

**EDMONDS CITY COUNCIL
VIRTUAL ONLINE MEETING
APPROVED MINUTES
April 7, 2020**

ELECTED OFFICIALS PRESENT

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

STAFF PRESENT

Jim Lawless, Acting Police Chief
Phil Williams, Public Works Director
Scott James, Finance Director
Angie Feser, Parks, Rec. & Cultural Serv. Dir.
Jeff Taraday, City Attorney
Scott Passey, City Clerk

1. CALL TO ORDER/PLEDGE OF ALLEGIANCE

The Edmonds City Council virtual online meeting was called to order at 7:00 p.m. by Mayor Nelson. The meeting was opened with the Pledge of Allegiance.

2. LAND ACKNOWLEDGEMENT

Councilmember Distelhorst 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

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

4. APPROVAL OF AGENDA

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

5. INTERVIEW FOR APPOINTMENT TO A CITY BOARD OR COMMISSION

1. PFD BOARD CANDIDATE INTERVIEW

Finance Director Scott James explained the City Council is required to approve the appointment of Public Facilities District (PFD) Board Members. The PFD Board has five members; tonight is appointment of the fourth member and the PFD will be recruiting a fifth member.

The Council interviewed PFD Board candidate William Willcock. He responded to the following questions:

- (Councilmember Olson) Describe your involvement with the Edmonds Center for the Arts (ECA). *My wife and I have lived in Edmonds for the past 29 years and watched the ECA be established and grow and understand its importance in the economic and social vitality of the City and appreciate that deeply. We enjoy attending events as well as participating in the ECA's fundraising. The ECA compliments my desire to continue volunteerism in the Edmonds area and beyond and help the City sustain and grow its quality of life.*
- (Councilmember L. Johnson)Why do you want to serve in this capacity and what experience do you bring? *I would like to bring my experience to the benefit of the ECA and to the City. I have served on corporate boards as well as participated in non-profits in the past in the Edmonds area. I worked for AT&T for 20+ years in corporate development and served on the boards of several of their minority interests which allows me to appreciate the mechanics of how boards work and their importance in governance in the corporate arena. In a non-profit environment, I started the Edmonds High School Athletic Booster Club and served as president and treasurer for several years and helped fund school activities.*
- (Councilmember Buckshnis) Thank you for volunteering at the Edmonds Food Bank. I am impressed with your resume and skills. Describe your senior management experience in the high tech industry and how that would transform as you work with the PFD. *These are uncertain times due to COVID-19. I have had various projects throughout my career, many in response to emergency-type situations. That experience has brought a certain level-headedness, thinking and problem-solving that is fact-based. I worked for Net Scout Corporation, a billion dollar company in network engineering and quality optimization sector, whose CEO, Anil Singhal, wrote a book that is applicable in this environment, "Lean But Not Mean." One of the values Mr. Singhal incorporated into the organization that came to light in the recent downturn was first, take care of employees and families and he recently approved a six-month window were all jobs are secure regardless of the bottom line. From that he took the ability to be bold, think outside the box and help to the fullest extent possible, in this instance, maintain the ECA's livelihood.*
- (Councilmember K. Johnson) These are difficult times and the PFD is not a profit-making organization. How can the employees be supported without relying on the City to fund the PFD? *In my limited experience with David Brewster (PFD President) and Joe McLalwain (ECA Executive Director), I have been impressed with their responsiveness to the situation, their ability to get key issues that needed attention in front of the board, for example the SBA PPP loan to reduce the reliance on the City.*
- (Councilmember Distelhorst) I appreciate your comments about helping and supporting employees. Do you have any ideas about how the ECA and PFD can ensure its programming is accessible to all from an equity, diversity and inclusion perspective? *When I was a school board candidate in 2015 I was invited to field questions at the NAACP conference; the way he described himself there was, at the end of the day I have an open heart and an open mind. I am very impressed with the City and the ECA recognizing the Salish at the beginning of meetings/events. The ECA has done a good job with their programming balancing events and reaching out to different cross-sections of the local and extended community. I would like to understand what the Board can do to help build and sustain that.*
- (Councilmember Paine) During the 2008 downtown, you were critical in ensuring athletic programs were funded across the school district. Tell us about that. *The district's athletic programs were faced with an approximately \$800,000 shortfall. The booster clubs from the three high schools pled their case to the District superintendent as well as worked behind the scenes to*

help understand the finances associated with running the program, what was reasonable to expect, and rallying booster club members in email campaigns as well as getting the school board to fund a portion of the \$800,000.

- (Council President Fraley-Monillas) I have attended PFD meetings that he has attended. Thank you for taking time out of your schedule to participate.

