

# EDMONDS CITY COUNCIL APPROVED MINUTES

## February 2, 2016

The Edmonds City Council meeting was called to order at 7:01 p.m. by Mayor Earling in the Council Chambers, 250 5<sup>th</sup> 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  
Dave Teitzel, Councilmember  
Thomas Mesaros, Councilmember  
Neil Tibbott, Councilmember

### STAFF PRESENT

Phil Williams, Public Works Director  
Carrie Hite, Parks, Rec. & Cult. Serv. Dir.  
Patrick Doherty, Econ. Dev & Comm. Serv. Dir.  
Shane Hope, Development Services Director  
Scott James, Finance Director  
Rob English, City Engineer  
Kernen Lien, Senior Planner  
S. Gagner, Police Officer  
J. Burrell, Police Officer  
D. Compton, Police Officer  
Jeff Taraday, City Attorney  
Scott Passey, City Clerk  
Jerrie Bevington, Camera Operator  
Jeannie Dines, Recorder

### 1. ROLL CALL

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

### 2. APPROVAL OF AGENDA

**COUNCIL PRESIDENT JOHNSON MOVED, SECONDED BY COUNCILMEMBER FRALEY-MONILLAS, TO PULL THE FOLLOWING FROM THE AGENDA: ITEM 3I, FISHING PIER REHABILITATION PROJECT CONTRACT AWARD, AND ITEM 5F, CONSIDERATION OF THE CRITICAL AREAS ORDINANCE.**

Councilmember Nelson expressed support for removing Item F from the agenda. Although he is interested in getting the CAO done as soon as possible, in reality the document is not there yet and more time is needed to get there. For example, he submitted two new amendments that may bridge some of the disagreement; staff provided feedback and he is in the process of revising the amendments. Other Councilmembers are also reviewing the ordinance. The CAO is a very technical, 109 page document. He understood there are projects awaiting the adoption of the CAO that will be impacted by the ordinance and many people are anxiously awaiting Council action. At the same time, the CAO will last for ten years so it is important to get it right. If the Council needs an additional 3-4 weeks, that should be provided. With regard to the deadline for submitting the CAO that the City has missed, he has now heard from the City Attorney that although the City is not technically in compliance, it is not considered out of compliance in terms of grants or loans and the City actually has 12 months via an exception that the Department of Commerce expects unless informed otherwise. He summarized the reality is the sky isn't falling; the Council still has time and will not be penalized for spending more time to get the ordinance

right. He asked Councilmembers to hang in there a bit longer as he believed the Council was making progress and will have an ordinance everyone can be proud of that will protect and enhance critical areas, provide development flexibility and provide accountability.

**MOTION CARRIED (6-1), COUNCILMEMBER TEITZEL VOTING NO.**

**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 AS AMENDED. MOTION CARRIED UNANIMOUSLY. The agenda items approved are as follows:**

- A. APPROVAL OF DRAFT CITY COUNCIL MEETING MINUTES OF JANUARY 26, 2016**
- B. APPROVAL OF CLAIM CHECKS #218274 THROUGH #218371 DATED JANUARY 28, 2016 FOR \$778,870.69**
- C. AUTHORIZATION FOR MAYOR TO SIGN THE COMMUTE TRIP REDUCTION AGREEMENT**
- D. AUTHORIZATION FOR MAYOR TO SIGN A SUPPLEMENTAL AGREEMENT WITH DAVID EVANS AND ASSOCIATES FOR THE 76TH AVE AT 212TH ST. INTERSECTION IMPROVEMENT PROJECT**
- E. SECONDARY CLARIFIER NO. 3 STRUCTURAL REPAIR PROJECT FOR THE WASTEWATER TREATMENT PLANT**
- F. DISCUSSION AND POTENTIAL ACTION ON AN ORDINANCE AMENDING THE 2016 BUDGET FOR CARRYFORWARD ITEMS PREVIOUSLY DISCUSSED AND APPROVED BY COUNCIL DURING THE 2015 BUDGET YEAR**
- G. HOURLY EQUIPMENT RENTAL RATES FOR EXTERNAL AGENCIES AND THE TRANSPORTATION BENEFIT DISTRICT**
- H. AUTHORIZATION FOR MAYOR TO SIGN PARK CONCESSION AGREEMENT WITH DOG DAY AFTERNOON FOR AN ATM AT RICHARD F. ANWAY PARK**
- J. AUTHORIZATION FOR MAYOR TO SIGN A PROFESSIONAL SERVICES AGREEMENT WITH BHC CONSULTANTS FOR THE LAKE BALLINGER SEWER MAIN STUDY**

**4. AUDIENCE COMMENTS**

**Duane Farman, Edmonds**, resident of Seaview, thanked the Council for delaying review of the CAO amendments to allow for further scrutiny of staff's recommendations and provide an opportunity for public comment regarding the changes requested by Mayor Earling. It is very important to him and many others in the community to get the CAO amendments as accurate as possible as decisions can have long lasting effects on the environment. He requested RS-8 be included along with RS-10 and RS-12 zones in in review of vegetation and tree canopy requirements. The Seaview area has an abundance of forested areas as well as streams and wetlands; one of those areas is zoned RS-8 which deserves the same

consideration as RS-10 and RS-12. The City needs to protect natural vegetated areas in all residential zoned areas, especially where wildlife habitat exists.

**Phil Lovell, Edmonds**, in response to the January 26, 2016 letter submitted by ACE, provided the following comments specifically related to the new community center under design at the current Edmonds Senior Center site. ACE's letter presents conclusions and recommendations that are inconsistent at least and disingenuous at most. The letter states, "build a 30 foot tall new community center measured from the current ground elevation, but raise the occupied first floor level above pending recommended guidelines because we want to assure adequate protection from sea level rise." What the letter means is that while ACE may respect the principles of Best Available Science, it considers current building height criteria alleging "view protection" to outweigh the importance of the City's response to this science. The City's Comprehensive Plan supports maintenance of existing public view corridors and the Shoreline Management Program calls for preservation of a 30% minimum lot width view corridor at shoreline sites. Neither the current Senior Center nor the proposed new building is even visible from any point within the Dayton, Main or other street level view corridors. Furthermore, both the current and future buildings are significantly blocked from any public view points in the downtown-waterfront area due to the taller office building immediately to the north, the Ebbtide condo building to the south and the Salish Crossing building complex across the railroad tracks to the east. The SMP 30% view corridor associated with the existing building site is provided for within the new design. He summarized it would seem that the citizens comprising ACE are standing on principles that impede both public and private property owners who seek development in a responsible and sustainable manner consistent with the greater desires and direction of Edmonds. He urged the Council to consider these factors during upcoming deliberations on the City's CAO.

**Dave Hunnake, Edmonds**, assumed from the Council's action to remove Item F, the Council planned to uphold the Mayor's veto of the CAO. He expressed support for the veto for the following reasons, 1) there is accountability without having Development Services Director Hope sign off on everything, 2) the buffers should not be so restrictive that Willow Creek cannot be daylighted, 3) he was concerned with increasing the size of new trees from 1 inch to 1.5 - 2 inches when 1 inch trees grow better and faster than larger trees, 4) citizens should be allowed to remove trees up to 4 inches, 5) and the height for measuring in floodplains should be raised to 2 feet above. He urged the Council to complete the CAO. He lives in an area where there is a critical slope and they have delayed maintenance for nearly a year awaiting Council action on the CAO.

