

MEETING TRANSCRIPT – BAINBRIDGE ISLAND CITY COUNCIL – STUDY SESSION – 05/04/2021

1

00:00:00.000 --> 00:00:08.130

Kirsten Hytopoulos: inclined to order the special City Council meeting of Tuesday may 4 2021 is a study session or starting a half hour early today.

2

00:00:08.910 --> 00:00:23.460

Kirsten Hytopoulos: Before I before I address Item number one well, firstly we say all Council members are except for councilmember polycom I believe we knew was going to be late today, so we expect him later, I think, to join us probably during the executive session we're about to recess to.

3

00:00:24.930 --> 00:00:27.480

Kirsten Hytopoulos: Did anybody want to wait they didn't really want to check in.

4

00:00:30.390 --> 00:00:40.830

Kirsten Hytopoulos: Okay well what i'm going to check in on is that we are having technical difficulties for those of you who are able to to hear and see us right now on zoom if you know anyone who'd be interested know we're having problems.

5

00:00:42.990 --> 00:00:51.960

Kirsten Hytopoulos: sending out through the city website and probably them as well, through the cat so city staff will be working on that, while we are an executive session.

6

00:00:52.560 --> 00:00:58.560

Kirsten Hytopoulos: But in the meantime zoom is the only way to to watch the City Council meeting live right now okay.

7

00:00:59.340 --> 00:01:07.770

Kirsten Hytopoulos: Our first item up isn't executive session, and we will be discussing pursuant to our CW four to 301101 I.

8

00:01:08.100 --> 00:01:14.250

Kirsten Hytopoulos: We will be discussing with legal counsel matters related to litigation or potential litigation, to which the city, the governing body.

9

00:01:14.610 --> 00:01:24.690

Kirsten Hytopoulos: or a Member acting and official capacity is or is likely to become a party when public knowledge regarding the discussion is likely to result in adverse or legal, financial consequence to the to the Agency.

10

00:01:25.410 --> 00:01:35.430

Kirsten Hytopoulos: We are scheduled for 60 minutes and so Council shoot back here at approximately 6:30pm and I believe we will be getting a link from the city attorney.

11

00:01:36.210 --> 00:01:41.910

Joe Levan: Yes, as always, you leave this meeting and i'll send you a link to the exact session and you'll join that session that way.

12

00:01:43.410 --> 00:01:44.130

Joe Levan: In a few minutes.

13

01:17:19.770 --> 01:17:23.970

Christine Brown: Council has extended the executive session by an additional 15 minutes.

14

01:32:20.010 --> 01:32:23.940

Christine Brown: Council has extended the executive session by an additional 10 minutes.

15

01:44:10.440 --> 01:44:14.490

Christine Brown: Council has extended the executive session and by an additional five minutes.

16

01:56:38.370 --> 01:56:39.780

Kirsten Hytopoulos: we're just waiting for counselor deets.

17

01:56:48.900 --> 01:56:55.260

Michael Pollock: we're waiting on can we plan on taking a break and an hour or else right now.

18

01:56:56.640 --> 01:56:57.990

Michael Pollock: they're not those two hours already.

19

01:56:59.250 --> 01:57:05.370

Kirsten Hytopoulos: Think we'll go ahead and get started assume that comes from deeds will be joining us Council has returned from executive session no decisions were made.

20

01:57:07.200 --> 01:57:22.170

Kirsten Hytopoulos: The next item up his approval of the agenda Oh, I guess, I wanted to real quick say for the public that live Stream is backup, and so our technical difficulties as understood are over so that's good news so approval the agenda and mayor.

21

01:57:25.920 --> 01:57:29.070

Rasham Nassar: Yes, i'm i'm going to request to remove an item.

22

01:57:30.390 --> 01:57:37.170

Rasham Nassar: But I am going to ask that you wait, while I pull up the agenda that having technical difficulties with myself.

23

01:57:39.240 --> 01:57:56.700

Rasham Nassar: Someone can just stay for me which item the ethics board appointments is listed under that would save us some time, otherwise I will get there in a moment 6868 OK, so I would like to request at the City Council, the Council please remove items six eight from tonight's agenda.

24

01:57:58.440 --> 01:58:00.810

Rasham Nassar: Reason being is that I have.

25

01:58:03.870 --> 01:58:07.530

Rasham Nassar: i've withdrawn my nominations for the ethics board member.

26

01:58:08.730 --> 01:58:23.640

Rasham Nassar: Ethics board members, pending the may 26 joint ethics board and city council meeting again that's may 26 additionally it's come to my attention that there are at least three Council members interested in hearing a proposal to replace the board with hearings officer.

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01:58:25.740 --> 01:58:27.660

Rasham Nassar: been in consultation with the city attorney.

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01:58:29.400 --> 01:58:39.510

Rasham Nassar: And made my decision and thinking that it was good governance and most fair to those whose nominations were pending to pause on hiring new, more board members at this time.

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01:58:45.510 --> 01:58:47.910

Kirsten Hytopoulos: seconded by councilmember pollock during discussion.