Mayor Nelson advised Mr. Willcock's appointment to the PFD Board is on the Consent Agenda so approval of the Consent Agenda includes approving his appointment to the PFD Board.

6. AUDIENCE COMMENTS (SUBMITTED VIA EMAIL)

Public comments may be submitted to the City Council at the following email address: PublicComment@Edmondswa.gov.

See Attached.

7. APPROVAL OF CONSENT AGENDA ITEMS

Councilmember Buckshnis requested Item 7.3, Approval of Council Special Meeting Minutes of March 27, 2020, be removed from the Consent Agenda.

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

1. **APPROVAL OF COUNCIL SPECIAL MEETING MINUTES OF MARCH 22, 2020**
2. **APPROVAL OF COUNCIL SPECIAL MEETING MINUTES OF MARCH 24, 2020**
4. **APPROVAL OF CLAIM, PAYROLL AND BENEFIT CHECKS, DIRECT DEPOSIT AND WIRE PAYMENTS**
5. **PFD BOARD CANDIDATE CITY COUNCIL APPOINTMENT**

8. ITEMS REMOVED FROM CONSENT

1. **APPROVAL OF COUNCIL SPECIAL MEETING MINUTES OF MARCH 27, 2020 (Previously Consent Agenda Item 3)**

Councilmember Buckshnis requested the 6th paragraph under Item 6.1 on page 2 (page 58 of the packet) be revised to read, "Councilmember Buckshnis ~~recalled~~ raised a point of order in that ~~it~~ reconsiderations ~~had been done~~ have occurred both ways,..."

COUNCILMEMBER BUCKSHNIS MOVED, SECONDED BY COUNCIL PRESIDENT FRALEY-MONILLAS, TO APPROVE THE MARCH 27, 2020 MINUTES AS AMENDED. MOTION CARRIED UNANIMOUSLY.

9. ACTION ITEMS

1. **EDMONDS PUBLIC FACILITIES DISTRICT INTERLOCAL AGREEMENT AMENDMENT**

Finance Direct Scott James reviewed:

- The primary sources of intergovernmental revenues the PFD collects are:
 - Direct Sales Tax Rebate (State of Washington)
 - Since Formation of the Edmonds PFD, Direct Sales Tax Allocation = 0.0333% of taxable sales within the City
 - Direct Sales Tax Allocation comes out of State share of taxes collected
 - No Restrictions on use of funds
 - Tier 1 Sales Tax Allocation (Snohomish County)
 - Amount set in 2001 and does not changes
 - Tier 1 allocations come from Snohomish County
 - 2020 Tier 1 allocation is \$324,871
 - No Restrictions on use of funds
 - Tier 2 Sales Tax Allocation (Snohomish County)
 - Amount is determined on an annual basis
 - The Tier 2 comes out of excess County Collections
 - 2020 Tier 2 allocation is \$237,882
 - Use of funds are restricted for Debt Service Payments Only

Mr. James explained the reason this item is on the agenda tonight is the County and the four PFDs operating in the County have agreed to move up the timeline for the Tier 2 allocation payments. However, to move up the payment timelines, Council has to approve this proposed amendment to the ILA. The PFDs are asking that the timelines be moved up to give each of them access to funds sooner. Mr. James reviewed:

- Addendum No. 3 Amendment
 - Primary purpose of this amendment is:
 - Move up timing of allocation payments to the Edmonds PFD to provide some funding relief
 - Currently there are two scheduled allocations payments:
 - May 1st
 - November 1st
 - The proposed amendment would:
 - Move up the May 1st payment to seven days after the Addendum No. 3 is ratified
 - Move up the November 1st payment to July 1st
- Summary of Addendum No. 3
 - Move up payment allocation dates
 - Provide funding relief to PFD
- Recommendation: Approve ordinance amending the ILA for Development of the Edmonds Center authorizing Addendum No. 3

Councilmember Buckshnis commented this is a brilliant idea. She asked if the other three entities had approved the addendum. Mr. James was not certain where they were in the approval process. Councilmember Buckshnis expressed support for the addendum, finding it a very smart thing to do considering the current environment. The funds have already been collected and are in trust and she supported providing it to the PFDs earlier instead of the scheduled May and November dates.

Council President Fraley-Monillas expressed support, noting the ECA has taken a heavy hit due to the cancellation of shows and have had to layoff 9-10 part-time staff. She was concerned if funding was not provided, they may need to eventually shutter the facility.