**Joe Scordino, Edmonds**, retired fish biologist, recognized Ms. Hite and her staff for the commendable job they did with establishing a very open public participation approach in developing the Marina Beach Master Plan. It was an exemplary effort and staff was interested in reaching all user groups to ensure their concerns were addressed in the master plan. He recommended the Council approve the Marina Beach Master Plan as proposed so the City can proceed with the grant application process for the Willow Creek Daylighting project. He also commended the Council for its decision to delay action on the CAO and hopefully have public hearings and public comment as the document needs a lot of work. He email Councilmembers regarding issues he found that need to be amended in addition to the amendments the Council made in December. The CAO is of critical importance to critical areas as well as the public and should not be done hastily but rather in a manner that is easily interpreted and usable for the public.

**Michael Reagan, Edmonds**, a Marine Vietnam Veteran, said he visits the plaque on the rock at the Public Safety Building daily on his walk from Meadowdale High School and doubted anyone visits it more than he does. Fifty years ago he joined the Marine Corps; 48 years ago on April 10, 1968 he came home from Vietnam. Two weeks before he left Vietnam, his unit was hit while in Cam Lo to rest; many people were killed including his friend Vincent Santaniello. The last thing Vincent said before he died was, "Mike, I just want to go home." He visits that rock every day to talk to Vincent. He referred to the

Fallen Hero Portrait Project, displaying portrait of a mother holding her five year old daughter who is holding their 13-week old son. When the young man went to Iraq, she was pregnant; he never came home and children never got to meet their dad. The Veterans Plaza will provide a place for this mother to bring her children and to tell them that the City of Edmonds appreciates your sacrifice and your father's sacrifice so much that they created a place for us to come and talk about him, to talk to his brothers and sisters, a place that tells us they were proud of your father. He summarized the Veterans Plaza was a place for people like him when he walks late at night to go and talk to his friends and a place for the town to tell veterans they are proud of them.

**David Quinn, Woodway**, a teacher at Edmonds-Woodway High School but speaking as a citizen, reminded the community of Mr. Reagan's tremendous work, beautifully representing each person who has made the ultimate sacrifice for our country. He recognized it was a permanent sacrifice. He referred to Councilmember Nelson's earlier comments about taking time to get something right. When creating a veteran's memorial, the necessary time must be taken to get it right, to get the sacrifice right to properly honor those who made a great sacrifice for the country. It is important to get right because it is beyond a place for reflection but also a place of permanence for the community, not just at night but also during events such as the Saturday market. He was proud to have worked with the community to get the quotes right which will also be permanent. Some of the design elements in the packet are not right, out of scale and proportion; the committee has considered this and will address it during their presentation. He urged the Council to consider the idea of permanence and to remember it is their responsibility to ensure the final design templates, the size, scope and scale of this tribute are exactly right regardless of how much time it takes.

**Rick Steves, Edmonds**, referred to the Veterans Plaza, commenting he was speaking for people who may not agree with always thinking about our military. A large part of society has not had that experience although all benefit from the sacrifice and valor of the military and want to remember veterans' sacrifice. He agreed a veteran's memorial was needed but found it difficult to question the motive of veterans and military groups who speak for everyone in a way that can be misunderstood as pro-military rather than remembering our veterans. If the intent is to use City land and money to create an area that everyone walks by, it is the Council's responsibility to make it inclusive and something everyone can enjoy and celebrate rather than be a lecture. He feared if a careful eye was not kept on the project, people who are understandably passionate about it will make it pro-military rather than to remember our veterans and our fallen heroes. He asked the Council to keep a careful eye on this project because he walks by it daily as well as the 9/11 monument and he and many others have a different perspective. He saw no reason to have five emblems celebrating the difference branches of military; he wanted to remember the men and women who gave their lives for our freedom. To be effective, the Veterans Plaza does not need to convince those who have a vested interest in remembering the troops; it needed to appeal to the other half so they take it seriously and do not roll their eyes when they walk by. He concluded the emblems of the different military branches distracted from the memorial.

**Farrell Fleming, Edmonds**, Executive Director, Edmonds Senior Center, spoke regarding the Council's consideration of the CAO. With regard to timeliness, he urged the Council to complete the CAO update process in a timely fashion. Take as long as needed to get it right; from their perspective it did not need to be done tonight but shouldn't be drug out unnecessarily over many months. They intend to begin the permitting process for the new community center in the coming months and need the COA update complete so the legal context of the permit process is clear. Next, he urged the Council to reject amendment #8 regarding frequently flooded areas. The agenda prepared for tonight which defines the implication of amendment #8 concludes with the following statement, "The Council amendment to delete the height definition change while keeping the requirement to construct buildings two feet above base flood elevation penalizes properties designing projects for the impacts of sea level rise and flooding by essentially eliminating a portion of the allowable zoning height. Under the Council amendment, a

building would end up being 27 or 28 feet tall rather than the 30 feet currently allowed by code.” They want to build a sustainable structure that, a) abides by current BAS regarding sea level rise, and b) serves its community functions superbly. Their wish is to build a 30’ facility from elevation 15’ as their design team believes this will accomplish both objectives. Ultimately though, they will build with whatever the codes and permitting process allow them. There is a once in a lifetime opportunity to do this right, to give Edmonds a new community center that will be used by all generations well into the future and be a source of civic pride. They are eager to continue to work with the City Council, Mayor, administration and Edmonds residents to make this a reality. He reminded they are doing this because the City asked them to: the City’s strategic plan recommended something good be done with the senior center, appointed them the lead in accomplishing this goal and they have taken that charge very seriously.

**Maria Montalvo, Edmonds**, commented nothing in life is permanent as illustrated by all the changes occurring in Edmonds and as the people who have lost family and friends in war know. She urged the Council to be attentive to the people who are here who need to see the Veterans Plaza. She did not come from a military family or have veterans in her family; she came from a perspective where she did not see where it mattered to her. When she began meeting and working with military families, she learned the incredible sacrifice they make every day, not just the service members but also their families. One of the most impermanent things is their day-to-day existence; one of the fathers of one of their scholarship recipients will not be here in 6 months; it matters to him what is done today. The two year process of developing the Veterans Plaza has involved the community and the families, those are the people who need to know the community is thinking about them and understand they are not permanent. She said the best thing to do is create conversations because the only way people learn the sacrifices these families make is by asking questions and being in a situation where those questions arise. She urged the Council to open the community to being better citizens and better people and asking those questions by being in a place that allows those questions to be asked.

**Don Requa, Edmonds**, commented the dog park is one of great things in Edmonds. It is utilized during all seasons and is rated #6 of the dog parks in Washington. He and his dog enjoy the dog park and the people he talks to enjoy it. He did not see that the marsh needed that much buffer. The dog park is a good thing and a lot of good things are being lost in Edmonds such as old houses that are being demolished and replaced with subdivisions.

