Funding for that complex was provided by a variety of sources including federal. Two more very large projects are underway in Lynnwood, a senior housing complex where some units will be affordable and a workforce development project across from the convention center that fits into the affordable housing spectrum.

Council President Pro Tem Mesaros asked how the embedded social worker worked administratively. Mr. Boyer responded originally the social worker was to report to the Council's homelessness task force. A new commission was established, the Human Services Commission, staffed through the Community Development Department and the social worker now reports to that commission and department. Lynnwood is working on its biennial budget and considering its ability to continue that program and add others.

Councilmember Fraley-Monillas commented on the difference between affordable housing and the homeless; people who are homeless do not qualify for affordable housing for many reasons, primarily because many of them do not have jobs. Without a home, it is difficult for people who are homeless to shower, wash clothes or locate other resources to get a job. She summarized affordable housing and housing the homeless are two separate issues. She recalled the Police Chief saying the police department is lean and mean with regard to the number of staff. She asked what resources the embedded social worker has taken from the Lynnwood Police Department. Mr. Boyer answered the Lynnwood Police Department did not see it as taking resources. Among the findings of the homeless task group, they discovered the chronically homeless residents of Lynnwood in particular demand a great deal in the way of services from emergency rooms and first responders. The Fire and Police Chiefs feel addressing the homeless' problems, helping them get healthier, getting them into housing, getting them stabilized, will reduce their incessant call on 911 which has been shown in a number of other cities and studies. He assured an imbedded social worker will reduce the drain on police department resources.

With regard to Councilmember Fraley-Monillas' comment about affordable housing, Mr. Boyer agreed a spectrum of housing was necessary. There will always will be a need for housing for people with nothing, those with limited income as well as the affordable housing for young people and those who are working minimum wage jobs; people who may be housed and stable but cannot afford rapidly increasing rents. He referred to successes in other communities where affordability spectrum housing is created that encompasses people on social security to high-end condominiums and single family dwellings in one neighborhood and the vitality and synergy that creates in a neighborhood and the impact it has on children to grow up with other classes, races, creeds, etc.

Councilmember Fraley-Monillas commented she found his information very, very valuable as Edmonds is looking at how to address homelessness. Mr. Boyer said another of the homelessness task group's findings was a lot of people think there is no hope for the chronically homeless which is simply not true. He referred to a presentation they had from Union Gospel Mission regarding their program that is seeing low recidivism rate where they work with and provide housing and food for homeless individuals for a year as long as they pledge to involved in their mentorship program for a year. The Center for Disease Control found homelessness, similar to alcoholism and drug addiction, is linked to adverse childhood experiences. Many of the chronically homeless had some event in their childhood that derailed normal childhood development and as a result they are functionally unable to form good, healthy relationship with family, friends, employment, etc. When they receive mentorship and training on how to be in a healthy relationship, their world changes; they are no longer defensive and bitter, they no longer rely on drugs and alcohol to self-medicate and they are able to become fully contributing members of society. As the Council considers how to help with the issue of homelessness, he encouraged them to think beyond the temporary unhoused to include the chronically homeless.

### 3. JUNE 2016 QUARTERLY FINANCIAL REPORT

Finance Director Scott James provided questions and multiple choice answers to a quiz that would be revealed at the end of his presentation. He displayed a General Fund – Funds Revenue comparison, pointing out the General Fund is \$1,411,682 higher than last year. He displayed a General Fund Revenue Budget to Actual comparison, advising taxes are 3.1% higher in 2016 compared to last year and license and permits which are 13.5% higher than last year.

He reviewed a pie chart analyzing sales tax by category June 2016 YTD, pointing out retail automotive is the largest source of sales tax revenue followed by contractors and retail eating and drinking. He displayed a bar graph of Change in Sales Tax Revenue June 2016 compared to June 2015, pointing out the total is \$154,185 ahead of last year and contractor sales tax is \$95,000 below last year. The 2016 budget projected contractor sales tax would decline \$170,000 for the year.

Mr. James displayed a General Fund – Funds Expenditure Comparison, advising General Fund expenditures are approximately \$217,000 higher in 2016 compared to 2015. The General Fund Department Expense Summary illustrates 48% of the budget has been expended halfway through the year. He displayed a Special Funds Revenue Comparison, advising special revenues are 121.8% above last year, due primarily to \$3 million more in grant revenues. A comparison of Motor Vehicle Fuel Tax Revenues illustrates MVFT is 4% higher than last year and a comparison of Hotel/Motel Tax illustrates an increase of 12.1% over last year. A comparison of Real Estate Excise Tax (REET) revenues shows a 12.1% increase over last year.