COUNCILMEMBER PAINE MOVED, SECONDED BY COUNCILMEMBER OLSON, TO APPROVE ORDINANCE NO. 4182, AN ORDINANCE OF THE CITY OF EDMONDS, WASHINGTON, AUTHORIZING THE EXECUTION AND DELIVERY OF ADDENDUM NO. 3 TO INTERLOCAL AGREEMENT FOR DEVELOPMENT OF THE EDMONDS CENTRE FOR

THE ARTS; AUTHORIZING CERTAIN OTHER ACTIONS IN CONNECTION THEREWITH; AND FIXING A TIME WHEN THE SAME SHALL BE EFFECTIVE. MOTION CARRIED UNANIMOUSLY.

2. FIRST QUARTER 2020 BUDGET AMENDMENT

Finance Director Scott James reviewed:

- 14 Decision Packages totaling \$1,906,212 in new expenditures
 - Of these 14 Decision Packages, 3 are fully or partially self-funded
- \$527,741 in new revenues
- Overall Fund Balance reduced by \$1,378,471
- Decision Packages

| | | |
|------|-------------|--|
| DP1 | \$9,053 | Snowplow |
| DP2 | \$47,000 | Museum Elevator Fire Recall |
| DP3 | \$45,000 | City Hall Electronic Card Reader System and Install |
| DP4 | \$340,278 | City Hall Elevator |
| DP5 | \$10,483 | L&I Stay-at-Work Reimbursement |
| DP6 | \$7,020 | Police Sergeant Assessment |
| DP7 | \$19,100 | Admiral Way Crosswalk Reimbursement from Port of Edmonds |
| DP8 | \$19,946 | Guardrail Program |
| DP9 | \$2,800 | Flower Program |
| DP10 | \$0 | Swedish & 76 th Waterline Replacement |
| DP11 | \$110,000 | Storm & Sewer Pipe Rating |
| DP12 | \$3,941 | 1% for Arts Transfer |
| DP13 | \$26,971 | AWC Retro-Program Premium |
| DP14 | \$1,283,720 | Dayton Street Stormwater Pump Station |

- Summary of the 1st Quarter Budget Amendment
 - Revenues are increased by \$527,741
 - Expenditures are increased by \$1,906,212
 - Ending Fund Balance is decreased by \$1,378,471

Council President Fraley-Monillas asked about the assessment center for a sergeant. Acting Police Chief Jim Lawless explained the assessment center is required by the civil service rules for promotion within the Police Department. Guidelines are provided in the civil service rules. For over 30 years, the Police Department has engaged an outside firm to conduct the assessment center, basically a testing process. The City currently contracts with Public Safety Testing. It is a multi-stage process including an initial written exam and the assessment center is a daylong process where the department works with PST to develop a series of exercises and helps facilitate bringing in outside assessors from other departments to evaluate the performance of the participants. The assessment center is done for the corporal, sergeant and assistant chief levels.

Council President Fraley-Monillas referred to \$520 in the proposed amendment to cover food costs for the participants of the center. Chief Lawless answered that was for the assessors who are other command-level officers from outside departments who volunteer to assist to evaluate candidates. The assessment center usually last from 7 a.m. to 6-7 p.m. The assessors cannot leave as it is an ongoing process and they work through lunch. It is a standard practice throughout the region; may agencies reimburse assessors for travel time and/or lodging. It has been approved and vetted by the auditor and has been a standard practice for years.

Council President Fraley-Monillas said the estimated food cost is \$350; but the request is \$520. She acknowledged this was minor in the scheme of things but she was concerned with the level of spending

when the amendment states \$520 to cover food costs, yet the estimated food cost is \$350. Chief Lawless answered the decision package was written by HR they oversee the civil service process. He was uncertain why the numbers were different. There are typically 8-10 assessors and a couple role players. There is a light breakfast and snacks throughout the day and a boxed lunch. This is standard for the assessment center, a small payback for them donating their entire day.

Council President Fraley-Monillas asked if she could amend it to \$350 instead of \$520. Chief Lawless said it was not his decision package but he would find a way to make that work.

COUNCIL PRESIDENT FRALEY-MONILLAS MOVED, SECONDED BY COUNCILMEMBER L. JOHNSON , TO REDUCE THE FOOD COST IN DP6 FROM \$520 TO \$350.

Councilmember K. Johnson pointed out there was not a main motion on the table, therefore an amendment was not appropriate.

COUNCIL PRESIDENT FRALEY-MONILLAS WITHDREW HER MOTION.

Councilmember Paine asked the status of the Museum and City Hall elevator jobs and the City Hall card reader. Public Works Director Phil Williams advised the card reader project has been completed. The City Hall elevator has not yet begun and is due to start later this year. The Museum elevator is nearing completion.