**Rob Matina, Edmonds**, asked whether the dog park was in jeopardy. Mayor Earling advised information regarding the dog park would be provided later during the meeting. Mr. Matina expressed his profound support for the dog park. Although he does not own a dog, he visits the dog park regularly; it is a spectacular asset for Edmonds. He liked how the dog park was divided into areas with and without dogs; he felt fortunate to have the opportunity to visit the dog park and enjoy dogs playing. If this dog park is #6 in Washington, he would love to see 1-5 as he could not image any better. He implored the Council to leave the dog park as untouched as possible.

## 5. ACTION ITEMS

### A. VETERANS' PLAZA UPDATE

Parks & Recreation Director Carrie Hite recalled the Council approved a design of the Veterans Plaza one year ago today. The community group the Council charged with working on the Veterans Plaza has been working diligently for the past year with site Workshop on design development and defining the space; part of taking a concept to construction is design development phases. Concerns have been expressed during the past 3-4 months by a few citizens including Mr. Quinn and Mr. Steves about the size, style, design and welcoming aspects of the plaza. The committee met with Mr. Quinn and Mr. Steves a few times over the past few months and worked with Site Workshop to redesign the plaza; that redesign will be presented to the Council tonight. The Council packet includes the original design and the redesign. The

redesign includes some development of the original plaza area. In the original design, the community group was not allowed to include the plaza, only the garden area and the median between the parking and the plaza for a commemorative wall. Mr. Quinn and Mr. Steves were concerned that the design of the plaza area was very militaristic, a flat, hard surface that was not welcoming. The plaza has now been redesigned to break up the hard surface and add vegetation and seating that could be considered more welcoming.

Following Site Workshop's presentation, Ms. Hite requested Council give direction to the community group regarding the revised design as well as consider a \$30,000 contribution to help with development of the plaza. The community group committed to raising the \$400,000 cost of the garden area and the wall but the plaza was not part of their capital campaign. There is fund balance in the Real Estate Excise Tax (REET) fund and this expenditure would fit with the purpose of those funds. Parallel to this process, the Off Leash Area group has also been engaged with the committee and raising funds to commemorate the role that dogs played overseas and during wartime.

**Brian Bishop, Site Workshop**, explained since presenting the competition concept they developed for the Veterans Plaza a year ago, they have been working closely with the committee, Park staff and community members to refine the design and evolve it to fit within the space and the intended purpose. The design elements include the wall, garden and plaza. The current design is stronger as a result of the process that has occurred. He displayed an aerial, identifying the location of the proposed Veterans Plaza. He displayed overhead view of the original design which included minimal impact on the existing plaza, the veteran's walls on the north side, the veteran's garden in the existing planting area on the south and seating cubes in the existing plaza that contains smaller planting beds and columnar trees.

He displayed an overhead view of the currently proposed design that includes the veteran's wall, plaza and veteran's garden. He displayed a bird's eye views of the original design and the proposed design looking toward the northeast. The original 120-foot wall consumed the entire length of the north edge of the existing plaza, from the access to the parking lot to the existing sign wall. In the revised plan, the wall is 80 feet long and includes modification to the parking stalls to the north without changing their dimensions to provide space for an evergreen hedge on the back side of the wall and circulation on the front side in the plaza. He displayed elevations of the original and currently proposed design; originally there were five walls depicting the military branches separated by water walls. The emblems on the original design were approximately 30 inches in diameter. The new design includes three primary walls, one with the five emblems which are about 12 inches in diameter, a primary sign wall and a quote wall at the east end, two water walls on either side of the center wall and a runnel and waterfall on the west end and a hedge on the back side.

Mr. Bishop displayed the original design that included a large emblem and information on the establishment, motto and other information about the military branches with a runnel in front of the walls. In the current design, the walking area and benches provide a more contemplative feeling on that edge. The wall will be clad with natural stone, a range of lighter granites to address concerns that the original design was too dark and memorial-like. He displayed and reviewed details of the water wall, runnel and waterfall.

Mr. Bishop displayed an overhead view of the original garden design, identifying the seating area with the memorial boulder in the center, garden pathways and seating walls. He displayed an overhead view of the proposed design, identifying the seating area, memorial boulder in the garden but closer to the pathway, space for a service dog statute, garden pathway, and northwest garden. He displayed a prospective view looking toward the garden from the plaza in the original design and the proposed design. Due to the grades, the number of seating walls was reduced in the current design to protect the root system of the existing oak tree. He identified elements of the garden space including the semi-circle granite bench in the

seating area, the memorial boulder, stone paving on the garden paths and a depiction of a memorial to service dogs.

Mr. Bishop displayed a drawing of the original design of the plaza, essentially as it currently exists with the additional of seating cubes. The existing sloped plaza contains a series of trees and small planters and free-for-all circulation. He displayed the revised plaza design explaining the intent to provide a clear circulation space, a minimum of 20 feet, flanked with generous planting areas and a 7'6"-foot wide more intimate side path adjacent to the veterans wall. One of the benefits of the redesign is the amount of soil available for tree growth, approximately 10 times more soil than the existing trees. He identified a pathway to the sidewalk, seating cubes at each end of the planting area, and a series of benches flanking the garden space. He provided examples of the seating cubes and the benches that will be consistent with other benches downtown.

**Ron Clyborne, Co-Chair, Veterans Plaza Committee**, was honored to be representing the Edmond Veterans Plaza Committee. After the Council's original approval a year ago, the committee went out to the community and regrouped. He noted in every community, people have lost family members in service to our country. This is not intended to be a memorial but a park plaza, a place the community as a whole can come and enjoy. The project began three years ago and the design was approved by Council a year ago. Since that original approval, the following vision for the committee and project was created: The Edmonds Veterans Plaza will be a place where veterans connect with each other, coming together to find ways to heal themselves and each other. They will find strength and comfort from opportunities to remember comrades and share stories about their experiences. It will also serve as a venue where veterans and non-veterans can engage in dialogues. The venue will be appealing and attractive to all members of the community who will come to the plaza to listen, share their own thoughts and will walk away with a greater understanding and appreciation of each other.

Mr. Clyborne appreciated Mr. Steves and Mr. Quinn bringing their concerns to the attention of the City. Originally the plaza area was off limits to the design. Thanks to Mr. Steves and Mr. Quinn, they are now able to create three wonderful parklike environments, bringing the modified wall and garden together in a place where the community can gather. He envisioned people sitting in the plaza during the Saturday market.

Mr. Clyborne explained presentations have been made to numerous organizations and service clubs over the past year seeking their input including three detailed meetings with the community leaders who spoke to the Council earlier. The Edmonds Veterans Plaza will act in partnership Edmonds Community College Veterans Resource Center; the plaza will be a conduit for help and provide information to veterans and their families, access to information regarding veterans services, family services, suicide prevention will be located in the garden in the eastern most portion of the plaza. One of the biggest dilemmas in serving veterans is making the initial connection; the centrally located Veterans Plaza, a place for quiet reflection, will draw many to it and many will learn about the services and support that are available.