Mr. James displayed a Special Revenue Funds Expenditure Comparison, highlighting a 99.6% increase in 2016 compared to 2015 due to increased grant expenditures, increased spending on streets and the purchase of Civic Field. He provided a comparison of Utility Fund Revenue, advising revenues are 20.3% higher in 2016 than 2015; water sales are approximately \$251,000 higher, stormwater sales approximately \$71,000 higher and sewer sales increased approximately \$286,000 over 2015. The Utility Funds Expense Comparison illustrates utility expenses are approximately \$900,000 higher than 2015 primarily due to capital expenses.

He revealed the answers to the quiz questions (answer in bold):

1. The City has beautiful parks, open spaces, a spray park and beach access, playgrounds, walking trails, picnic shelters, scenic views of Puget Sound and more! Our 23 city parks include more than 325 acres of parkland and X# feet of waterfront shoreline for our citizens to enjoy. How many feet of beach are available for our citizens to enjoy?
  - a) **1,000 Feet**
  - b) 750 Feet
  - c) 2,250 Feet
2. In addition to the many park amenities our citizens get to enjoy, our City also offers numerous and different restaurants for our citizens and visitors to Edmonds to patronize. Our 2nd quiz question is: How many Eating & Drinking establishments are operating in Edmonds today?
  - a) 97
  - b) 102
  - c) **122**

Mayor Pro Tem Johnson remarked 1,000 feet or 1/5<sup>th</sup> of a mile of beachfront is not a lot.

Councilmember Buckshnis asked the financial impact of paying off the Public Safety bond. Mr. James answered it is a \$950,000 savings. Councilmember Buckshnis asked about the bond refunding process. Mr. James answered responses were solicited from eight banks; responses are due at the end of this week.

Councilmember Buckshnis asked whether the risk reserve had been replenished after using those fund to pay Fire District 1. Mr. James answered the policy for the risk reserve is 2% of General Fund revenues as well as the contingency reserve. Last year there was a request to transfer \$800,000 from that fund to the General Fund. This year he likely will recommended via a budget amendment not transferring that \$800,000, primarily due to strong sales tax revenue.

## **6. AUDIENCE COMMENTS**

**Carolynne Harris, Edmonds**, representing the housing task force, relayed her plans to organize a group, possibly a high school art class, to create several homeless scarecrows. She relayed a nation or a community is judged on how they treat those with the least. Edmonds has not done a good job because we don't see homeless in Edmonds. She has been taking care of a family in her church for over a year, three boys and their mother who happened to become homeless. They are living in affordable housing; the mother earns \$24,000/year and pays \$14,500/year in rent which she subsidizes because there is no assistance available from HUD. The mother she is assisting is not a good candidate for affordable housing due to bad credit, requiring she cosign. Another problem has been cockroaches but she is hesitant to complain. She questioned why HUD is no longer available and why the system is broken. She encouraged the City to do more and figure out a political way to take action.

**Marlin Phelps, Edmonds**, said a way to make a person homeless is to take a guy with a good job and a small business who is not guilty of any crimes and mount an action against him. He displayed a folder containing his defense of two misdemeanor crimes that he did not commit. Two juries found him not guilty with less than an hour's deliberation. He had a home in Edmonds, a successful small business, but was beaten up and his arm broken by the police. He agreed the police department was lean and mean. He has asked Mr. Taraday to listen to the tapes of his hearings, commenting it was a lot like what happened to Hitler; they did horrible things to him. Mr. Taraday has told him the order must come from a Councilmember and he asked the Council to order Mr. Taraday to obtain the recordings of his appearances in court. He relayed 15 people have conspired to have him found guilty of 2 misdemeanor crimes that he was clearly innocent of; the words of Judge Fair, Rachel Hunter and James Zachor would appall the Council. He said people have a right to earn a living, not to be beat up for no reason. The only person who maintained their decorum, honesty and respect for the law was him; Mr. Taraday would find that to be true if the Council directs him to get the tapes. Whenever he has ordered the tapes, they are blank, redacted or edited. If the Council believes in right and wrong and are not malicious or weak, they will order Mr. Taraday to obtain and listen to the tapes. He concluded the police department made him homeless.