30

01:58:51.360 --> 01:58:52.290

Kirsten Hytopoulos: Councillor Schneider.

31

01:58:53.730 --> 01:59:07.260

Leslie Schneider: Thank you mayor i'm just kind of confused because I thought that we were heading in the direction of the mayor not having that sort of surprise power that we discovered a year ago that the mayor had.

32

01:59:07.800 --> 01:59:20.970

Leslie Schneider: And I thought that it was under your direction and suggestion that we revert from that, especially in cases where it was not required by State law how, how do you remember where that stands.

33

01:59:22.650 --> 01:59:30.840

Rasham Nassar: Yes, i'm glad you brought that up I can't remember Schneider the ethics program actually stipulate still that the mayor nominates.

34

01:59:32.220 --> 01:59:40.290

Rasham Nassar: And then the Council approves, and it is correct that I have sought to change that and I brought for the recommendation and we formed a new process which was our typical process.

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01:59:41.580 --> 01:59:48.630

Rasham Nassar: This I feel is a very unique circumstance, and there are receiving a lot of feedback and receiving a lot of concerns.

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01:59:49.800 --> 01:59:54.930

Rasham Nassar: And again, there are three Council members that would like the opportunity to bring forward and alternative proposal.

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01:59:55.500 --> 02:00:02.790

Rasham Nassar: And so, in thinking about all of the information that i've been receiving that has been coming my my direction.

38

02:00:03.600 --> 02:00:07.410

Rasham Nassar: Thinking about my communication with the city attorney and two Council members.

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02:00:08.010 --> 02:00:13.200

Rasham Nassar: It seems like the most appropriate form of action right now would be for me to withdraw those nominations.

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02:00:13.560 --> 02:00:30.000

Rasham Nassar: At this time, and if you recall Council member Schneider you also exercised this authority when you withdraw your nomination for planning, Commissioner and replaced her in between meetings with with with a different Commissioner so it's, the Council has oh.

41

02:00:30.360 --> 02:00:37.650

Leslie Schneider: i'm Sorry, I have the floor that's misrepresenting what happened, but we can have that conversation another time but that's definitely not what happened at that time.

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02:00:37.740 --> 02:00:42.300

Rasham Nassar: i'm just raising for the Council in the public that, in light of circumstances.

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02:00:43.170 --> 02:00:52.170

Rasham Nassar: That I felt it was appropriate, and I think it's in the best interest of the Council and the public that we wait until that joint meeting that we're having with the ethics board and City Council scheduled for May 26.

44

02:00:52.530 --> 02:00:57.210

Rasham Nassar: And then we could take up the matter of considering appointments to the board.

45

02:00:59.310 --> 02:01:00.120

Kirsten Hytopoulos: counselor pollock.

46

02:01:05.100 --> 02:01:05.970

Kirsten Hytopoulos: anyone else.

47

02:01:07.080 --> 02:01:07.800

Joe Deets: call the question.

48

02:01:08.760 --> 02:01:12.420

Kirsten Hytopoulos: Well, I have something to add the discussion if nobody else has anything to add to this question.

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02:01:12.780 --> 02:01:19.440

Kirsten Hytopoulos: On this this feels a little like a an end run from a minority faction, on the Council, but I guess we'll find out in a second this idea that.

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02:01:19.770 --> 02:01:26.430

Kirsten Hytopoulos: we're going to throw out the ethics board well I think in the long run we've we've, I think, maybe, all of us.

51

02:01:26.910 --> 02:01:30.240

Kirsten Hytopoulos: met certainly a majority of us have said we've got a lot of work to do the program is.

52

02:01:30.840 --> 02:01:38.100

Kirsten Hytopoulos: is flawed we've repaired it to the extent we can, but to but to stop in the middle of a product, but we had a process.

53

02:01:38.520 --> 02:01:47.880

Kirsten Hytopoulos: to a point where, where two of you, and a member gets bored interview candidates and we're about to appoint them there are gaps on that board the Board is functioning and doing work.

54

02:01:48.990 --> 02:01:59.880

Kirsten Hytopoulos: And so, for us to say we're now going to pull these because because three Council members are interested in in eliminating the count the ethics board that's all that's a big long term decision.

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02:02:00.270 --> 02:02:08.310

Kirsten Hytopoulos: That this is not going to be majority support for overnight, we have ethics board that's functioning that needs to be filled.

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02:02:08.790 --> 02:02:20.550

Kirsten Hytopoulos: We had a vote last week last week to move things out one week I made the via I may be an amendment for one week because my vote hinged on it, I can't speak for everyone else, but this was a short.

57

02:02:21.210 --> 02:02:32.820

Kirsten Hytopoulos: Delay in in having these appointments voted on, and so this this really feels like the count the count as well as being frustrated is certainly the majority of the Council, but I guess we'll see what this boat.

58

02:02:33.870 --> 02:02:36.540

Kirsten Hytopoulos: How Council decides to go elsewhere, Paul it.