Mr. Clyborne explained over the past year, without even going public, the Edmonds Veterans Plaza has raised \$282,000. Once the campaign goes public, he anticipated a substantially greater percentage of the public will be behind this project. He concluded unfortunately each day we lose more men and women who are serving our country. It is most important to honor and remember all veterans past, present and future.

Ms. Hite thanked Councilmember Mesaros who has been on the fund development team for the Veterans Plaza, Councilmember Tibbott who was involved as a Planning Board Member and former Councilmember Peterson.

Councilmember Fraley-Monillas said she would like to see what will be written on the walls as it is not visible from the drawings. She asked whether the design would be ADA accessible and whether there would be ADA seating in the plaza. Mr. Bishop answered yes, explaining due to the sloping nature of the plaza, the pathway is aligned with the street and the plaza. Ms. Hite advised the words on the wall are in development and have not been finalized. That could be brought back if the Council wanted to see it before it moves into construction. Councilmember Fraley-Monillas asked if there was opportunity for input regarding what will be placed on the walls. Ms. Hite said the committee wants the branches of the military and honoring veterans past present and future on one wall. The intent is to have reflective quotes on the other two walls; a committee is working on a proposal for the wording.

Councilmember Fraley-Monillas recalled the Council initially approved this as a Veterans Memorial Park and one of the reasons was the park in front of the museum was not sufficient to honor those veterans. She asked where the names of the people who have given their life for their country will be memorialized on the walls. Mr. Clyborne responded the names of Edmonds veterans that were either MIA or KIA will be properly researched and accurately spelled and placed on a special veterans wall in the memorial garden.

Councilmember Fraley-Monillas observed the memorial portion will not be on the walls but in the memorial garden. Mr. Clyborne said any and all memorial elements will be located in the garden area. He clarified the entire project is not a memorial. Councilmember Fraley-Monillas asked why the name was changed from Veterans Memorial Plaza to Veterans Plaza. Mr. Clyborne said the term Edmonds Veterans Plaza was used when he made the presentation a year ago. Councilmember Fraley-Monillas recalled when the project was first proposed, it was Veterans Memorial Plaza. Mr. Clyborne acknowledged that may have been in the early days before there was an organized committee.

Councilmember Fraley-Monillas referred to Mr. Clyborne's comment that this hasn't gone public yet; they have only gone to individual groups. Observing this wall will be owned by the public, she asked whether the public would have opportunity to propose additions or changes. Mr. Clyborne responded his reference to not going public was in regard to fundraising and completely to the media. He has personally made numerous presentations to Rotary Clubs, Chambers of Commerce, Edmonds Community College, Elks, etc. My Edmonds News has offered free advertising space but they have not yet used it because they did not want to go out to the general public related to fundraising yet. Councilmember Fraley-Monillas said she was interested in whether the general public not just community leaders had been able to provide input. Ms. Hite recalled the Council held a public hearing on the Veterans Plaza last year before the Council adopted the design. Revisions have made during the design development and they are asking for Council direction regarding the revisions. The committee is hopeful a design can be finalized in the near future; it would not be feasible for the committee to launch a public fundraising campaign and continue to modify the design. A design needs to be finalized to proceed to 60% and 90% design and construction.

For Councilmember Fraley-Monillas, Ms. Hite explained a public hearing was held on the design on January 15, 2015; the request tonight is to consider the revisions to the design since the Council already approved the original design. Councilmember Fraley-Monillas recognized the veterans were raising the funds but she wanted to ensure there was enough input from the general public. She commented the design looks very interesting and will be a nice addition to the downtown core. She relayed both her parents were WWII veterans, her father was in the Air Force and her mother was a Navy officer and 4 years ago she lost her 27-year old nephew because of what he did for his country. Mr. Clyborne expressed his condolences for her loss, noting this plaza will provide an opportunity to honor those relatives.

Councilmember Teitzel complimented the committee for incorporating Mr. Steves and Quinn's input and revising the design. He said the revised design looks great and this will be a public space everyone will enjoy. He was supportive of the additional \$30,000 for the revised design and asked if there was potential

for additional funding requests in the future for other design revisions. Ms. Hite answered in conversation with the committee, she did not anticipate any future funding requests; the \$30,000 request was specifically for the plaza area to carve out the hard surface and add soil, plantings and seating. The committee has been very ambitious in their fundraising and is very positive about the fundraising.

Councilmember Buckshnis commented the new design looks much better. The dog park will provide \$6,000 and potentially more once the campaign goes public as there is a huge dog contingency in the area. She asked whether there will be an opportunity to include memorial plaques on the benches. Ms. Hite answered the City has been working with the committee to provide the bench design used downtown that has a memorial plaque. The committee asked to have the opportunity to sell those benches first to those who want to commemorate someone. If they are unable to sell the six memorial benches, the City has a waiting list of people wishing to purchase a memorial bench. Councilmember Buckshnis agreed adding the three trees and the benches softened the plaza. She noted the cubes were nice but not really nice. She referred to the history of the plaza and did not recall it was ever Veterans Memorial Plaza; it has always been Veterans Plaza unless that wording was used at the Planning Board level. She noted many veterans including her family specifically visit the emblem of the branch they served in.

Councilmember Nelson appreciated Mr. Clyborne's distinction between this being a plaza and a place rather than a memorial. He wanted to ensure this place included a memorial, a place for people to pay their respects as well as being a place for everyone to visit. He expressed support for including the Council in reviewing the quotes that will be on the wall. He was supportive of the additional \$30,000. He questioned the use of the seating cubes and suggested having more benches instead. Mr. Bishop said the cubes are not included in the funding request from the Council; they are funded from the original project budget.

Councilmember Mesaros said working with the veterans on this project has been one of his great joys. As the only veteran on City Council, a reluctant Vietnam era Army veteran who was drafted but served in Germany, he agree with Councilmember Buckshnis that the emblem plays a role in the identification for a veteran. He teased his fellow veterans that without the Army, the other branches would not have been as successful, noting veterans often tease, cajole and pay respects to each other. He relayed when visiting West Haven, Connecticut, last summer, he came upon a new veterans plaza that had just been installed. His first inkling was to find and stand by the US Army emblem. He noticed the other emblems in the plaza and acknowledged Mr. Clyborne would likely find and stand by the Marine Corps emblem. He summarized the incorporation of the emblems was an important element of the Veterans Plaza.

Council President Johnson thanked the veterans who came tonight and those who spoke to the Council about the plaza. She remarked there were two perspectives to the plaza; visiting the plaza as a veteran and traversing the area. When she traverses the area, she is headed to the doors of the Public Safety building; the current design delineates the walking path. The trees and plantings in the new design are exactly where she wants to walk. The original plan included 9 trees and established shrubbery that have been in place for 20 years. She hated to see the existing trees cut in order to plant new and different trees. She recognized the desire to green up the area and soften the edges but did not support this design. The design needs to work for City employees and people using the Public Safety building. She viewed the seating cubes as tripping hazards. She looked forward to the completion of the project and questioned why the committee was asking the City Council for the additional \$30,000 when their fundraising has been so successful. Ms. Hite answered the committee has a very ambitious goal of \$400,000 - \$430,000; their fund development materials do not include the funds for the plaza. They would like the Council to consider contributing to support the plaza.