## **7. JOINT DISCUSSION - BOARDS AND COMMISSIONS**

### **1. JOINT DISCUSSION WITH THE EDMONDS PLANNING BOARD**

The following Planning Commissioners were present: Phil Lovell (Chair), Carreen Nordling Rubenkonig (Vice Chair), Matt Cheung, Todd Cloutier, Nathan Monroe, Daniel Robles, and Alicia Crank.

Development Services Director Shane Hope relayed the Planning Board was interested in speaking with the City Council and getting direction/input. The information in the Council packet reflects the Planning Board's discussions in the recent past. The Planning Board has provided reports to the Council on their activities and have discussed topics for tonight's discussion. The Planning Board's primary focus in addition to their regular business and an issue that arose in their recent retreat was housing.

Ms. Hope explained the Comprehensive Plan includes a housing chapter related to housing needs/issues in Edmonds and the housing profile includes details regarding housing types. The housing element of the

Comprehensive Plan calls for developing a housing strategy by 2019 for increasing the supply of affordable housing and meeting diverse housing needs. She identified three topics the Planning Board would like Council feedback on:

- Should the Planning Board provide input in the development of a housing strategy?
- And if so, what are the Council's thoughts related to housing?
- What other issues should the Planning Board prioritize for 2016 and 2017?

Ms. Hope identified topics on the Planning Board's extended agenda:

- Hwy 99 planning
  - Past #1 priority for City Council
  - Planning Board will make recommendation to City Council by end of year
- Civic Field Master Plan
  - Planning Board will provide a recommendation to Council
- Development code updates
- Five Corners
- Comprehensive Plan amendments

Ms. Hope relayed it may be appropriate to begin developing the housing strategy in 2017 along with other issues that arise.

Planning Board Chair Phil Lovell commented housing is a very important issue and there are a number of aspects, one of the major is homelessness. The Planning Board's sense with guidance from Ms. Hope is its focus should be on ways to implement strategies in Comprehensive the Plan; the Comprehensive Plan should be the guide for the Planning Board does. There are two things the City can do, first, create enabling mechanisms to increase affordable housing in City via via land use, regulations, zoning, etc. The Planning Board has not reached a consensus regarding how to prioritize or implement a program that would enable the development of more affordable housing. The second, which is more challenging and difficult, is making affordable housing happen in Edmonds. Due to his background with building and developers, he believes private property owners have the right to do whatever they want with their property as long as it complies with the regulations. For the City to make something happen, it needs land or money to build housing, possibly via a public/private partnership to create an affordable housing project, possibly targeting a specific group such as the homeless, seniors, or certain income level. He summarized the City needed to provide tools to make affordable housing happen.

Vice Chair Carreen Nordling Rubenkönig said the Planning Board is concerned with the target of 21,168 units by 2035 or 112 additional units annually. The Planning Board has discussed what can be counted as a unit, what prevents the City from reaching that number and the status of achieving that number. A housing strategy to achieve that is required by 2019. As the Planning Board's schedule is often filled with issues on which they must provide recommendations to the City Council, someone needs to develop an approach. There is also a need for a consultant to guide them in reviewing the regulatory environment and whether the existing regulations will allow the City to meet the 112 units/annually. The Council has already taken action in Westgate to create housing opportunities. The Planning Board is seeking direction and support. The Planning Board is fortunate to have the assistance of Ms. Hope, Mr. Chave and Mr. Lien. Housing is a broad issue and includes things such as aging in place and how do regulations allow people to remain in Edmonds. She summarized the Planning Board is seeking direction from the City Council regarding what's next. Mayor Pro Tem Johnson anticipated a dialogue tonight rather than answers.

Council President Pro Tem Mesaros referred to Chair Lovell's comment about how to get the ball rolling, commenting he has worked with several not-for-profit organizations who know how to do that. He was encouraged to learn about the YWCA's involvement with Lynnwood and with developing housing in

King County. He agreed not everybody needs affordable housing because they are not ready to move into affordable housing. The model he has seen when working with the Mennonites, the Salvation Army, Union Gospel Mission and Compass Housing Alliance is providing emergency housing (people who need housing tonight) and once that stability is provided, moving them into transitional housing for 4-12 months and once they develop skills, get jobs, etc., moving them into affordable housing. Having a partner that understands that concept and knows how to put a package together is crucial. Partnerships help leverage financing.

