

**EDMONDS CITY COUNCIL
SPECIAL MEETING APPROVED MINUTES
January 23, 2020**

ELECTED OFFICIALS PRESENT

Mike Nelson, Mayor
Adrienne Fraley-Monillas, Council President
Kristiana Johnson, Councilmember
Diane Buckshnis, Councilmember
Vivian Olson, Councilmember
Susan Paine, Councilmember
Laura Johnson, Councilmember

STAFF PRESENT

*Shane Hope, Development Services Director
Jessica Neill Hoyson, HR Director
Jeff Taraday, City Attorney
Nicholas Falk, Deputy City Clerk
Jerrie Bevington, Camera Operator*

1. CALL TO ORDER/FLAG SALUTE

The Edmonds City Council meeting was called to order at 6:01 p.m. by Mayor Nelson in the Council Chambers, 250 5th Avenue North, Edmonds. The meeting was opened with the flag salute.

2. LAND ACKNOWLEDGEMENT

Councilmember Olson read the City Council Land Acknowledge Statement: “We acknowledge the original inhabitants of this place, the Sdohobsh (Snohomish) people and their successors the Tulalip Tribes, who since time immemorial have hunted, fished, gathered, and taken care of these lands. We respect their sovereignty, their right to self-determination, and we honor their sacred spiritual connection with the land and water.”

3. ROLL CALL

Deputy City Clerk Nicholas Falk called the roll. All elected officials were present.

4. APPROVAL OF AGENDA

COUNCIL PRESIDENT FRALEY-MONILLAS MOVED, SECONDED BY COUNCILMEMBER BUCKSHNIS, TO MOVE ITEMS 9, MAYOR’S COMMENTS, AND ITEM 10, COUNCIL COMMENTS, TO FOLLOW ITEM 5. MOTION CARRIED UNANIMOUSLY.

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

5. AUDIENCE COMMENTS

There were no audience comments.

6. **APPROVAL OF CONSENT AGENDA ITEMS**

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

1. **APPROVAL OF COUNCIL SPECIAL MEETING MINUTES OF JANUARY 7, 20202**
2. **APPROVAL OF COUNCIL MEETING MINUTES OF JANUARY 7, 2020**
3. **APPROVAL OF CLAIM CHECKS**
4. **APPROVAL OF CLAIM, PAYROLL AND BENEFIT CHECKS, DIRECT DEPOSIT AND WIRE PAYMENTS**
5. **MEBT PLAN COMMITTEE MAYOR APPOINTMENTS**
6. **ONE MONTH EXTENSION OF COUNCIL EXECUTIVE ASSISTANT CONTRACT**

7. **ACTION ITEMS**

1. **APPOINTMENT OF BOARD AND COMMITTEE REPRESENTATIVES FOR 2020**

COUNCIL PRESIDENT FRALEY-MONILLAS MOVED, SECONDED BY COUNCILMEMBER OLSON, TO APPROVE THE APPOINTMENT OF BOARD AND COMMITTEE REPRESENTATIVES FOR 2020. MOTION CARRIED UNANIMOUSLY. The appointments approved are as follows:

Committee of the Council	Representative
Public Safety and Personnel Committee (2)	K. Johnson & L. Johnson
Parks, Planning and Public Works Committee (2)	S. Paine & D. Buckshnis
Finance Committee (2)	V. Olson & New Councilmember TBD
Outside Boards/Commissions/Advisory	Representative
Affordable Housing Alliance Alternate	New Councilmember TBD A. Fraley-Monillas
Community Transit Alternate	L. Johnson
Disability Board (Edmonds) Mayor appoints (2)	S. Paine & V. Olson
Diversity Commission	A. Fraley-Monillas
Economic Development Committee	V. Olson
Historic Preservation Advisory Commission (Edmonds)	K. Johnson
Housing Commission Alternate	V. Olson New Councilmember TBD
Lake Ballinger Work Group	D. Buckshnis
Lodging Tax Advisory Committee (Edmonds)	K. Johnson
Mayor’s Climate Protection Committee (Mayor appoints)	L. Johnson
PFD Oversight (Edmonds)	A. Fraley-Monillas
Port of Edmonds	S. Paine
Seashore Transportation Forum	D. Buckshnis
Salmon Recovery – WRIA 8 Alternate	D. Buckshnis S. Paine
SNO911	K. Johnson
Snohomish County Tomorrow	New Councilmember TBD

Alternate	
Snohomish Health District	A. Fraley-Monillas
Tree Board Liaison (Edmonds)	D. Buckshnis
Youth Commission (Edmonds)	L. Johnson

2. APPROVAL OF RESOLUTION APPOINTING A COUNCIL REPRESENTATIVE TO THE SNOHOMISH HEALTH DISTRICT BOARD

COUNCILMEMBER BUCKSHNIS MOVED, SECONDED BY COUNCILMEMBER OLSON, TO APPROVE RESOLUTION NO. 1445, A RESOLUTION OF THE CITY OF EDMONDS, WASHINGTON, APPOINTING COUNCIL PRESIDENT FRALEY-MONILLAS TO THE SNOHOMISH HEALTH DISTRICT BOARD. MOTION CARRIED (5-0-1), K. JOHNSON ABSTAINING.