Mr. Bishop agreed the trees have been in place since the Public Safety building was constructed. Although there are no apparent structural problems, they have reached their potential due to the way they

are arranged and the available soil. Many people do not like the plantings in the planting pits and find it spotty and have asked whether there would be an opportunity to revisit the plantings. He agreed when coming from City Hall or some parking locations, there may not be an unimpeded paved area to reach the front door. He disagreed it was a convoluted path or blocked access and felt it was making better use of the existing space so it was not only circulation space but also usable, enjoyable space.

With regard to the cubes being a tripping hazard, Mr. Bishop said the cubes are 18 inches high. He had more concern with the cubes when they were scattered in the plaza but did not have concerns now that they were consolidated to the edges. The cubes are an important element of the design to the committee and he felt the proposed location was preferable to the grid overlay. Council President Johnson agreed her concern with the cubes being a tripping hazard was in the grid overlay.

Council President Johnson asked whether the soil and root system of the existing trees could be enhanced instead of replacing the trees. Mr. Bishop answered the existing planting pits are 5'x5' and the depth is unknown. The trees have not been evaluated by an arborist and there do not appear to be any long term problems other than their organization and their columnar nature. The intent was a different tree form to provide a more garden-like space. He summarized the replacement of the trees is more an organizational site planning issue rather than a tree health issue. A tree with a larger canopy likely would not grow well in the existing tree pits and would need to be replaced more often. Council President Johnson commented she may be in the minority but she likes the plaza as it is currently. One of the reasons is chairs can be set out to create a gathering space on special events like Veterans Day. She concluded there were advantages to both designs.

Councilmember Tibbott thanked Mr. Clyborne for the work he and the team have done. He was amazed at how much has been done in the three years this project has been underway. He found himself caught up in the committee's vision and was excited the City will have an opportunity to enjoy the space and to find comfort and healing. He noted the drawings depict lot of green space and asked if any thought had been given to colorful, all-season landscaping. Mr. Bishop answered the final planting palette has not been finalized. The intent is to have an evergreen framework with seasonal color and variety, more of a northwest palate, not necessarily native but a combination of native and plants that would be found in northwest gardens. There is also opportunity to add additional color with annuals.

Councilmember Tibbott asked whether the intent was to utilize the current hardscape and embellish it in some way. Mr. Bishop answered the majority of the hardscape will remain; the intent is to remove pieces selectively. The only patching anticipated is lighting adjacent to the wall on the north edge. Recognizing the plan for the plaza has morphed in the recent past, Councilmember Tibbott asked whether consideration had been given to how the design could incorporate additions in the future. Mr. Bishop answered one of the challenges with designing spaces that take on a memorial aspect is trying to find the right balance of design and space for further additions. The intent is a design framework that would allow additions in the future but there are no areas identified for specific additions in the future.

Councilmember Tibbott commented the proposed seating arrangement was not conducive to conversation such as benches that face each other or a table between benches. Mr. Bishop agreed, recalling the intent of the original cubes was they could fit a couple of people. Given the slope in the plaza, there has been discussion whether to locate benches on the pathways that run through the three garden areas. It is not a key element to the design but he agreed it warranted further discussion.

Councilmember Fraley-Monillas asked whether the \$30,000 would be spent on the actual development of the plaza. Ms. Hite answered yes, the green space. Councilmember Fraley-Monillas recalled the Council already contributed to the project. Ms. Hite agreed the Council contributed \$10,000 to begin the design.

Councilmember Buckshnis offered to develop a memo to contribute \$5,000 from the Council Contingency Fund toward the \$30,000 request. Councilmember Fraley-Monillas recalled Ms. Hite said there is fund balance in REET 125 that could be used to provide the \$30,000. Mr. Hite offered to prepare a budget amendment to fund it from REET 125. Councilmember Fraley-Monillas preferred to fund the request from REET 125 if the funds are available and especially this early in the year.

**COUNCILMEMBER FRALEY-MONILLAS MOVED, SECONDED BY COUNCILMEMBER MESAROS, TO PUT TOGETHER A \$30,000 PACKAGE FOR THE VETERANS PLAZA FOR THE DEVELOPMENT OF THE PLAZA, FUNDED FROM REET 125 FUND. MOTION CARRIED UNANIMOUSLY.**

**COUNCILMEMBER BUCKSHNIS MOVED, SECONDED BY COUNCILMEMBER TEITZEL, TO SUPPORT THE VETERANS PLAZA AS DESIGNED AS OF TODAY.**

Councilmember Fraley-Monillas asked whether there will still be opportunity for the Council to weigh in as the process continues. Ms. Hite relayed the Council's requests tonight, 1) the committee bring back the wording on the walls to allow Council to weigh in, 2) the committee possibly look at the seating design as proposed by Councilmember Tibbott, and 3) consider whether to include the cubes. Councilmember Fraley-Monillas commented other things may come up. Ms. Hite answered at some point the project needs to go to 90% design and construction documents; at that point changes require a change order and are more expensive.

Councilmember Mesaros said the committee members have thought about the cubes a lot and they are an important element to the project. Councilmember Nelson said he would drop any questions he had about the cubes and expressed his full support for the design.

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

Mayor Earling declared a brief recess.

**B. MARINA BEACH MASTER PLAN APPROVAL**

Parks & Recreation Director Carrie Hite thanked the Project Advisory Committee (PAC), remarking several were in the audience:

- Renee McRae – Interim Assistant Park Director, City of Edmonds
- Keeley O'Connell– Senior Project Manager, Earth Corps
- Jerry Shuster – Stormwater Engineering Program Manager, City of Edmonds
- Rich Lindsay – Park Maintenance Manager, City of Edmonds
- Diane Buckshnis – City Council, Floretum Garden Club, OLAE
- Val Stewart – Planning Board, City of Edmonds
- Rick Schaefer – Tetra Tech
- Susan Smiley – Edmonds Floretum Garden Club
- Joe Scordino – Community Member (retired NOAA fisheries)
- Ron Brightman – City of Edmonds Tree Board
- Laura Leeman – Community Member (Edmonds Moms Group)
- Kevin Conefrey – Edmonds Arts Commission

The intent of tonight's presentation is final approval of the master plan. She acknowledged final approval is pending any changes to the CAO that might impact the plan. The proposed master plan is in compliance with current codes. If changes are made to the COA in the future, staff will need to request

Council open the master plan to make changes. Official adoption of the Marina Beach Master Plan will be done with the Comprehensive Plan amendment later this year.

**Chris Jones, Landscape Architect, Walker | Macy**, advised this is the fourth time he has presented the project. This has been a very successful project which he attributed to the public outreach effort by Ms. Hite, himself and the PAC, outreach to stakeholders, three public open houses, and an online open house. The final draft master plan in the packet documents all the outreach efforts.