Planning Board Member Todd Cloutier agreed with the importance of emergency housing. Although it's easy to say the City needs to work on affordable housing, that is only part of the housing problem. There is a lot of housing in Edmonds and issues include building heights, density, setback, view corridors, solar, multi-family versus multiuse, etc. He agreed with moving up development of the housing strategy and referred to existing strategies to promote affordable housing in the Comprehensive Plan (pages 86-88) and housing goals and policies (pages 89-92). He pointed out the issue of aging in place includes people with enough money but whose current housing may no longer be appropriate for them. The Planning Board is seeking direction regarding the housing strategy and making that a budget priority. Other things the Planning Board wants to consider include PRDs, and accessory dwelling units (ADU).

Councilmember Buckshnis cautioned the Planning Board against getting stuck on a number. Ms. Hope and Mr. Chave are GMA experts and Snohomish County Tomorrow (SCT) looked at all numbers and last year determined they were not realistic. She agreed with looking at strategies; growth includes bringing in people as well as increasing diversity. SCT will continue to address employment, housing, and growth as well as the Affordable Housing Alliance. She urged the Planning Board to think globally from a strategic standpoint, as Mr. Boyer said, consider a spectrum of housing.

Planning Board Member Alicia Crank appreciated the Planning Board's diverse perspective on housing due to their different backgrounds. As someone who has lived through change in a small city that dealt with growth, she encouraged the City to be proactive and provide appropriate tools. She referred to a below market rate (BMR) program created by other cities that requires developers to either dedicate a certain number of units to affordable housing or BMR or pay an in-lieu fee to the City that is used to create additional BMR housing. Some cities have purchased lots and created their own BMR housing which may be a mechanism for creating housing. In addition to adding housing for growth, the City should think about retaining residents, not just those who are aging but also young adults who grew up in Edmonds. When the focus is on creating housing for growth, these others groups may find themselves needing to move further out. Because most Councilmembers and Planning Board Members are homeowners, they may not have a renters' perspective. Affordable housing is not low income housing but affordable to a person in that area. For example, when she lived in Silicon Valley, she was middle class salary-wise but because housing was so expensive, she qualified for affordable housing. There is negativity associated with affordable housing, linking it to low income, she cautioned the use of that terminology.

Councilmember Fraley-Monillas relayed meeting with Seattle's Mayor Murray yesterday and his indication that Seattle required some level of housing affordability in some areas. She asked if that could be done in Edmonds. City Attorney Jeff Taraday answered whatever Seattle is allowed to do, Edmonds is allowed to do. Councilmember Fraley-Monillas asked if it was possible to create zones for affordable housing and below. Ms. Hope answered creating zones for particular income levels may be problematic as it assigns people of certain income levels to live in certain areas. She preferred finding ways for inclusionary housing. Mayor Murray was talking about a mix of housing so there is not a ghetto feel where everyone in the neighborhood is low income. One of the programs the Council is considering, tax abatement, would provide a mix of affordability, incomes and backgrounds to encourage diversity.

Councilmember Fraley-Monillas commented development in Seattle is often hundreds of units which allows provides more flexibility.

Councilmember Fraley-Monillas commented in Lynnwood, a church provided property for development. One of Edmonds' biggest problems is finding vacant land. The City can always encourage developers but finding land for development is tricky except on Highway 99 where undeveloped land exists. Edmonds has never not met its GMA requirements and it has occurred via natural growth. She recommended the Planning Board look to Highway 99 as a location for affordable housing, low income housing, mixed use development; the question is how to get developers to do it with the way Highway 99 looks today. Chair Lovell advised the Planning Board's extended agenda includes an update on the Highway 99 subarea plan on September 28. At the beginning of that process the Planning Board strongly suggested the consultant talk to property owners. He emphasized the need to educate property owners regarding the opportunity for developing affordable housing. The Planning Board is anxious to hear what the consultant learned and whether there is potential for mixed use development on Highway 99.

Councilmember Nelson referred to the growth target of 21,168 housing units by 2035, commenting of that number the additional housing units Edmonds is required to provide is 2,790 and of that amount Edmonds currently has the capacity for 2,646. The Council can provide priorities such as affordable housing.