59

02:02:38.940 --> 02:02:52.560

Michael Pollock: was just a procedural thing we're just talking about amending the agenda to remove this item there's no action to take the customer has withdrawn the nomination so we're engaging in a debate so procedurally.

60

02:02:53.670 --> 02:02:58.740

Michael Pollock: what's on the on on the table, as I understand it is to amend the the.

61

02:03:00.420 --> 02:03:07.050

Michael Pollock: Our agenda and that this item to be removed and the reasons have been stated so so.

62

02:03:08.730 --> 02:03:15.720

Michael Pollock: I don't really see why we're having a debate about this it's just simply a procedural motion, and we should vote on it.

63

02:03:17.610 --> 02:03:18.030

Kirsten Hytopoulos: mayor.

64

02:03:18.750 --> 02:03:27.720

Rasham Nassar: I neglected to mention one really important piece of information for the Council and for the public is that there's no time sensitivity, at this time to making these appointments in terms of.

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02:03:28.050 --> 02:03:36.540

Rasham Nassar: replenishing whenever vacancies might arise there are two positions on the board that will expire June 30th so effectively the Council.

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02:03:36.960 --> 02:03:50.910

Rasham Nassar: Has until that point in time when those terms laps to consider these appointments, but again my my intent is to bring them back after the city council has an opportunity to sit with the board after that may 26 joint meeting, which has already been scheduled.

67

02:03:54.570 --> 02:03:55.320

Kirsten Hytopoulos: anyone else.

68

02:03:57.060 --> 02:04:09.000

Kirsten Hytopoulos: I guess, I just want to add that I think we need to add this to this general process conversation to a future agenda, I don't agree that the mayor has the right to pull this given them the changes that we've made to to our processes.

69

02:04:10.050 --> 02:04:15.720

Kirsten Hytopoulos: that the question the BMI the IMC hasn't been modified yet to change it, we have not, in the past.

70

02:04:16.140 --> 02:04:31.410

Kirsten Hytopoulos: The Mayor has not loaded this power, regardless of where it's written and we recently agreed as Councillor Schneider said that we would not would not support that unless it was required by the RC w's so nobody else has anything else to add on this item.

71

02:04:32.430 --> 02:04:33.990

Kirsten Hytopoulos: All those in favor say Aye.

72

02:04:38.670 --> 02:04:42.300

Kirsten Hytopoulos: opposed motion carries oh no wait sorry.

73

02:04:44.310 --> 02:04:45.270

Kirsten Hytopoulos: Once again I.

74

02:04:46.500 --> 02:05:00.030

Kirsten Hytopoulos: Please four votes grew up in our pilot there were four votes for I three days, I see that in voting day would be myself counselor Schneider and Council the deeds, so the item is removed from the agenda.

75

02:05:01.140 --> 02:05:07.980

Kirsten Hytopoulos: next item up is is that opens that approved the agenda as modified unless there's any further amendments to be made.

76

02:05:09.960 --> 02:05:12.780

Rasham Nassar: And it has to approve the agenda as amended.

77

02:05:14.070 --> 02:05:17.460

Kirsten Hytopoulos: seconded by councilmember pollock all those in favor.

78

02:05:20.160 --> 02:05:27.390

Kirsten Hytopoulos: And that passes the next item up is declarations of conflict of interest, we want to help close the deal.

79

02:05:28.080 --> 02:05:42.180

Joe Deets: Well, I think, just more disclosure we're talking about the update on the SMP public participation item five be I just want to disclose and i've done this in the past that I am a shoreline property owner.

80

02:05:44.670 --> 02:05:47.370

Kirsten Hytopoulos: Thank you and Kevin pollak.

81

02:05:48.420 --> 02:05:48.990

Kirsten Hytopoulos: He went in.

82

02:05:51.030 --> 02:06:06.000

Michael Pollock: yeah I just for the record yeah i'm a shoreline owner to know, but so what it's not a it's not a conflict of interest to do that, if I understand them, the cities are, and it can correct me, but every time we have a discussion about the shoreline.

83

02:06:07.110 --> 02:06:12.930

Michael Pollock: Unless there's a requirement that we have to disclose it I don't see why we have to go through this It just seems like.

84

02:06:13.560 --> 02:06:20.520

Michael Pollock: grandstanding to state that you're shoreline on one to shoreline on any more than if you have a piece of property that's a critical areas or.

85

02:06:21.480 --> 02:06:28.860

Michael Pollock: Or have a critical area on it that you need to disclose that when we discuss the critical areas or not, so I guess I just like clarification from the city attorney.

86

02:06:29.430 --> 02:06:45.210

Michael Pollock: Do we need to disclose this or not is this a conflict of interest, these are, this is our conflict of interest disclosure moment if it's a conflict of interest, then I want to know, and if it's not, then I would like us to start going through this little song and dance.

87

02:06:47.520 --> 02:06:58.440

Joe Levan: As i've always said I leave to Council members to disclose the feel the need to disclose whether, if if a Council is taking action on a legislative matter that's generally applicable.