3. APPROVAL OF RESOLUTION APPOINTING A COUNCIL REPRESENTATIVE AND ALTERNATE TO THE SNOHOMISH COUNTY PUBLIC TRANSPORTATION BENEFIT AREA CORPORATION (COMMUNITY TRANSIT)

Council President Fraley-Monillas nominated Councilmember L. Johnson as the City of Edmonds Representative to the Snohomish County Public Transportation Benefit Area Corporation.

Council President Fraley-Monillas explained no one had volunteered to be the City’s alternate appointment to the Community Transit Board. The City’s appointment to the Community Transit Board is not a delegate position; the Snohomish County delegates are Marysville Mayor Jon Nehring and Lynnwood Mayor Nicola Smith. She invited a Councilmember to volunteer to be the City’s alternate appointment.

Councilmember Paine inquired how often the Community Transit Board meets. Council President Fraley-Monillas advised board members meet monthly and the delegates meet twice a month.

COUNCILMEMBER BUCKSHNIS MOVED, SECONDED BY COUNCIL PRESIDENT FRALEY-MONILLAS, TO AMEND RESOLUTION NO. 1446 TO REMOVE MIKE NELSON AND ADD COUNCILMEMBER LAURA JOHNSON. MOTION CARRIED UNANIMOUSLY.

4. EDMONDS CITIZENS' TREE BOARD APPOINTMENT CONFIRMATION

Development Services Director Shane Hope explained the Tree Board had existed for nearly a decade. Councilmember Buckshnis serves as the Council liaison. At the beginning of their term, each Councilmember can appoint a Tree Board member. The term of each of the Tree Board member positions coincides with each of the appointing Councilmembers' term of office. When a vacancy occurs on the Council, the Tree Board member remains until the end of their normal term. The alternate position is appointed by the 2020 newly-elected Council President and runs with the one-year term of the Council President. The Council appointments are as follows:

- Councilmember Diane Buckshnis Position #4: William (Bill) Phipps
- Councilmember Vivian Olson Position #5: Barbara Chase
- Councilmember Susan Paine Position #6: Suzanne Juergensen
- Councilmember Laura Johnson Position #7: Donna Murphy
- Council President Fraley-Monillas: Ross Dimmick, Alternate

COUNCILMEMBER PAINE MOVED, SECONDED BY COUNCIL PRESIDENT FRALEY-MONILLAS, TO CONFIRM THE APPOINTMENT OF BARBARA CHASE, SUZANNE JUERGENSEN, DONNA MURPHY, WILLIAM PHIPPS AND ROSS DIMMICK (ALTERNATE) TO THE TREE BOARD. MOTION CARRIED UNANIMOUSLY.

9. MAYOR'S COMMENTS

As someone who has gone through the appointment process himself, Mayor Nelson wished all the candidates wonderful luck.

10. COUNCIL COMMENTS

Councilmember K. Johnson suggested staff review all the boards and commissions and ensure the processes are consistent and that meetings are held in public places that do not require door monitors.

Councilmember Paine commented on the interesting interviews on Tuesday. She referred to a letter that Councilmembers received from a self-proclaimed “elder city resident” who has been the keeper of a lot of knowledge and practices. The letter contained a reminder to say hello to the audience and TV viewers as those are the primary accesses for civic engagement. She appreciated the reminder and looked forward to having a lovely year.

Council President Fraley-Monillas thanked Councilmembers for volunteering to serve on the various boards and commissions. In addition to positions reserved for the new Councilmember, there are still a number of vacancies including a delegate to Snohomish County Tomorrow and the alternate to Community Transit Board.

Councilmember Olson reported she is holding weekly walks in Perrinville, Westgate and Highway 99 Ranch Market on the first, second and third Wednesdays in. She encouraged those communities to meet weekly and meet with her monthly. The walks are an opportunity to share news about what’s happening in City government and get residents involved in the process at the right time to provide their perspectives and wisdom. She encouraged anyone interested in being part of the leadership team for the weekly walks to contact her; contact information is available on the City’s website.