He displayed and reviewed the site context that illustrated environmental features that would impacted and the site analysis of manmade and environmental features. He displayed Stream Alignments A, B and C, explaining Options A and B, were presented at the first open house. Option A was eliminated due to the community's concern with its impact on the dog park. Public input at the first open house included:

- Beach, views, environment, picnic tables, seating, walking, active/passive recreation opportunities
- Retention of dog park
- Parking capacity
- Restroom facilities
- Provide more habitat and educational opportunities
- Willow Creek alignment and impacts
- Dog and human conflicts. Dog impacts to environment

Options B and C were presented at the second open house as Option 1 and 2. Public input included:

- 75% of attendees preferred Option 1
- Like parking turnaround
- Like restroom location – make it centrally located and/or include an additional restroom for dog park users
- Prefer larger lawn areas
- Prefer two overlooks
- Separate dog and people best

He displayed a drawing of Option 1, the preferred Master Plan and reviewed elements of the plan:

- Beginning at the north:
  - Maintains large lawn area
  - Wide paths that circulate through park
  - Overlooks
  - Turnaround that accommodates fire trucks
  - Plaza space that will accommodate food rucks
  - Brick and mortar restroom adjacent to parking lot
  - Park amenities such as picnic tables, barbeques and benches throughout the park
  - Retains feeling of beach, driftwood, views, lawn trees, essence of place and
  - Uses natural materials
  - Allows for non-motorized personal watercraft such as kite sailing
- Central section
  - Play area (reduced by 1/3)
  - Lawn area (reduced by 1/3)
  - Willow Creek with two bridges
  - Soft paths in the buffer zone
- South side:
  - Second restroom (similar to Portland loo)
  - Natural play area

- Off leash dog park, consolidated slightly
  - Relocate agility area to the south portion
  - Improve fence and queuing areas

Mr. Jones assured the dog park is not in jeopardy based the current master plan. He displayed the approximate Edmonds Crossing alignment, explaining they met with Kojo Fordjour, Washington State Ferries (WSF), who supports this project. WSDOT cannot say exactly where the ferry terminal will exist or how it translates to Marina Beach Park.

Councilmember Tibbott inquired about the percentage reduction of the off-leash area. Mr. Jones answered pretty minimal, 3000-5000 square feet. Councilmember Tibbott asked the percentage reduction of the lawn area. Mr. Jones answered it was reduced by about 25-30%.

Councilmember Mesaros referred to Ms. Hite's reference to potential conflicts with the CAO and asked about the potential conflict related to buffer size. Ms. Hite explained the buffers reflected in the master plan are 75 feet on the dog park side and 50 feet on the north side using buffer averaging. At her request Mr. Jones prepared drawings depicting 75-foot buffers and 100-foot buffers on both sides. A 75-foot buffer on both sides impacts the northern part of the park a bit and impacts the restroom, entrance to the bridge to the dog park and the pathways. Impacting the pathways means they will have to be soft surface and not ADA accessible. The 100-foot buffer greatly impacts the park including the park entrance, parking areas and the pathway on the north side, eliminates most of the play area, and limits ADA access to the park. If Council decides on a 100-foot buffer, she recommended opening the master plan and re-planning, as it would be difficult to configure an entrance to the park, would eliminate some parking and limit active areas in the park.

Councilmember Teitzel relayed concerns he has heard about the dog park creating pollution issues for Willow Creek when it is daylighted by being 75 feet away. He asked if that was a real concern or was 75 feet enough. Mr. Jones responded as part of the master plan and redevelopment of the park, grading would occur so there is no runoff from the dog park into Willow Creek; runoff would either captured in a catch basin and treated or kept within the park. Likewise on the shore edge, grading would be back into the park and not into Puget Sound.

Councilmember Teitzel asked whether the water quality of Puget Sound at the dog park is tested now and have there been any concerns. Ms. Hite answered it is tested by Snohomish County on a regular basis and there have not been any concerns.

Council President Johnson asked what the water is tested for. Ms. Hite offered to provide a link to the test results on Snohomish County's site that includes testing for many beaches in Washington State. Council President Johnson said the daylighting of Willow Creek is of paramount importance to her. She appreciated the extensive public outreach to stakeholder groups and the formation of the PAC. This is a very ambitious project and questioned whether it was necessary to have two pedestrian bridges and two restrooms. She suggested taking another look at the plan and making it not quite the full Cadillac version. Ms. Hite said the master plan identifies optional items and she agreed some elements could be phased. Those questions do not need to be answered until the project reaches the design development phase. The master plan reflects the public's strong sentiment for two bridges. Similarly in discussions about having only one restroom, there was concern expressed with dog owners having to walk into the park where dogs are not allowed and having portapotties in the new park.

Council President Johnson referred to a conversation she had yesterday with Ms. Hope and Mr. Lien about the buffers and the concept of buffer averaging for the north side which could work in the Marina Beach Master Plan. Based on that conversation, 100-foot buffer are required for this type of stream;

however restoration can allow a 25% reduction and there is opportunity for buffer averaging. It was her understanding that could all be accommodated within this park. She reiterated her main priority was Willow Creek; it is beautiful, natural area that can be enjoyed by fish, dogs and people.

Councilmember Buckshnis expressed appreciation for all the work that has been done. She relayed Keeley O'Connell, Val Stewart, and Joe Scordino are present to answer any questions about the environment, shoreline, buffers, etc. She summarized Willow Creek was not being reestablished because that would go through the parking lot; an entirely new channel was being created hence the different CAO requirements.

**COUNCILMEMBER BUCKSHNIS MOVED, SECONDED BY COUNCILMEMBER MESAROS, TO APPROVE THE FINAL MASTER PLAN FOR MARINA BEACH.**

Councilmember Nelson commented this is a great design. He participated in one of the public meeting and agreed it was very collaborative. He was fully supportive of the proposed master plan.

**MOTION CARRIED UNANIMOUSLY.**

Ms. Hite reported the existing play area in Marina Beach Park has been removed because it was beyond repair. The play area went out for bid, the PAC was engaged in the selection today and the goal was to have the equipment installed before summer. She assured the play equipment could be moved to the new play area when Marina Beach is developed.

**C. SNOHOMISH COUNTY ILA AMENDMENT NO.2**

Parks & Recreation Director Carrie Hite explained this is amendment #2 to the Conservation Futures funds for Civic Field. The Conservation Future funds require the City file and record a conservation easement. The language in the easement has been negotiated over the past week; she thanked City Attorney Jeff Taraday for his assistance negotiating with Snohomish County. She pointed out revised language in Section IV.B, allowing more development within Civic Field. Conservation Future funds are allocated for passive recreation but active recreation language was added which is consistent with the RCW regarding Conservation Futures. She referred to another change in Section V.F regarding 10% impervious area where language was added so that accessible pathways would not be considered impervious surface. She was satisfied with the language which will help to master plan Civic Field in the coming year. She requested Council approval of the agreement.