88

02:06:59.070 --> 02:07:09.870

Joe Levan: Which which the SNP is, then, then the Council individual Council member who was a shoreline owner would not have a conflict of interest related to that legislation because it's generally applicable.

89

02:07:13.530 --> 02:07:16.260

Kirsten Hytopoulos: Okay, any anyone else.

90

02:07:18.060 --> 02:07:22.800

Kirsten Hytopoulos: Moving on to our next item feature Council agenda item for and.

91

02:07:25.440 --> 02:07:26.580

Kirsten Hytopoulos: who's going to be leading this.

92

02:07:27.180 --> 02:07:27.900

DeWayne Pitts: Like you later.

93

02:07:28.320 --> 02:07:29.070

Kirsten Hytopoulos: Okay.

94

02:07:29.940 --> 02:07:39.210

DeWayne Pitts: Good evening Council duane pits normally the finance director, but tonight I am acting in lieu of our city manager acting city manager i'll ensure.

95

02:07:40.080 --> 02:07:52.050

DeWayne Pitts: i'll do my best to be a faithful note taker and capture Councils questions and issues as best as I can, as you all know, this is not my normal post, so I asked for your indulgence your patience.

96

02:07:53.340 --> 02:08:00.090

DeWayne Pitts: A couple of things that Ellen wanted me to highlight of the upcoming agendas and the next few weeks on may 11.

97

02:08:01.200 --> 02:08:07.800

DeWayne Pitts: There will be a salary Commission presentation and discussion, this was an item that I believe was added last week.

98

02:08:08.580 --> 02:08:15.420

DeWayne Pitts: Also, there is an agenda item to set the public hearing for the multifamily tax exemption designation area.

99

02:08:15.960 --> 02:08:31.080

DeWayne Pitts: This assumes that there will be an interest in doing so following tonight's briefing and discussion on the topic also next week budget manager Kim dunn's comb will be presenting the first quarter budget and updated capital improvement amendments.

100

02:08:33.300 --> 02:08:47.160

DeWayne Pitts: And on the may 18 study session our new city manager Blair King will be joining us for his first Council meeting and also, we will be discussing the updated work plan, which was rescheduled from April 20.

101

02:08:48.240 --> 02:08:59.370

DeWayne Pitts: And lastly, on may 25 I will be giving a status update on the Small Business grant program administered by keita and This concludes my agenda updates Thank you.

102

02:08:59.880 --> 02:09:04.200

Kirsten Hytopoulos: Thank you very much, Council anything to add discuss.

103

02:09:06.240 --> 02:09:07.710

Kirsten Hytopoulos: counselor pantry Johnson.

104

02:09:09.510 --> 02:09:17.340

Brenda Fantroy-Johnson: Yes, so we, we have an opportunity to hear to create something that we don't have that we need.

105

02:09:18.780 --> 02:09:33.660

Brenda Fantroy-Johnson: The react team had had some questions on how they should approach being a sponsor to an event or holding a joint event with maybe another committee, such as climate action.

106

02:09:35.370 --> 02:09:50.430

Brenda Fantroy-Johnson: Committee, and so we don't have any process around that and so what I would like is i'm interested in staff, creating the draft proclamation that creates a process around event sponsorship.

107

02:09:51.810 --> 02:10:04.530

Brenda Fantroy-Johnson: This would allow staff Council and committees to have coordination and to all have the same process so i'd like to have this put on an agenda as an item for discussion.

108

02:10:08.310 --> 02:10:08.820

Kirsten Hytopoulos: Council.

109

02:10:11.910 --> 02:10:12.270

Kirsten Hytopoulos: near.

110

02:10:13.140 --> 02:10:29.460

Rasham Nassar: Yes, so this is fairly straightforward, this is one of those things that came up, and it was not anticipated to come up with in reveal the gap in our in our administrative policies, one of them is around as councilmember Pandora Johnson very clearly articulated was.

111

02:10:30.750 --> 02:10:39.270

Rasham Nassar: When and how and why would the city be involved in co sponsoring events involving outside organizations most cities have.

112

02:10:39.600 --> 02:10:47.130

Rasham Nassar: set of criteria that they weigh against so the administration can just make that decision and determination on a case by case basis, we just don't have that.

113

02:10:47.640 --> 02:10:59.820

Rasham Nassar: So interim city manager suggested that she would just borrow one from another city and bring it for similar to how we adopted the proclamations and criteria that we recently adopted.

114

02:11:00.870 --> 02:11:12.360

Rasham Nassar: So it wouldn't take up too much a Council time, but it is something that we ought to have on the books and my understanding is that the interim city manager, would like to have it so she doesn't have to independently and subjectively make these determinations on her own.

115

02:11:15.570 --> 02:11:16.290

anyone else.

116

02:11:19.020 --> 02:11:19.590

Kirsten Hytopoulos: city terrain.

117

02:11:22.410 --> 02:11:22.980

Brenda Fantroy-Johnson: know me.

118

02:11:25.050 --> 02:11:30.750

Joe Levan: Well, quite clarification, the way that that would come would be through a resolution, not a proclamation.