Planning Board Member Daniel Robles agreed with Chair Lovell that either money or incentives are needed to make something happen. The question is whether to incentivize developers or the citizens of Edmonds. Many options such as community housing or micro-housing would not be allowed under the existing code; an opportunity would be to update the code to allow them to happen. He explained homelessness is typically not a steady decline, it is usually people falling off the edge, a fast event for most people. People allowing an adult child, a parent or a friend to move in redefines family and the number of people allowed in a residence. Another issue is using certain condition as a proxy such as aging in place; many of those individuals have the same needs as young people. When providing incentives for developers, he referred to the transit corridor in Los Angeles that became gentrified and he cautioned against relying too much on Highway 99 because it had the potential to become expensive housing. He supported opportunities to modify the code, change definitions, and develop the right mix of incentives for developers and the private sector.

Councilmember Tibbott appreciated the questions the Planning Board asks and the insight they provide which assists the Council in formulating direction. When ideas arise, he encouraged the Planning Board to identify potential changes to zoning or the code changes that might open opportunities not previously considered. That information helps the Council prioritize a code change or a rezone that will help expand housing stock. For example, transition zones between single family zone and multi-family in Five Corners and Highway 99 where some rezoning could occur. It would also be helpful for the Planning Board to simplify the rezoning process to higher density for a property owner in a transition zone. He also encouraged the Planning Board to help the Council identify best practices such as rezone or code changes that would allow ADUs to provide supplemental housing or affordable housing. He looked forward to working with the Planning Board.

Planning Board Member Matt Cheung said the Planning Board has discussed a code change to allow detached ADUs. This would accommodate aging in place by allowing a person living in a large house to build a smaller unit on their property that they or another person could occupy to supplement their income. That is an opportunity to add affordable housing in single family neighborhoods.

Councilmember Buckshnis suggested the Planning Board consider development agreements as a way to address unique situations such as Westgate. Development agreements may assist with development on

Highway 99 by providing incentives for developers. To Board Member Cheung's comment, she said there are more rentals occurring than one would think, and the City should consider ways to allow everyone to have an ADU.

Councilmember Nelson said it is important to consider what housing makes sense for Edmonds. Aging in place is relevant to the current population; Edmonds has the highest percentage of seniors of any city in Snohomish County. The City could make that a priority.

To Board Member Cheung's comment, Council President Pro Tem Mesaros agreed detached smaller houses on larger lots was an opportunity to accommodate aging in place and provide more affordable housing. He acknowledged that was a huge shift in some people's thinking. The church he attends in Seattle is building a small house on their campus; fortunately, the neighbors are responsive and accepting. A detached housing unit could provide an opportunity for a senior to rent their house and live in the smaller unit or have a caregiver live in the smaller unit. That model would be a positive thing and would fit Edmonds.

Chair Lovell suggested the Planning Board develop a menu of things the City could do. Ms. Hope suggested developing a draft housing strategy that identifies the priorities and needs and could include a list of things the City could do such as regulatory, partnerships, incentives, etc. The draft strategy could then be fine-tuned using that list.

Mayor Pro Tem Johnson observed some of the other issues on the Planning Board's agenda are related to housing and some are not. Ms. Hope suggested the Council provide input regarding topics on the extended agenda or a topic that is missing.

Board Member Crank was enlightened to hear the Council's opinions about rezoning. She invited the Council's input regarding Civic Field Master Plan.

Councilmember Fraley-Monillas asked how the Planning Board fit into the public process regarding the Civic Field. Ms. Hope explained the Planning Board is also the Parks Board; they will conduct a public hearing on the Civic Field Master Plan and provide a recommendation to the City Council. The final decision is made by the City Council. Mayor Pro Tem Johnson advised the consultants will make a presentation to the Planning Board on September 14 regarding the results of the last public meeting where two options were presented.

Councilmember Buckshnis recommended taking more time on Five Corners based on what happened with Westgate, noting although not as difficult as Westgate, it is a passionate and contentious issue. Ms. Hope advised the agenda item in October is only an introduction of the topic.

Mayor Pro Tem Johnson declared a brief recess.