**COUNCILMEMBER BUCKSHNIS MOVED, SECONDED BY COUNCILMEMBER MESAROS, TO AUTHORIZE THE MAYOR TO SIGN AMENDMENT 2 TO THE ILA WITH SNOHOMISH COUNTY FOR CONSERVATION FUTURES FUNDS FOR THE PURCHASE OF CIVIC FIELD. MOTION CARRIED UNANIMOUSLY.**

**D. ORDINANCE REESTABLISHING CITIZENS ECONOMIC DEVELOPMENT COMMISSION**

Economic Development & Community Services Director Patrick Doherty provided background:

- On June 2, 2009, the Edmonds City Council passed Ordinance 3735, creating a Citizens Economic Development Commission (CEDC), arising from the Citizens' Levy Review Committee, which had been tasked with reviewing the financial situation of the City of Edmonds, and its recommendation to develop a broad vision and long-term strategies to make the City's fiscal situation sustainable without recurring to votes of the public for increased property taxes.
- The original EDC was approved with a sunset date of December 31, 2010.

- Through a series of 3 subsequent ordinances, a final sunset date for the Commission of 12/31/15 was established.
- At the 2015 City Council Retreat a study subgroup was called for to study and discuss the CEDC, its purpose, usefulness, meeting format, subgroups, and whether to extend the Commission or allow it to sunset.
  - This subgroup, comprised of Councilmembers Bloom, Mesaros and Petso, met informally in October 2015 to discuss these issues, offering several observations and/or recommendations which were shared with full Council in November.
  - City Council considered the recommendations and chose to take no action, allowing the EDC to sunset on December 31, 2015, as set out in the corresponding Code provisions.
- Mayor Earling and staff proposed reestablishing the CEDC at the 1/26/16 Council meeting, laying out the constituent parts of a proposed new ordinance in concept.
- City Council offered additional language to the ordinance that would encourage the CEDC to invite ex-officio participation from other boards, commissions and agencies, as well as to encourage collaboration with such entities on programs or activities of mutual interest.

He reviewed salient components of the proposal to amend Chapter 10.75, “Citizens Economic Development Commission”:

- 10.75.010 Membership – Term of appointments
  - Nine members
  - Each Councilmember appoints one; Mayor appoints two.
  - Members must be residents and should exhibit experience in fields such as private or nonprofit business, economics, real estate, finance, development, education, or other similar fields.
  - Ultimately two-year terms, initially staggered by two- and three-year terms
  - One Councilmember liaison as ex-officio member
  - No term limits
  - No sunset
  - Port Commission, Chamber of Commerce and Planning Board encouraged to appoint ex-officio members
- 10.75.020 Officers, Meetings, Forum
  - Commission shall elect Chair and Vice-Chair, with similar duties as in previous code
  - Quorum is a simple majority of filled positions
  - Regular meeting days, times and place shall be established to avoid “special meeting” status and extra notice requirements every time
  - All meetings open to public
- 10.75.030 Powers and Duties
  - Advise and make recommendations to Mayor and City Council, and as appropriate to other boards or commissions of the City, on matters independently generated or specifically referred to it by the Mayor or City Council related to:
    - Strategies, programs or activities intended to generate economic development and consequently increase jobs and municipal revenue
  - Annual report to Council and Mayor
  - Commission is encouraged to work in conjunction with other boards, commissions or other agencies/entities on proposals, recommendations or projects of common interest, which may be presented to Mayor or Council jointly

Mr. Doherty recommended approval of the ordinance.

**COUNCIL PRESIDENT JOHNSON MOVED, SECONDED BY COUNCILMEMBER BUCKSHNIS, TO ADD THE FOLLOWING LANGUAGE: THE COMMISSION SHALL**

**DELIVER AN ANNUAL REPORT TO THE CITY COUNCIL IN WRITTEN AND ORAL FORM DURING THE FIRST QUARTER OF EVERY YEAR AND WHEN APPROPRIATE DURING OTHER TIMES AS DIRECTED BY THE MAYOR AND COUNCIL.**

Mr. Doherty advised the language in the current ordinance stated the report was to be delivered in December. The amendment is intended to avoid having reports due in December when the Council's agendas are quite busy.

Councilmember Buckshnis commented her thought was to have the report due in February. Mr. Doherty preferred the first quarter, recognizing the intent was to have the report provided as soon as possible after the first of the year but to allow some flexibility.

**MOTION CARRIED UNANIMOUSLY.**

Council President Johnson said she discussed with Ms. Hope the issue of coordinating land use recommendations between the Planning Board and EDC. She recalled when the EDC was first established, there was an awkward joint presentation but that never quite worked out. She asked Ms. Hope to describe options for coordinating recommendations of the EDC and Planning Board regarding land use matters. Ms. Hope said the proposed language regarding the EDC coordinating with boards and commissions could work. However, as Council President Johnson was interested in more specificity, options include having the EDC chair periodically confer with the Planning Board chair or have the EDC present land use recommendations to the Planning Board before presenting it to the City Council. With an effective staff board/commission relationship, if land use issues arose at the EDC, she was certain Mr. Doherty would alert her and she would do the same for issues at the Planning Board of interest to the EDC.

Mr. Doherty referred to new language added to 10.75.030. C, "The commission is encouraged to work in conjunction with other boards and commissions on proposals, recommendations, projects or activities of mutual interest, or as otherwise directed by city council." He envisioned with a smaller group of nine, an active Council liaison and the language encourage cooperation and collaboration, the EDC should not go too far on land use issues before someone pointed out they were encouraged to work together. He suggested the bodies that are collaborating decide how best to make that collaboration happen.

Council President Johnson explained she raised this issue because as a former Planning Board member and the Planning Board liaison to the EDC she saw this as a problem. She wanted to predispose how it was handled so there wouldn't be problems in the future. She expected coordination but especially with regard to land use issues, the Council relies on the Planning Board.

**COUNCIL PRESIDENT JOHNSON MOVED TO HAVE THE EDC PRESENT ANY LAND USE RECOMMENDATIONS TO THE PLANNING BOARD. MOTION DIED FOR LACK OF A SECOND.**

Councilmember Fraley-Monillas requested a further explanation. Council President Johnson explained in the past the EDC has had land use subcommittees and has made recommendations directly to the Council regarding land use issues. The previous requirement was for a joint presentation on the annual report to the City Council but that never happened so the idea of a natural coordination never happened. She wanted to ensure any EDC recommendations regarding land use, which is the Planning Board's area of expertise, were made to the Planning Board.

**COUNCIL PRESIDENT JOHNSON MOVED, SECONDED BY COUNCILMEMBER FRALEY-MONILLAS, TO HAVE THE EDC PRESENT ANY LAND USE RECOMMENDATIONS TO THE PLANNING BOARD.**

Councilmember Buckshnis suggested this could be handled by having a Planning Board member be part of team like when the EDC first began. Mr. Doherty said the proposed ordinance requests the Planning Board provide an ex-officio member. He explained the previous ordinance language, “The planning board and economic development commission shall make joint recommendations on such subjects to the city council on or about the first meeting in December.” was replaced with language stating the commission will work with other boards and commissions and other entities on areas of common interest. He envisioned that problem would not arise due to the Planning Board liaison, the Council liaison and this more directed language. He acknowledged a little bit of policing would be required.