Councilmember Paine asked whether it was a common practice to trust that the budget amendment would be successful and what happened if the amendment was not approved. Mr. Williams answered the City Hall project, budgeted at \$300,000 in 2019, was supposed to be completed last year. In the interim, a few items needed to be added to make the project successful which was the additional \$40,000. The \$40,000 is the focus of the budget amendment; the remainder of the Museum project and the card reader were covered by funds budgeted in 2019 but not spent in 2019. For example, the City Hall elevator was submitted as a \$340,000 carryforward budget amendment, but it should have been submitted as a \$300,000 carryforward and the \$40,000 as a first quarter budget amendment. The funds are from monies in the approved 2019 facilities budget that were not spent.

Councilmember Buckshnis referred to DP15 and asked if the City was still getting \$504,700 from the State appropriation. Mr. Williams said the Dayton Street Stormwater Pump Station is an important predecessor project to the Marsh rehab. The total project is \$2.181M, the \$1.283M in the budget amendment is the remaining funds to be spent in 2020 to complete the construction. The reason for the budget amendment is to recognize the \$504,700 in new revenue (legislative appropriation) and commit it to the project.

Councilmember Buckshnis referred to DP11, \$110,000 for a consultant to film the pipes. She asked whether City staff had done this work in the past. Mr. Williams answered yes, City staff is continually videoing sewer pipes including a comprehensive look every three years to provide data to assist with prioritizing capital investments in the existing sewer system. The City recently converted to high definition cameras that produce images with incredible detail but the rating of pipes is a fairly labor intensive process. It has been done inhouse but a company is now available to rate the pipes and the cost per foot is more competitive than doing it with the City's own resources. Each year there is a great deal of maintenance in the water and sewer systems that doesn't get done; to the extent this could free up labor hours, the intent would be to apply them to the backlog of maintenance.

Councilmember Buckshnis said although staff does a great job and she has seen the video of the pipes, she was concerned about the additional expenditure at this time.

Council President Fraley-Monillas agreed with Councilmember Buckshnis, commenting now was probably not the best time for this expenditure.

COUNCILMEMBER BUCKSHNIS MOVED, SECONDED BY COUNCIL PRESIDENT FRALEY-MONILLAS, TO APPROVE FIRST QUARTER BUDGET AMENDMENT ORDINANCE NO. 4183.

COUNCILMEMBER BUCKSHNIS MOVED, SECONDED BY COUNCIL PRESIDENT FRALEY-MONILLAS, TO AMEND THE MOTION TO REMOVE DP11, \$110,000 RELATED TO STORM & SEWER PIPE RATING.

Mr. Williams clarified no staff would be hired for this, it would be a contract-for-service with a private sector company to do the rating.

Councilmember L. Johnson expressed support for the amendment. She recognized this was a promising service and would like to revisit it in 2021. In these unusual and uncertain times in 2020, this was not the year to try this.

AMENDMENT CARRIED UNANIMOUSLY.

COUNCIL PRESIDENT FRALEY-MONILLAS MOVED, SECONDED BY COUNCILMEMBER OLSON, TO AMEND THE MOTION TO CHANGE THE FUNDING FOR FOOD IN DP6 FROM \$520 TO \$350 AS INDICATED IN THE DOCUMENT.

AMENDMENT CARRIED (6-1), COUNCILMEMBER K. JOHNSON VOTING NO.

MAIN MOTION AS AMENDED CARRIED UNANIMOUSLY.

3. COUNCIL COMMITTEE MEETINGS

Council President Fraley-Monillas explained if Council committee meetings are held next week, they will need to be held individually and sequentially. An option is to hold a committee of the whole with all Councilmembers in attendance. She anticipated the number of items scheduled for committees will be fewer than currently anticipated.

Recognizing that items the Council is to discuss must be related to COVID-19 or critical City functions, Councilmember L. Johnson expressed support for a committee of the whole so all Councilmembers receive information at the same time.

Councilmember Paine suggested the committee meetings could also be staggered.

Councilmember Distelhorst expressed interest in committee of the whole considering there were will fewer issues and in this emergency situation, it would be helpful for all Councilmembers to receive the same information.

Councilmember Buckshnis agreed with holding a committee of the whole. She suggested beginning with City Attorney Jeff Taraday explaining to citizens about the Governor's suspension of certain statutory requirements in the Open Public Meetings Act (OPMA). She explained a committee of the whole was appropriate under the Governor's direction. Mr. Taraday explained under the OPMA proclamation, it makes no different whether regular committee meetings or a committee of the whole is held. Every item on the committee agenda, whether a regular committee or committee of the whole, still has to pass the same tests under the OPMA proclamation. If the Council decides to schedule a committee of the whole, it

would be committee action so no Council action could occur. If the Council wanted the ability to take final action on something, a special Council meeting would need to be scheduled.