## **8. ACTION ITEMS**

### **1. REJECTION OF BIDS FOR THE EDMONDS VETERAN'S PLAZA PROJECT**

Public Works Director Phil Williams reported the bid opening for Veteran's Plaza was financially disappointing. Two bids were received which suggests the bidding climate was not particularly strong and contractors may be tied up. The low bid was \$227,000 over the funds raised by the private citizen's committee that sponsored the project. The City is partnering with that group, providing project management and conducting the bid process. Staff's recommendation is to reject all bids. Meetings have been held with City staff and the committee and a decision was made to raise additional funds and hopefully rebid the project in late 2016/early 2017 when there is a better bidding climate.

**COUNCIL PRESIDENT PRO TEM MESAROS MOVED, SECONDED BY COUNCILMEMBER BUCKSHNIS, TO REJECT ALL BIDS FOR THE EDMONDS VETERAN'S PLAZA PROJECT.**

Council President Pro Tem Mesaros said he has been helping with the project and the fundraising. Although this was disappointing, it is a minor setback that will be overcome. He encouraged citizens who have not yet contributed to do so. Mr. Williams advised there were two ways to reduce the deficit, raise additional funds and rebid and hopefully get lower prices when the project is rebid.

Councilmember Tibbott inquired about the discrepancies, asking either the architect's estimate was way off or was this not the season for competitive bids. Mr. Williams answered SiteWorkshop is trying to identify whether the bidders had a misunderstanding, whether there was something they did not understand about the project which means higher risk and high bids, whether it was a bad time of year to bid, or if there were miscalculation in the cost estimates. Councilmember Tibbott asked whether it was possible to eliminate the ambiguity. Mr. Williams answered first the ambiguity needs to be identified and then eliminated if possible in the plans and specifications. The biggest single item is the purchase of the stone which has been identified; much of the project is the labor to install the stone. More will be known once SiteWorkshop completes their investigation.

Councilmember Buckshnis agreed it is a minor setback. The K-9 statute for the plaza was originally \$6,000, then \$8,000 and then \$8,500. The statue will not be finished until next year so now it may all be completed at the same time. She encouraged the public to contribute; the website is EdmondsVeteransPlaza.com

Councilmember Nelson asked whether the City could make up difference, particularly if the gap was smaller with better bids. Mr. Williams answered that would be entirely up to the Council. Councilmember Nelson commented that may be a possibility if fundraising is difficult and has to be extended 6-12 months.

**MOTION CARRIED UNANIMOUSLY.**

**2. SETTLEMENT AGREEMENT FOR ROW ACQUISITION RELATED TO THE 228TH ST. SW CORRIDOR IMPROVEMENTS PROJECT**

City Engineer Rob English explained this agreement is related to the property owner at the southwest corner of the intersection, RJ Willy/Country Farms site. The original offer made to the property owner was \$14,600 for 491 square feet, 1556 square feet of temporary construction easement and damages. The City entered discussions with the property owner; damages were identifying in negotiations related to parking; an agreement was reached with the property owner for \$65,000 primarily for damages related to parking. Staff recommends approval of the settlement agreement.

**COUNCIL PRESIDENT PRO TEM MESAROS MOVED, SECONDED BY COUNCILMEMBER BUCKSHNIS, TO APPROVE THE SETTLEMENT AGREEMENT FOR RIGHT-OF-WAY ACQUISITION RELATED TO THE 228<sup>TH</sup> STREET SW CORRIDOR IMPROVEMENTS PROJECT. MOTION CARRIED UNANIMOUSLY.**

**9. STUDY ITEMS**

**1. STORMWATER MANAGEMENT CODE UPDATE, EDMONDS COMMUNITY DEVELOPMENT CODE CHAPTER 18.30**

City Engineer Rob English recalled there were two public meetings in July, a public hearing on August 2 and further discussion with Council on August 23. Since August 23, several questions were submitted by

Councilmember Buckshnis; responses are included in the Council packet. Staff and the consultant, **Craig Dubberstein, CPD Solutions**, are present to answer questions. Once the Council is ready to move forward, the next step is to prepare an ordinance for approval on in early October. Parallel to this is a SEPA process that will be finished mid-September and review by State to be completed in late September.

Councilmember Buckshnis thanked staff for the responses to her questions, noting she did not necessarily agree with the responses, particularly the first one related to the critical area requirement and why it was removed. Staff response was, “Nothing in the existing or proposed new Stormwater code changes City Critical Area requirements.” She referred to the redline version in a previous packet related to financial liability as it applies to stormwater systems constructed in or adjacent to critical areas or critical area buffers which indicates critical areas were part of the previous stormwater code. She said the stormwater code should have something to do with critical areas and questioned why it was removed from the new code.