119

02:11:32.190 --> 02:11:34.560

Joe Levan: But that's a stuck that'd be the vehicle that could happen.

120

02:11:38.100 --> 02:11:43.740

Kirsten Hytopoulos: And so it's look and get gathering there's Council support to this missing piece of procedural.

121

02:11:45.300 --> 02:11:49.680

Kirsten Hytopoulos: Okay super so do we want a formal vote on this I don't think so.

122

02:11:51.120 --> 02:11:56.460

Kirsten Hytopoulos: Okay super anyone else on any future Council agenda items.

123

02:11:57.990 --> 02:12:12.930

Kirsten Hytopoulos: So not seeing any I do have, I do have a concern about next week's salary Commission presentation and I just want to be sure, the Council understands a little background and make sure that everybody's if given that information we feel comfortable this that's great but.

124

02:12:13.950 --> 02:12:20.910

Kirsten Hytopoulos: The salary Commission is actually defunct it determinate it once it had passes decision on to the city.

125

02:12:21.690 --> 02:12:27.300

Kirsten Hytopoulos: And so it's been a little confusing over the last few days or a week or so that there are some salary Commission members who are.

126

02:12:27.930 --> 02:12:32.940

Kirsten Hytopoulos: Putting out press releases and some other things that and in the name of the salary Commission for me.

127

02:12:33.450 --> 02:12:44.460

Kirsten Hytopoulos: This is not, this should not read if we're going to invite individuals who are former seller Commission Members to speak to present to us, first of all, we need to identify that they're not the sorry Commission.

128

02:12:45.090 --> 02:12:53.370

Kirsten Hytopoulos: Secondly, we need to ask ourselves is this a policy we want to have that we bring on to the virtual dyess with us during our policy conversation.

129

02:12:54.120 --> 02:13:01.080

Kirsten Hytopoulos: individual Members who you know from now defunct Committee and, if so, if the council's interesting do that i'm going to ask.

130

02:13:01.560 --> 02:13:09.030

Kirsten Hytopoulos: That we are sure that an offer to participate is extended to the dissenting voices and that Commission as well, I spoke to one of them today.

131

02:13:09.480 --> 02:13:14.250

Kirsten Hytopoulos: Who said that he was not he had no idea about some of the communications that are going out in the name of the Commission.

132

02:13:14.640 --> 02:13:20.220

Kirsten Hytopoulos: And was surprised that there was a Commission presentation plan for the 11th, so I think that's information, the Council should know.

133

02:13:20.670 --> 02:13:28.080

Kirsten Hytopoulos: And the basis for what I would say, I would like to pull that item and actually have as individuals, speak as members of the public.

134

02:13:28.890 --> 02:13:43.470

Kirsten Hytopoulos: between them, the forum Members who voted for 12 minutes of public comment next week and that way dissenting members etc quit as well that's my recommendation, but let's see the order guys are actually in a more public.

135

02:13:44.460 --> 02:13:54.480

Michael Pollock: No, I would I would second that I agree wholeheartedly they disbanded they're no longer a Commission, and I think it's an appropriate for us to be treating them like a.

136

02:13:55.170 --> 02:14:11.460

Michael Pollock: intact body, so I would support removing the agenda item if there's some of them that phil they want to comment as citizens and their service they have three minutes each to do so, so I support removing a few make it as a motion to remove I will second that.

137

02:14:13.860 --> 02:14:15.630

Kirsten Hytopoulos: A councilmember deeds.

138

02:14:16.800 --> 02:14:17.040

Kirsten Hytopoulos: yeah.

139

02:14:17.070 --> 02:14:23.250

Joe Deets: Thank you well, what if it gets removed it gets removed, but I, my thought was that.

140

02:14:24.060 --> 02:14:34.800

Joe Deets: You normally we have committees commissions doing work for us and they come to some decision and they report out to us, and that has not happened with the salary Commission so.

141

02:14:35.340 --> 02:14:41.970

Joe Deets: Frankly, I was looking forward to some sort of report out where they can actually come and say what they did now because it was.

142

02:14:42.420 --> 02:14:54.690

Joe Deets: not unanimous this decision that they made I would want to have all of them there, so my thought was either have them all they're attending or if it's the will of my colleagues to.

143

02:14:55.020 --> 02:15:03.360

Joe Deets: Take it out, but encourage all all of them to come speak at public comment, but I think it's good to have give them a chance to speak publicly.

144

02:15:04.440 --> 02:15:08.220

Joe Deets: In a Council meeting, whether that's public comment or.

145

02:15:09.240 --> 02:15:17.970

Joe Deets: an actual meeting, but if they did come haven't identified as the former salary Commission because the right there, they are actually don't exist anymore, we.

146

02:15:19.050 --> 02:15:26.850

Kirsten Hytopoulos: believe we do have report out and if anybody down and respond to that are but i'm next would be counselor car.

147

02:15:29.670 --> 02:15:30.150

Brenda Fantroy-Johnson: No.