Councilmember Buckshnis referred to the OPMA proclamation that states governing bodies can only address items related to the COVID-19 emergency. She suggested that proclamation be made available to the public as many are not visiting the Governor's website to review the specifics related to the OPMA proclamation.. Mr. Taraday clarified the proclamation does not restrict the Council to COVID-19-related business; the Council is still allowed to address necessary and routine matters.

Councilmember Olson expressed interest in a committee of the whole.

Councilmember Paine thanked Mr. Taraday for his explanation about Council action versus committee action, noting that was her concern about committee of the whole. She was okay with either committee meetings or a committee of the whole.

Council President Fraley-Monillas acknowledged no action would be taken next week whether there individual committee meetings or a committee of the whole. She said several of the items scheduled for committees next week will be returned to the full Council including some COVID-19-related issues so it made sense to have a committee of the whole. Having a committee of the whole meeting would also accommodate Councilmember-requested items related to COVID-19.

Mr. Taraday clarified the Council can hold a special Council meeting next week, there is nothing preventing that. There are three choices, 1) special Council meeting, 2) committee of the whole, and 3) regular committees. He did not mean to suggest that the Council could not have a Council meeting next week.

Council President Fraley-Monillas asked if any Councilmember was opposed to a committee of the whole and who preferred individual committee meetings. There was no indication that anyone was opposed. Council President Fraley-Monillas suggested holding a regular Council meeting next week with the items that would have been on the committee agendas. Mr. Taraday answered if there is a committee of the whole meeting next week, the most that committee can do is forward things onto Consent Agenda the following week. If a Council meeting is held next week, instead of a committee of the whole, the Council can take action on items.

Council President Fraley-Monillas asked Councilmembers' preference, whether to hold a Council meeting with the committee meeting agenda items on the agenda or a committee of the whole.

Councilmember Buckshnis suggested holding a committee of the whole; and if necessary, the Council could hold a special meeting. There are a number of things the Council needs to discuss that the public is interested in hearing about. Council President Fraley-Monillas asked if Councilmember Buckshnis' suggestion was to hold a committee of the whole meeting followed by a Council meeting. Councilmember Buckshnis said a special Council meeting could be held following a committee of the whole meeting.

Councilmember L. Johnson preferred to call a special meeting and review committee of the whole information. Things are changing daily and it may be appropriate to take action on Tuesday without the need to schedule another meeting.

Councilmembers Olson, Distelhorst and Paine agreed with Councilmember L. Johnson.

Mr. Taraday relayed his understanding of the Council's consensus, hold a committee of the whole and a Council meeting back-to-back so action can be taken if necessary.

Councilmember L. Johnson said her intent was a special meeting in which the Council would discuss committee of whole items. She wanted to have the ability to do whatever the Council needed to do in one day without having to call another special meeting.

Mayor Nelson suggested holding a committee of the whole followed by a special Council meeting.

10. MAYOR'S COMMENTS

Mayor Nelson recognized the citizens who have been lost due to the COVID-19 virus. On his and the entire City's' behalf, he expressed his heart and sympathies to the family members, anyone impacted, sick now or in the future, or who has been hurt by the virus.

11. COUNCIL COMMENTS

Councilmember Paine echoed Mayor Nelson's condolences for the loss of community members; each contribute in their own way, are important members of their families and friends and their loved ones will miss them greatly. She commented it was tough some days to watch the news and see the numbers increasing at a rapid rate. She urged self-care and to remember all the good that people are doing during this stressful time. She was glad to see Mr. Willcock apply for the vacancy on the PFD Board; he was one of the miracle workers and essential ingredients for the Edmonds School District during the economic decline in 2008. She welcomed Parks, Recreation & Cultural Services Director Angie Feser.

Councilmember K. Johnson expressed appreciation for Mayor Nelson's comments; she too is mourning those lost to COVID-19 and those who are currently ill. She requested next week's meeting include a report from Mr. James regarding the fiscal impact of COVID-19 on the City in terms of compensation as well as more information regarding the \$200,000 Mayor Nelson allocated for non-profits community organizations in the City. The City Council has a fiscal responsibility to understand how funds are spent. It was her understanding the funds were gathered from several departments and she asked for the details.