Mr. Williams responded the new code is very different than the existing code and there is no mention of critical areas. The critical areas section of the code still exists parallel to the proposed stormwater code. The definition of “critical areas” was removed from the Stormwater code since the term is not used in this section and does not have a unique definition for the purposes of this section. Councilmember Buckshnis pointed out stormwater in critical areas is not addressed in new code. For example, she asked how runoff from SR-104, Chevron, etc. at Harbor Square is addressed in the new code. Mr. Williams answered compliance with both the critical areas and the stormwater sections of the code would be required.

Councilmember Buckshnis inquired about the removal of the definition of “watershed.” Mr. Williams said the term “watershed” is not used in the new stormwater code. The stormwater code applies to all watersheds regardless of which one a property is in. There are site specific issues in each watershed that impact the solutions but the definition of watershed is not needed in the stormwater code.

Councilmember Buckshnis said the stormwater code does not differentiate between new development or redevelopment. Mr. Williams advised the applicability depends on the amount of new and/or replaced hard surface; regardless of whether it is redevelopment or development of a green site, the requirements are the same. Councilmember Buckshnis used redevelopment of Harbor Square as an example, and the ability for director discretion for buffers. Mr. Williams said buffers are not an issue in the stormwater code. Councilmember Buckshnis observed buffers are very important in the critical area ordinance (CAO) and the CAO allows discretion for redevelopment. Mr. Williams said the stormwater code dictates what needs to be done to comply with runoff requirements; the location in the critical area would be a decision made by the process outlined in the CAO.

Councilmember Buckshnis inquired about replacing the City’s former stormwater expert Jerry Shuster. Mr. Williams advised a new employee, Robert Edwards, started yesterday.

Councilmember Buckshnis inquired about underground utility projects, relaying her understanding that is an exception and the City does not have to comply with the code when doing an underground utility project. Mr. Williams answered the proposed code did not change the current requirements. Councilmember Buckshnis relayed her understanding underground utility projects currently do not have to comply with the stormwater code. Mr. Dubberstein said the strikeout text in green indicates it was moved; it was previously in the threshold or applicability section and was moved to the exemption section. Mr. Williams said that is 100% consistent with the NDPEs stormwater discharge permit language.

Councilmember Buckshnis inquired about enforcement and penalties, recalling the CAO includes notification to the Council. Mr. Taraday recalled the CAO included notice to Council for certain types of critical area decisions. Mr. Williams said if there were a project that proposed to locate a stormwater treatment or detention facility that complied with the stormwater in a critical area, the Council would be notified via the requirement for notification in the CAO. Typically, when development/redevelopment occurs, compliance with the stormwater code is an administrative function. Councilmember Buckshnis referred to comments about improving the Sunset Avenue pump station and said she would like to made aware of that. Mr. Williams assured that due to the cost, the Council will be informed via the budget, CIP, contracts, etc.

Councilmember Tibbott asked staff to identify the major changes to the existing stormwater code. He learned there were no stormwater regulations before 1970 and assumed this was an upgrade from the previous code. Mr. Williams answered the biggest is the state's requirement that low impact development (LID) be the standard way of development in every city in Puget Sound. The state passed very prescriptive requirements that need to be incorporated into the local code. The proposed stormwater code retains the best of the existing code which was slightly ahead of minimum environmental protections, and incorporates LID into the code as well as the rest of development code which will be presented later this year. Councilmember Tibbott assumed one of the major changes was handling stormwater on individual property. Mr. Williams agreed that was the preference and was possible on some properties but not on others. The applicant will need to demonstrate to the City that onsite is not feasible.

Mr. Williams will be on agenda when finish SEPA process and Department of Commerce process.

#### **10. REPORTS ON OUTSIDE BOARD AND COMMITTEE MEETINGS**

Councilmember Tibbott reported the Economic Development Commission who is making tremendous progress on creative solutions to parking and are dedicated to identifying priorities and metrics for measuring their progress.

Council President Pro Tem Mesaros reported the SeaShore Transportation Forum had a presentation from Puget Sound Regional Council (PSRC) regarding changing transportation trends. The presentation was so good that he has recommended Council President Johnson invite the presenter to give a similar presentation to the City Council. He reported the SnoCom Board meeting included approval of the 2017 budget. A joint SnoCom/SnoPac meeting on September 15 will focus on the potential SnoCom/SnoPac merger.