148

02:15:30.570 --> 02:15:31.680

Brenda Fantroy-Johnson: Okay, my end up.

149

02:15:32.340 --> 02:15:33.210

Kirsten Hytopoulos: Oh i'm sorry Brenda.

150

02:15:33.540 --> 02:15:34.050

Brenda Fantroy-Johnson: So okay.

151

02:15:34.140 --> 02:15:37.230

Kirsten Hytopoulos: All right, they killed him for battery Johnson, you are next sorry about.

152

02:15:37.260 --> 02:15:55.950

Brenda Fantroy-Johnson: That um I think that I, I agree that they should come and report I, I just want to know what's the normal process for that it seems to me that we as Joe said, we do have these committees and they make recommendations and this one in particular.

153

02:15:57.030 --> 02:16:02.370

Brenda Fantroy-Johnson: Specifically we're we're supposed to be kept out of their decision making.

154

02:16:03.540 --> 02:16:08.520

Brenda Fantroy-Johnson: And you know it just seems to me, you know we're talking about you know press releases and things.

155

02:16:09.450 --> 02:16:18.720

Brenda Fantroy-Johnson: After last week's meeting you know we got off the meeting and five minutes later there was an article in the review about what we had just talked about.

156

02:16:19.260 --> 02:16:28.650

Brenda Fantroy-Johnson: And this was a long article I just don't understand how quickly he got that information out and and so you know people make.

157

02:16:29.370 --> 02:16:36.780

Brenda Fantroy-Johnson: press releases all the time it really doesn't mean anything, I think I would love to hear what they had to say about.

158

02:16:37.380 --> 02:16:47.490

Brenda Fantroy-Johnson: The salary increases, I thought it was really interesting that most of the information that really talked about what we do as a Council.

159

02:16:47.880 --> 02:16:54.660

Brenda Fantroy-Johnson: The work that goes into what we do, which i'm finding is quite a lot of work it's not for the faint of heart but.

160

02:16:55.200 --> 02:17:02.610

Brenda Fantroy-Johnson: Most of that information was at the very end of the article so by being a long article I wonder if if the public really knows.

161

02:17:02.910 --> 02:17:10.170

Brenda Fantroy-Johnson: there's a lot of work that goes into this, you know I i'm glad that we didn't have any idea of what they were going to recommend.

162

02:17:11.010 --> 02:17:20.850

Brenda Fantroy-Johnson: But what they what they did was what we asked them to do and I don't I don't whatever they come back and tell us, I don't think it's right for us to try to circumvent.

163

02:17:21.300 --> 02:17:30.960

Brenda Fantroy-Johnson: What they what they've already done, if they are different committees committee now been whatever they recommend it should still stand so that's my opinion.

164

02:17:31.920 --> 02:17:32.640

Kirsten Hytopoulos: that's another car.

165

02:17:34.020 --> 02:17:38.280

Christy Carr: yeah thanks I just I support removing the item from the main 11th agenda.

166

02:17:40.320 --> 02:17:50.190

Kirsten Hytopoulos: And I guess, I just wanted to throw out there, that I guess one concern for me as if we if we invite one side, we have to buy the other and before you know it we're actually are undermining.

167

02:17:50.910 --> 02:17:59.910

Kirsten Hytopoulos: move ultimate adventure Johnson we actually are, and in that manner and mining it as opposed to we've received it, and again I believe we've had several communications from them, but.

168

02:18:00.300 --> 02:18:09.900

Kirsten Hytopoulos: we've received I think some findings and so now, it will be up to us to the conversation but i'd hate for us to create a debate between them that's not what we're there to do the decision was made.

169

02:18:11.550 --> 02:18:13.260

Kirsten Hytopoulos: But in any case counselor pollock.

170

02:18:13.890 --> 02:18:17.700

Michael Pollock: I just want to procedurally i'd like to just the motion on the floor and.

171

02:18:18.750 --> 02:18:30.180

Michael Pollock: To remove the salary commissioned presentation from the future agendas for the next agenda for any agenda for the reasons stated.

172

02:18:33.120 --> 02:18:34.920

Kirsten Hytopoulos: seconded by Councillor Patrick Johnson.

173

02:18:36.120 --> 02:18:37.290

Kirsten Hytopoulos: Any further discussion.

174

02:18:38.310 --> 02:18:39.840

Kirsten Hytopoulos: Seeing none all those in favor.

175

02:18:43.260 --> 02:18:49.770

Kirsten Hytopoulos: appears to be unanimous could include we clarify, we were leaving our that can be discussion that the Council had previously put on the 11th.

176

02:18:51.030 --> 02:18:58.020

Kirsten Hytopoulos: So we came on as one item but it had gotten tacked on to the counselor discussion will be of the issue.

177

02:18:59.910 --> 02:19:04.920

Kirsten Hytopoulos: comes up right now okay accounts, where Paul did you have something else.

178

02:19:05.190 --> 02:19:05.700

Michael Pollock: No, no.

179

02:19:06.120 --> 02:19:08.040

Kirsten Hytopoulos: No still up it gets mayor.