Councilmember L. Johnson thanked the TV audience for watching and those in the audience. She relayed concern with negative comments directed toward candidates interviewing for the open position during Tuesday’s Council meeting. Such comments reflect poorly on the Council as a decision-making body. What Councilmembers say matters and should reflect respect for the position they were elected to. As a Councilmember, one of her goals is to restore a sense of decorum on the dais, the stage from which the public views the Council. This goal is shared by other Councilmembers as well as constituents. Last month she began drafting a code of conduct that she will request be schedule on an upcoming agenda, the sooner the better. In the meantime, she hoped each Councilmember would proceed carefully, keeping in mind individual words and actions reflect the image of the Council as a whole. Moving forward, she hoped the Council would come together to set a tone of collaboration and do their best to put the public’s interest above their own personal feelings.

Councilmember Buckshnis gave a shout out to her friend Dr. Rich Senderoff whose father recently passed and asked for prayers for him. She referred to “Creating Efficiency through Council Study Sessions” that she provided Councilmembers, commenting that may be an advantageous process with four new Councilmembers. She recalled that was done in 2015 when there were three new Councilmembers, and is a wonderful way to train, educate, understand, and mentor new Councilmembers. She suggested a future agenda item to discuss a process where all Councilmembers participate in study sessions.

Council President Fraley-Monillas said Council Legislative/Executive Assistant Maureen Judge is researching when the Council changed from study sessions to committees and a discussion is scheduled on February 4th.

Mayor Nelson declared a brief recess to transition to Council candidate interviews. He left the meeting at 6:17 p.m.

Council President Fraley-Monillas reconvened the meeting.

8. INTERVIEWS

1. INTERVIEW SLATE OF CANDIDATES FOR COUNCIL POSITION #2 VACANCY

Council President Fraley-Monillas advised each interview is scheduled for 25 minutes which includes a 2½ minute opening statement, a 2½ minute closing statement and each Councilmember will have 3 minutes to ask questions and for the applicant to respond. She requested audience members put away cell phones to avoid the appearance that questions are being tweeted/emailed to the public.

The Council interviewed the following candidates for the City Council Position #2 vacancy:

- Matt Cheung
- Will Chen
- Deborah Binder
- Luke Distelhorst
- Roger Petersen
- Nathan Monroe

Council President Fraley-Monillas advised City Attorney Jeff Taraday and she are discussing opportunities for deliberating on the candidates and the voting process and plan to distribute that to Councilmembers by Monday. Mr. Taraday asked if a packet would be sent to Councilmembers with the rules for deliberating. Council President Fraley-Monillas answered yes, the City Clerk's office planned to distribute that.

Mr. Taraday suggested any Councilmembers with questions about the process contact him between now and Tuesday to avoid spending a great deal of time on that on Tuesday. He planned to distribute a memo to Council with the questions that he had already received, hopefully tomorrow or over the weekend.

Council President Fraley-Monillas assured there would be a deliberative process to begin with, followed by a voting process. Mr. Taraday said it was up to the Council to determine the rules; historically the rules have been proposed, the Council votes to adopt the proposed rules and then proceeds. Council President Fraley-Monillas said there is also opportunity for Councilmembers to amend the proposed rules.

Councilmember Olson asked when an executive session would occur relative to the meeting where votes occur. Mr. Taraday answered the Council has the right under State law to deliberate and evaluate the qualifications of the applicants that the Council interviewed either in open session or in executive session. Prior Councils have done both; there have been instances where Councils have deliberated openly and individual Councilmembers have made statements in support of candidates. During his tenure as City Attorney and likely before, there have also been instances where the Council felt it was necessary to deliberate about candidates' qualifications in executive session. Sometimes that is done so that Councilmembers can speak slightly more frankly about candidates' qualifications without hurting someone's feelings with a public statement.

Council President Fraley-Monillas asked if that had occurred after the Council had deadlocked on a vote. Mr. Taraday said the Council rules that will be in the packet have resulted in deadlock votes in nearly every appointment since 1994. There is a long standing history of a Council rule process where if all six Councilmembers vote the exact same way a certain number of times, that is considered a deadlock. In the past it was five consecutive votes; it was changed to three consecutive votes. That is the type of rule

amendment the Council can discuss and potentially change, the number of times the exact same vote occurs before it is determined to be a deadlock. Historically a deadlock means nominations are reopened.

Mr. Taraday explained the initial process will include a call for nominations where Councilmembers nominate one of the 12 candidates and voting begins from among the nominees. Following a deadlock, that process begins again. There have been instances where the ultimate appointee was not someone that was nominated in the first round. For example, former Councilmember Mesaros did not get a vote until the 28th or 29th round of voting. It can take a while to reach four votes and he urged Councilmembers to prepare themselves for a process that may take a while.