Councilmember Fraley-Monillas commented all those people were members of EDC previously and it did not work well. She questioned how EDC land use suggestions would get to the Planning Board to be vetted before they come to the City Council. Mr. Doherty said the code does not specify exactly how that happens but it could occur at different points in the Planning Board’s consideration. For example, in the Highway 99 subarea plan, provisions regarding land use will ultimately go to the Planning Board and on to the City Council. Along that path, the EDC may want to input such as ways to incentivize development. He anticipated the ordinance language would instruct the EDC to find ways to engage with the Planning Board whether a joint meeting, submitting their recommendations, a companion piece, etc. It was difficult to know the best mechanism for that interaction in advance for every issue. The City Council liaison should interject to the EDC the need to collaborate with the Planning Board.

Councilmember Fraley-Monillas asked Councilmembers Tibbott and Nelson, former Planning Board members, their thoughts. Councilmember Tibbott agreed the vagueness of the language lends itself to a variety of options. Any proposed land use change would need to go through the Planning Board and he felt the proposed language was workable. Councilmember Nelson concurred.

Councilmember Mesaros commented it sounded like was a management problem rather than a structural problem. The proposed structure is correct; it just needs to be managed well and followed through on because in Council President Johnson’s observation, they were not. There are two sides to communication; the Council needs to demand the EDC and Planning Board live up to their sides of the communication.

**MOTION FAILED (1-6), COUNCIL PRESIDENT JOHNSON VOTING YES.**

**COUNCILMEMBER TIBBOTT MOVED, SECONDED BY COUNCILMEMBER BUCKSHNIS, TO APPROVE ORDINANCE NO. 4018, REESTABLISHING THE CITIZENS ECONOMIC DEVELOPMENT COMMISSION.**

Councilmember Fraley-Monillas said she will not support motion, not because she does not support the general idea of the EDC but she objects to the experience members are required to have. She believed that would prevent a large blue collar group of citizens to include occupations such bartenders, daycare workers, bus drivers, artists, nurses, etc. as well as stay-at-home parents and caregivers.

Mr. Taraday relayed the motion included the amendment that was adopted prior to the main motion, to require the report to Council be made in the first quarter.

**MOTION CARRIED (6-1), COUNCILMEMBER FRALEY-MONILLAS VOTING NO.**

Mayor Earling reported the positions will be advertised for about two weeks beginning tomorrow. Councilmembers will be informed of the pool of candidates and a response will be requested within two weeks with a goal of having the EDC up and running in early March.

E. **RECONSIDERATION OF THE MAYOR'S VETO OF ORDINANCE NO. 4017 - AMENDING THE CRITICAL AREAS REGULATIONS CONTAINED IN EDMONDS COMMUNITY DEVELOPMENT CODE CHAPTERS 23.40 ENVIRONMENTALLY CRITICAL AREAS GENERAL PROVISIONS, 23.50 WETLANDS, 23.60 CRITICAL AQUIFER RECHARGE AREAS, 23.70 FREQUENTLY FLOODED AREAS, 23.80 GEOLOGICALLY HAZARDOUS AREAS, AND 23.90 FISH AND WILDLIFE HABITAT CONSERVATION AREAS, AND AMENDING ECDC SECTION 19.00.025, A PROVISION OF THE BUILDING CODE RELATED TO FREQUENTLY FLOODED AREAS**

City Attorney Jeff Taraday advised the statute states there is an obligation to enter the rationale for the veto into the journal. He suggested there be a formal acknowledgement of receipt of the basis of the veto.

Councilmember Fraley-Monillas acknowledged receipt of the veto. Mayor Earling acknowledged he sent the veto.

F. **CONSIDERATION OF THE CRITICAL AREAS ORDINANCE**

This item was pulled from the agenda via action taken during Agenda Item 2.

6. **MAYOR'S COMMENTS**

Mayor Earling encouraged Councilmembers to attend tomorrow's signing of the final documents for the purchase of Civic Field tomorrow at 10 a.m.

Mayor Earling reminded of his State of the City presentation on February 11 at 8:30 a.m. at the Edmonds Theater. There will be free popcorn.

7. **COUNCIL COMMENTS**

Councilmember Buckshnis invited the Council to attend WRIA 8's Salmon Recovery Summit on Thursday. She expressed her appreciation for the Council agreeing to pull Item 5F; she plans to prepare several amendments in response to citizen input. She thanked the citizens who have provided comments.

Councilmember Fraley-Monillas reported at the Special Olympics Regional Tournament the four Edmonds teams that participated received gold, silver and bronze medals in basketball.

Councilmember Mesaros reported at his first Public Facilities District meeting last week, a stakeholders' event later this month was announced. He will email Councilmembers the date and encouraged them to attend.

Councilmember Teitzel commented the CAO is a very delicate issue. Edmonds is over 95% built out so the question is how to respect property owners' rights to modify their property and also support environmental health. He was encouraged by a letter from the Department of Ecology that acknowledges water quality may be improved with reduced buffers in exchange for restoration. He plans to continue talking to citizens, researching and reading in order to make a well informed decision. He sought a win-win, improving environmental health and not unduly restricting property owners' rights.

Councilmember Tibbott reminded of the upcoming Edmonds School District Levy election; ballots are due by Tuesday next week. This is a great opportunity to support technology in schools as well as to support children and families in the district.

Council President Johnson announced a SNOCOM open house on Thursday. She sought Council direction regarding whether to hold a public hearing on the CAO.

Councilmember Fraley-Monillas asked whether it would be a public hearing to gain input into the new CAO or a public hearing after the ordinance is amended. As a result of the Mayor's veto, Council President Johnson explained the Council now has a clean slate and can make amendments to the last version of the ordinance prepared in October for the December 15 meeting. Due to the amount of time that has elapsed, members of the public and Council have requested another public hearing. Although legal requirements have been met by the public hearing at the Planning Board and at the City Council, her question to the Council was whether to have another public hearing. She suggested providing notice and having the public hearing in two weeks. City Attorney Jeff Taraday recommended if the Council chose to have another public hearing, the Council first flesh out all the conceivable possible versions of an ordinance and amendments and have the public hearing on all of them. That would put the Council on very solid ground as to whether another public hearing was required due to the amendments.

Councilmember Buckshnis said she did not vote for many of the previous amendments. She plans to provide several amendments using the old ordinance. She suggested a study session to identify all the amendments and then decide whether to have a public hearing. She has spent 20-30 hours during the past two weeks talking with citizens and recommended Councilmembers review the document and propose amendments.

Senior Planner Lien said he is on vacation for the February 16. A work session could be held on February 23 to discuss amendments, followed by a public hearing in March and a decision made after the public hearing or at a subsequent meeting in March.

Councilmember Buckshnis recommended Councilmembers work off the ordinance that was presented to Council on December 15 prior to Council amendments.

Council President Johnson summarized the Council would hold a work session on February 23 where Councilmembers propose all their amendments. Following a public hearing, the Council could vote.

Councilmember Teitzel relayed his concern the Council was now revisiting an item that was discussed in great detail on December 15. He was hopeful the Council was not setting a precedent, whereby a decision was made and the Council was now undertaking another public hearing process due to public concern. Councilmember Buckshnis pointed out the veto changed everything. Mayor Earling commented there was always that potential again.

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 9:48 p.m.