180

02:19:09.240 --> 02:19:10.110

Rasham Nassar: I just want to make sure.

181

02:19:10.170 --> 02:19:13.200

Rasham Nassar: That that Council understands that item will still.

182

02:19:13.200 --> 02:19:22.260

Rasham Nassar: appear on may 11 it's just that salary Commissioners will not be invited to attend that portion of our meeting, so the discussion still stands as Deputy Mayor just.

183

02:19:23.130 --> 02:19:29.670

Rasham Nassar: reported I don't know if any Council members made the motion to remove on the assumption that it would just be removed entirely.

184

02:19:31.110 --> 02:19:34.920

Kirsten Hytopoulos: that's what I was hoping to clarify do we all understand that isn't one concerned about that.

185

02:19:35.970 --> 02:19:38.220

Kirsten Hytopoulos: Council member entry Johnson.

186

02:19:38.520 --> 02:19:49.500

Brenda Fantroy-Johnson: And I thanks for clarifying that I thought the item would be removed and I just the you know discussion would stay up at the entire item would be removed, that was my understanding.

187

02:19:50.430 --> 02:19:51.090

Kirsten Hytopoulos: We could discuss.

188

02:19:53.340 --> 02:19:56.880

Kirsten Hytopoulos: So if you want a motion to move it yeah yeah I.

189

02:19:56.970 --> 02:19:58.830

Michael Pollock: Motion like emotion.

190

02:19:59.190 --> 02:20:05.250

Kirsten Hytopoulos: Did did you want to wait for that motion sensor part, did you speak to what we're already stars in a description.

191

02:20:06.270 --> 02:20:07.500

Christy Carr: Oh make that motion.

192

02:20:09.390 --> 02:20:17.040

Christy Carr: I moved to remove item eight a from the may 11 City Council meeting in its entirety.

193

02:20:19.800 --> 02:20:24.510

Kirsten Hytopoulos: So that's it seconded by councilmember pollock and a discussion on that.

194

02:20:26.250 --> 02:20:27.840

Kirsten Hytopoulos: The Mayor mayor doesn't speak to that or no.

195

02:20:29.760 --> 02:20:32.940

Kirsten Hytopoulos: Well, if i'm the only one who can speak to speak to it really quickly oh counselor Schneider.

196

02:20:35.670 --> 02:20:39.390

Leslie Schneider: So I just wanted to say my intention for.

197

02:20:40.470 --> 02:20:43.200

Leslie Schneider: Keeping that there as a Council discussion is.

198

02:20:46.050 --> 02:20:55.620

Leslie Schneider: Not to debate, not to try to find any sort of workaround for the Commission because I don't support finding any workaround for the Commission, I just feel that there.

199

02:20:56.310 --> 02:21:08.010

Leslie Schneider: could be some public education that would be really helpful here, so I would like to support keeping the Council discussion on, I just want to clarify that i'm not interested in trying to.

200

02:21:09.330 --> 02:21:10.380

Leslie Schneider: Do an end run.

201

02:21:14.010 --> 02:21:14.610

Kirsten Hytopoulos: anyone else.

202

02:21:18.420 --> 02:21:18.870

Kirsten Hytopoulos: deeds.

203

02:21:19.380 --> 02:21:22.830

Joe Deets: yeah so i'm just curious colleagues, what do we.

204

02:21:24.060 --> 02:21:30.090

Joe Deets: I guess my thought originally was to have the folks who did work for us come and report but that's not going to happen.

205

02:21:31.980 --> 02:21:38.550

Joe Deets: So how are we going to discuss this, I mean it, it was worked on by someone else and.

206

02:21:40.710 --> 02:21:52.500

Joe Deets: It sort of invites us to critique their work, which is not really appropriate with them, not being there so i'm not sure what the purpose of us discussing it without the salary Commission members, all of them being there.

207

02:21:53.940 --> 02:21:57.570

Joe Deets: I I really am not sure what the point of that would be.

208

02:22:00.000 --> 02:22:01.080

Kirsten Hytopoulos: councilmember Schneider.

209

02:22:03.150 --> 02:22:09.480

Leslie Schneider: My idea of what it could be, is to find out what other jurisdictions do.

210

02:22:11.070 --> 02:22:15.780

Leslie Schneider: How, you know how do, how does this decision, compared to other jurisdictions.

211

02:22:16.770 --> 02:22:28.890

Leslie Schneider: Do we want to change the process for seven years from now, you know just to kind of for the public and for ourselves, because I knew very, very little about this, you know before the before the decision came down so.

212

02:22:29.130 --> 02:22:38.430

Leslie Schneider: I think just having it on the record is a discussion of how we got to where we are and whether there is any need or or preference to.

213

02:22:40.110 --> 02:22:45.840

Leslie Schneider: You know, do something different, in the future, that would be my reason for bringing this up, thank you.

214

02:22:46.740 --> 02:22:47.100

mayor.

215

02:22:49.620 --> 02:22:55.590

Rasham Nassar: yeah i'd like to call the question take a vote we are almost at 8pm and we haven't even started in on the meat of our agenda tonight.