Councilmember Distelhorst relayed his heartfelt condolences to everyone suffering from the pandemic, both health-wise and financially. The Council hears its citizens and is beginning to take action to respond to the needs of the community. He advised he appointed Kevin Smith to the Economic Development Commission; Mr. Smith has a great heart and mind to work for equality across the community.

Councilmember Buckshnis agreed the situation was tragic. She thanked the first responders and all the people volunteering and spreading joy, and the tremendous amount of good spirit. She thanked citizens who have called her and was glad they are all safe. For those interested in the City's investment portfolio, the City's investments are all low risk and include bonds, CDs, etc. Recognizing a future recession or even depression, she assured the Council, Mayor and staff have citizens' backs and we will get through this much stronger, unfortunately with the loss of some people, but it will be a part of history.

Council President Fraley-Monillas reported she has lost two friends to COVID-19 and she expected more losses. A report this morning indicated the number of COVID-19 cases in Snohomish County is declining slightly, but it is important to maintain isolation. She welcomed Ms. Feser. She thanked Councilmembers and staff for participating in virtual Council meetings.

Councilmember Olson echoed Council President Fraley-Monillas' encouraging news on the number of COVID-19 cases in Snohomish County thanks to the cooperation of citizens. She encouraged the public to continue to stay home, relaying a news report that said as COVID-19 declines, it will be more like a

dimmer switch than a light switch, a gradual easing back into routines and life. All levels of government are thinking about and talking about what businesses might be added back, recognizing there are hardships with all the limitations in place from both a mental health standpoint as well as financial impacts. In the meantime, she encouraged citizens to visit the KeepEdmondsStrong website to learn how to help businesses and non-profits. Businesses can communicate with consumers via the LoveEdmonds website.

Councilmember L. Johnson offered her sincere condolences to the families in Edmonds who have lost a loved one to COVID-19. They are in our thoughts and the passing of their loved one is a loss to the whole community. She offered her continued appreciation for frontline workers, healthcare workers, EMS, grocery, delivery people, and City staff, everyone working to keep the public safe and keep essential services running. She recognized each and every person doing their part to flatten the curve; it appears to be working. We are all doing what is necessary to protect health and save lives, but it is not easy and many sacrifices continue to be made. She thanked everyone for their sacrifices.

12. ADJOURN

With no further business, the Council meeting was adjourned at 8:27 p.m.

Public Comment Submitted for 4/7/20 Council Meeting:

3/29 Jeffrey Meade, Subject: God gave humans the right to defend ourselves. The Second Amendment stops you from infringing on those rights.

"URGENT ACTION NEEDED: 2nd Amendment attacked by Edmonds City Council tonite (Tues). 1) Plz email them. 2) Plz join me there B4 Inslee's Wed lockdown. By Tim Eyman | Mar 24, 2020 An attack on one of us is an attack on all of us! I went to Bellingham last night. They put us in the balcony. We were prohibited from speaking. There was good news and bad news: Good: the city council voted to instruct the city attorney to examine the constitutionality of the anti-2nd Amendment provisions in the Bellingham Municipal Code (subsections 5, 7, 9).

Bad: The city council did not listen to the 700 Pro-2A Patriots who emailed them. The council banned public testimony "for safety reasons" (them speaking was safe, citizens speaking was dangerous). The council voted to pass their emergency ordinances without removing subsections 5, 7, & 9 from the Bellingham Municipal Code. This is a partial but significant victory. They will hear from us again soon.

As I was driving to Bellingham last night, I was notified that the Edmonds City Council is passing an emergency ordinance tonight (Tues, March 24, 7pm, 121 5th Ave N, Edmonds) that adds this brand new language to the existing Edmonds Municipal Code empowering the mayor to issue orders with the force of law in an emergency. It includes this: G. An order prohibiting the carrying or possession of a firearm ... The image above appears on page 219 of their proposed emergency

ordinance: <http://edmondswa.iqm2.com/Citizens/FileOpen.aspx?Type=1&ID=2573&Inline=True>. This is word-for-word exactly the same as subsection 9 of the Bellingham Municipal Code. Edmonds is going to vote tonight to add this unconstitutional attack on the 2nd Amendment to their city code. Let's tell them not to. I'm asking everyone to do 3 things: 1) Send emails to the mayor and city council (let's make it 700+)

2) Join me there tonight (before Inslee's Wednesday lockdown) 3) Forward this update to your friends, family, and co-workers and ask them to do the same. Send them emails RIGHT NOW – here's how:

In the "To" line, copy and paste: michael.nelson@edmondswa.gov;
kristiana.johnson@edmondswa.gov; luke.distelhorst@edmondswa.gov;
adrienne.monillas@edmondswa.gov; diane.buckshnis@edmondswa.gov;
vivian.olson@edmondswa.gov; susan.paine@edmondswa.gov;
laura.johnson@edmondswa.gov; council@edmondswa.gov; jamie.holter@edmondswa.gov;
tim.eyman@gmail.com

Subject line: Do not attack our 2nd Amendment rights – remove section G from your emergency ordinance. In the body of the email, copy and paste this or write something like this — TELL THEM HOW YOU FEEL: No government — certainly not a city — can prohibit citizens from carrying or possessing a firearm. It violates the US Constitution's 2nd Amendment and the Washington state Constitution's Article 1, Section 24 ("the right of the individual citizen to bear arms in defense of himself, or the state, shall not be impaired."). Your legislation is also illegal (KOMO 4 NEWS: Bellingham to pay \$15,000 to a man who was threatened by a police officer

for wearing a holstered gun in a city park — <https://komonews.com/archive/bellingham-to-pay-15000-to-man-who-wore-gun-in-park>). After the council listens to public testimony during this open public meeting, all it takes to remove this anti-2A provision is for one councilmember to make a motion to amend the emergency ordinance, another councilmember to second it, discuss it, then the council will vote to remove it. There is absolutely no justification for this blatantly unconstitutional — and illegal — provision and your emergency ordinance should be modified to remove it. Please confirm you received my email message. PLEASE, EVERYONE, send your emails immediately. ACTION ALERT: The Edmonds city council votes tonight. I will be there (Tues, March 24, 7:00pm, 121 5th Ave N, Edmonds) to speak out against this illegal provision because I'm very concerned the mayor and council will ignore us if all we do is send emails. In-person, vocal testimony has always been the most effective way to lobby politicians. Join me if you want to (1 day before Inslee's Wednesday lockdown). I hope to see you there. Don't be intimidated. If you don't speak out, they're going to think you don't care about your rights. "

4/4/20 Finis Tupper, Subject: Public Comment

It's been 30 days since Mayor Michael Nelson declared by his Proclamation of a State of Emergency due to the COVID-19 pandemic. So, did the Mayor act legislatively by not at soonest available date bring forth a Resolution for City Council approval. I haven't been able to find a approved Council Resolution. Let's talk about what the Emergency Order failed to include:

1. Requiring Citizens to sing Happy Birthday when washing their hands,
2. Calling the virus COVID-19 instead of the Chinese Virus or better yet using the Democratic label the Trump Virus.
3. Requiring Citizens to have only one weeks supply of toilet paper.
4. Giving citizens a tax break instead of cosigning the 2 million dollar loan for the Edmonds Waterfront Center.
5. Outlawing of hand shaking and requiring citizens to sanitize their elbows before and after any elbow bumping.
6. The Mayor's Order outlawed guns but for forgot to include nunchucks, bear spray and bayonets.

I could go on and on but enough is enough. Our Mayor Nelson is funny and running backwards on the political track.

4/6/20 Jon Killin, Subject: Construction should be Essential

Hi, I'm writing to voice my concerns over the state wide 'stay home stay healthy' mandate which has not only shut down my construction business, but has also shut down my own new construction project in downtown Edmonds. Prior to the shut down, we had just received permits, demoed our house, and excavated for the new foundation. After the shut down, I was told by the city that they would no longer be doing any inspections on work that isn't deemed 'essential'. I understand that their hands are possibly tied in the matter, but wanted to see if there was any way that the city would think about allowing construction to continue with stipulations (social distancing, safety procedures, etc.). Our own project, which is now just a giant hole in the ground with large mounds of dirt surrounding is technically 'safe and secure' at the moment, however another month or even two with rain, wind, etc. and the site could spoil and cause further costs during this already financially challenging time. Our foundation person and excavator both work alone and will be abiding by social distancing which is the true reason behind the shut down in the first place. I just wish some common sense would prevail here in

this matter. Restaurants, shops, and other business are able to provide online shopping, take out, and are able to work from home to provide an income for their family, while people who own construction companies are left with no options like that. Our employees can go on unemployment, however, as the business owner, loans, which will likely need to be paid back, are our only option. I know that these are trying times for everyone, and I'm not sure if this will do anything, but wanted to at least reach out and share my thoughts. I appreciate your time.
City of Edmonds business owner and resident.