Council President Pro Tem Mesaros reported the two new board members that the Council appointed in July were in attendance at the Edmonds Public Facilities District meeting which included discussion regarding their upcoming season and tickets sold. He and his wife plan to attend the season kickoff show, Bruce Hornsby & the Noisemakers on September 29. The EPFD's fundraising gala and fundraising auction is September 29; further information is available on their website. He announced the EPFD's Executive Director Joe McLalwain was appointed to the Western Arts Alliance Board of Directors.

Mayor Pro Tem Johnson reported she as well as Councilmember Tibbott and Mayor Earling attended the Hekinan welcome dinner and the farewell dinner for the host families and student delegation. She also attended the Old Settler's Picnic and the Civic Field open house.

Councilmember Buckshnis reported on the Tree Board's Arbor Day project on October 15, planting trees from 10:00 – 2:00 at Main Street & 85<sup>th</sup>. A couple Tree Board Members recently graduated from Tree University and she and Ms. Hope updated the Tree Board's website. The Tree Board Members are very energetic and plan to have a table at the Saturday Market. She announced the Bird Fest this weekend.

Councilmember Fraley-Monillas reported Councilmember Tibbott and she attend the Edmonds Affordable Housing Task Force meeting and she and Councilmember Teitzel attended the Mayor's Town Hall meeting. She participated in the Human Resources Director interviews as the Mayor's appointee; candidates will be presented to the Council soon. The Diversity Commission continues to work on goals and events. The Health District met 2-3 times in August and continues to work on the heroin and opioid issue in Snohomish County. She encouraged Edmonds and Lynnwood citizens to attend a forum on Snohomish County's heroin problem sponsored by the Snohomish County Sheriff's Office and the Snohomish Health District at Edmonds Community College on October 13 from 6:30 to 8:30 p.m. Interviews were held and a fifth Disability Member was appointed which will make voting easier.

Councilmember Nelson reported the Snohomish County Emergency Radio System (SERS) meeting included an announcement that a copper thief was apprehended in a neighboring city, an update on the discussions regarding the potential SnoCom/SnoPac merger and the expectation of a recommendation to the SERS Board by yearend, and a report on upgrading the SERS radio system with costs ranging from \$30 million to \$40 million. Options include merging with King County or Washington State Patrol's emergency radio system. He reported on the Waterfront Access Task Force, advising of the final open house on September 14 at 6:00 p.m. in the Library Plaza Room where the top scoring alternatives will be unveiled and public input can be provided. He attended the Mayor's Pedestrian Task Force whose focus is on education, targeting the most vulnerable, older adults and children.

**11. MAYOR'S COMMENTS**

Mayor Pro Tem Johnson thanked Mayor Earling for the opportunity to fill in for him while he was in Cabo San Lucas. She reported the Civic Field Master Plan online open house is open until September 8. She announced Bird Fest this Friday, Saturday and Sunday; the Edmonds Classic Car Show from 10 to 5 on Sunday that brings 10,000 visitors to the City, the Scarecrow Festival beginning October 1 and the Edmonds Museum's Harvest Dinner on November 5.

**12. COUNCIL COMMENTS**

Councilmember Fraley-Monillas congratulated Mayor Earling for being one of the elected officials who gets to be a hurricane this year; a Category 1 hurricane hit Cabo today.

Councilmember Buckshnis recalled being in Hurricane Iniki. She agreed the Edmonds Car Show attracts 10,000 people; she planned to attend the car show because her husband wants to purchase another Jeep.

Mayor Pro Tem Johnson recalled she endured Hurricane Hugo.

Council President Pro Tem Mesaros said growing up on Long Island Sound, he survived several hurricanes and always enjoyed having school cancelled. He reported Edmonds Community College is celebrating its 50<sup>th</sup> anniversary on Friday, September 16 at 4:00 p.m. at Triton Field with live music and local food trucks.

Councilmember Tibbott reported this is a busy time in his household as his wife is a teacher and his kids are in high school. He welcomed the kids back to school and wished them and the teachers a great year. He looked forward to a lot of energy in the City with elementary, middle and high school activities.

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

This item was not needed.

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

This item was not needed.

15. **ADJOURN**

With no further business, the Council meeting was adjourned at 9:51 p.m.