Councilmember Paine asked for confirmation that Councilmembers are comparing the candidates' qualifications, one candidate versus another, because there is no job description. Mr. Taraday agreed, Councilmembers are not evaluating candidates against a job description.

Councilmember Buckshnis recalled 4 Council appointments have been made since 2009. She asked whether the intent was a paper ballot. Mr. Taraday answered that was how it had always been done. Councilmember Buckshnis recalled paper ballots were done to nominate candidates followed by three votes before nominations were reopened. She asked if that process could be amended. Mr. Taraday said a process can be established whereby there are more than three votes. For example, if every Councilmembers votes for their preferred candidate X times in a row, that is the definition of a deadlock. The definition of X is determined by Council prior to the start of the process, it could be three, four, five ballots in a row, etc. It depends on how many times the Council wants to give itself to vote on the same pool of nominees before making new nominations. Councilmember Buckshnis clarified a Councilmember can nominate the same candidate each time.

Councilmember Buckshnis asked whether an executive session had ever been done; she did not recall the Council going into executive session. Council President Fraley-Monillas recalled an executive session was held after the Council deadlocked after numerous votes in the past. Mr. Taraday said in reviewing the minutes, the Council has had held an executive session in the past but did not recall in which appointment process that occurred. He noted the Council process that resulted in the appointment of Tom Mesaros took three or more meetings. Council President Fraley-Monillas commented an executive session to discuss the qualifications of candidates had occurred rarely. Mr. Taraday agreed it had not occurred with every appointment.

Councilmember L. Johnson asked if there would be a time established to cease the process for the evening if the Council was unable to make a decision. Council President Fraley-Monillas said two hours are scheduled on the agenda and the Council can vote to extend that or stop. Mr. Taraday said the Council's regular meetings end at 10 p.m. and it requires a super majority to extend the meeting.

Councilmember Olson asked if a nomination and a paper vote is the same. Mr. Taraday explained nominations happens in the beginning of the process; a nomination is not a vote. Councilmembers will complete ballots indicating their vote and the City Clerk will read the ballots aloud. Councilmembers are not required to vote for the candidate they nominated. Theoretically a Councilmember could nominate one candidate and vote for a different candidate.

Council President Fraley-Monillas said during the ten years she has been on Council, the Council has appointed Diane Buckshnis, Kristiana Johnson, Laura Petso, Tom Mesaros, and Mike Nelson. Mr. Taraday said he had not yet found Councilmember K. Johnson's appointment. Councilmember K. Johnson advised it was in 2013 and took two rounds of voting. Councilmember Buckshnis said her appointment was in 2010. Mr. Taraday said he had found the appointment of Strom Peterson in 2009, Diane Buckshnis in 2010, Tom Mesaros in 2014 and Mike Nelson in 2015.

Councilmember Olson asked if it was kind of like American Idol where anyone a Councilmember wanted to see win should be nominated as part of the first round process. Council President Fraley-Monillas answered not necessarily. A Councilmember can nominate one candidate and vote for someone else that was nominated. Councilmember Olson said there were a number of fabulous candidates and she was confident they could all do a great job and she thanked them for participating in the process. Council President Fraley-Monillas said the first candidate to get four votes wins.

Councilmember Paine asked if candidates were nominated one at a time. Mr. Taraday explained each Councilmember can only nominate one person per round of voting. The significance of the deadlock is then Councilmembers can again make nominations. He provided a hypothetical example that all six Councilmembers nominated different candidates so in the first round of voting there were six candidates that Councilmembers could vote for. The Council would vote on those six until one candidate received four votes or there was a deadlock. If there was a deadlock, nominations would be opened again and there may be different nominations made. He summarized there would never be more than six candidates in the voting pool at any one time.

Councilmember Olson asked if there would be value in expediting the process to have six nominees or close to that. Mr. Taraday said based upon the other nominations that have been made in that round, it was entirely up to each Councilmember to decide for themselves whether to add another name or not.

Council President Fraley-Monillas commented there truly was no quick way to accomplish this. She noted City Clerk Scott Passey will guide the Council through the process; he is very good at it and has done it in Edmonds as well as in other cities.

Councilmember Paine recalled Mr. Passey recently asked for a raised hand vote because that was easier and faster. Mr. Taraday said it has always been a paper ballot in the past. Council President Fraley-Monillas said the code states written ballot.

11. ADJOURN

With no further business, the Council meeting was adjourned at 9:12 p.m.

MICHAEL NELSON, MAYOR

SCOTT PASSEY, CITY CLERK