4/7/20 Ken Reidy, Subject: Public Comment for April 7, 2020 City Council Meeting

On March 27, 2020, during the time period subject to Governor Inslee's Proclamation 20-28, Edmonds City Council voted to pass Ordinance No. 4180, an ORDINANCE REMOVING ECC 6.60.090(G) FROM LIST OF MAYOR'S EMERGENCY POWERS. Assuming this action was allowed under Proclamation 20-28, I encourage City Council to do more than this. **I encourage City Council to amend the April 7, 2020 Agenda to add an item to contemplate repeal of Ordinance No. 4177.** Ordinance No. 4177 was rushed into on Sunday March 22nd and it contains errors such as its references to the "Emergency services coordinating agency (ESCA)". The ESCA was disbanded in 2015. As part of the contemplation of the repeal of Ordinance No. 4177, please ask Mayor Nelson and City Attorney Taraday to explain why there was no discussion of the City of Edmonds Comprehensive Emergency Management Plan (CEMP) during the emergency Council Meeting held on March 22, 2020. The CEMP, dated January 2017, was approved on April 18, 2017. The City's CEMP is important to the City operationally and it is a legally required document. The CEMP describes the basic strategies, assumptions, objectives and operational protocols which will guide the City's emergency management efforts through preparedness, response, recovery, and mitigation. To facilitate effective operations, the City's CEMP utilizes an Emergency Support Function (ESF) approach. Each ESF identifies the City Department primarily responsible for organizing response actions related to that ESF, as well as support departments and agencies. I can find no evidence that the City Council was told that the elimination of the Emergency Operations Board from the City's Emergency Management Organization results in the City's Code becoming **inconsistent** with the CEMP. The CEMP is a 265-page long document. The CEMP states on Page 39 that "This CEMP will be updated every four years". As such, I believe the CEMP needs to be updated later this year and it may make more sense to update E.C.C 6.60 at the same time. **Were all members of the City Council aware of the CEMP and the ESF prior to your vote on Sunday March 22, 2020?** Was there anything else you might not have been aware of before your vote on Sunday? The CEMP clearly states that City of Edmonds Ordinance 2224 and Municipal Code 6.60 are part of the authorities and references used in the completion of the 2017 version of the City's CEMP. **It appears this topic has been looked at in detail in recent years. In January of 2019, the City posted a job opening for the position of Safety and Disaster Coordinator that referenced the CEMP.** The CEMP clearly states that the Mayor or his/her successor may proclaim special emergency orders under Edmonds Municipal Code 6.60. As Ordinance No. 4177 contains errors and makes our Code inconsistent with our CEMP, **I think it best to start this process over by repealing Ordinance No. 4177. Please consider such at tonight's City Council Meeting.** Please appreciate, our CEMP requires the PRIMARY AGENCY known as the Emergency Operations Board. Ordinance No. 4177 struck the Emergency Operations Board from the City's Code, Chapter 6.60 ECC. Proclamation 20-28 greatly limits what City Council can do at this time. As Ordinance No. 4180 was passed 4 days after Governor Inslee issued Proclamation 20-28, it is reasonable to believe Council can repeal Ordinance No. 4177 during the time the Proclamation is effective. Why wait when there is time

to repeal right now? Remember – the public had no opportunity to provide input and facts before Council voted to pass Ordinance No. 4177. After repeal, Council can consider whether any changes need to be made to Chapter 6.60 ECC later in the year at the same time our CEMP is being updated. There can be a robust public process later this year, something I believe will be better accomplished in conjunction with the required update to the CEMP. Thank you for considering this. **Next, I encourage City Council to amend the April 7, 2020 Agenda to add an item to discuss the following three facts:**

1. The Mayoral Proclamation of Emergency signed by Mayor Nelson on March 5, 2020 failed to reference the City's Comprehensive Emergency Management Plan (CEMP).
2. Page 33 of the City's Comprehensive Emergency Management Plan (**CEMP**) clearly states that ***the Proclamation of Local Emergency must be ratified by the City Council as soon as practical following the emergency.***
3. City Council never ratified the Mayoral Proclamation of Emergency signed by Mayor Nelson on March 5, 2020.

Please discuss the above 3 facts and what needs to be done about it. Please consider whether Mayor Nelson needs to disclose to the public that his March 5, 2020 Proclamation was never ratified. Does a new Proclamation need to be done? I think so if the City Council believes a valid proclamation is needed. If so, please make sure the new proclamation includes reference to our **CEMP** before City Council considers ratification. Thank you

4/7/20 Gary Nelson, Subject: Re: Public Comment for April 7, 2020 City Council Meeting
Good job! Thank you for the information.

4/7/20 Ken Reidy, Subject: Re: Public Comment for April 7, 2020 City Council Meeting
Thank you – I hope the information and my requests are well received!

4/7/20 Gary Nelson, Subject: Re: Public Comment for April 7, 2020 City Council Meeting
I hope so too.