216

02:22:58.530 --> 02:23:01.050

Kirsten Hytopoulos: i'm all those in favor of the motion on the floor.

217

02:23:02.310 --> 02:23:02.760

Kirsten Hytopoulos: See I.

218

02:23:04.590 --> 02:23:05.310

Kirsten Hytopoulos: don't supposed.

219

02:23:06.660 --> 02:23:07.680

Kirsten Hytopoulos: The motion carries.

220

02:23:09.210 --> 02:23:25.890

Kirsten Hytopoulos: Yet, it will be removed, its entirety, any other discussion regarding future Council agendas out I just realized that the three of us who on the farm, the farm and subcommittee were asked to get Councils buy in on setting on a future agenda our reporting back.

221

02:23:27.150 --> 02:23:31.470

Kirsten Hytopoulos: We haven't actually connected so i'm just kind of sticking my head out here and saying that but.

222

02:23:32.340 --> 02:23:47.280

Kirsten Hytopoulos: Maybe maybe June 1 can be tentatively, it would be decided to push it the Thursday morning meeting, but would counsel be entertain our reporting back to you on our current status on our Subcommittee work on getting check in getting by in our direction, before we proceed in that work.

223

02:23:53.310 --> 02:23:53.700

Kirsten Hytopoulos: mayor.

224

02:23:54.600 --> 02:24:01.650

Rasham Nassar: yeah just real quickly for the benefit of the of the Council and the public, this relates to the work on the master lease with friends of the farms so it's ongoing work.

225

02:24:02.100 --> 02:24:09.900

Rasham Nassar: I haven't hasn't come back to counsel in quite a while, but sounds like subcommittee is prepared for a Council touching at this point.

226

02:24:13.110 --> 02:24:14.070

Christy Carr: yeah I support that.

227

02:24:14.700 --> 02:24:15.120

Christy Carr: Thank you.

228

02:24:15.930 --> 02:24:16.620

Kirsten Hytopoulos: let's see any.

229

02:24:16.950 --> 02:24:23.460

Kirsten Hytopoulos: Anything but either boredom or agreement let's assume that's going to happen and move on Council member Paul.

230

02:24:24.660 --> 02:24:35.550

Michael Pollock: I mean, I suppose, somewhat, but we just seem to have exceptionally long meetings and bring things on so if there is an actionable item that needs doing.

231

02:24:35.880 --> 02:24:48.600

Michael Pollock: I would just say, could you bring over in the form of emotion that we can then put on the floor and then to be and then pass or not pass Okay, but that's how I asked if you're going to bring the phone.

232

02:24:49.410 --> 02:24:57.870

Kirsten Hytopoulos: He will we will bring forward to decision pray for counsel absolutely Okay, moving on to item five unfinished business.

233

02:24:58.380 --> 02:25:07.500

Kirsten Hytopoulos: will get looks like we're having a presentation on the multifamily tax exemption over you overview and policy discussion and it looks like Jennifer sentence here from planning.

234

02:25:08.550 --> 02:25:10.110

Kirsten Hytopoulos: and are playing director.

235

02:25:11.190 --> 02:25:11.820

Kirsten Hytopoulos: Of the rage.

236

02:25:13.620 --> 02:25:22.200

Heather Wright: Good evening Council, thank you and we also have Jennifer Sutton joining us this evening, as well, there seems great, I just wanted to make sure she was here.

237

02:25:23.010 --> 02:25:31.380

Heather Wright: I Council it's not often that our land use efforts require coordination with executive Finance and the county in addition to planning staff and the Commission.

238

02:25:31.830 --> 02:25:39.510

Heather Wright: But our work on the mf TV program has with that I wanted to quickly acknowledge each person that has helped with the materials for tonight's packet.

239

02:25:39.900 --> 02:25:45.510

Heather Wright: That includes RON mogi from the finance department, who is our senior financial analysts.

240

02:25:45.930 --> 02:25:57.960

Heather Wright: duane pits as our finance director Alan sure the city manager Jennifer Sutton the senior planner and the planning Commission as well as outside support from Shannon Lewis from the tax assessor's office.

241

02:25:58.770 --> 02:26:07.620

Heather Wright: For tonight Jennifer and I will be leading a presentation with counsel, but we also have support from Shannon Lewis from the county so thank you Shannon for being with us this evening.

242

02:26:08.010 --> 02:26:17.490

Heather Wright: If you have any specific tax questions and we also have with us john Switzerland, representing the planning commission to share with the Council, the planning commission's recommendation.

243

02:26:18.960 --> 02:26:22.650

Heather Wright: And next slide Jennifer if you have the presentation up.

244

02:26:23.010 --> 02:26:25.500

Jennifer Sutton: yeah I was just about to say, can I share my screen now I.

245

02:26:25.890 --> 02:26:27.180

Heather Wright: Think that's that would be great.

246

02:26:27.750 --> 02:26:28.380

Jennifer Sutton: If I can.

247

02:26:32.970 --> 02:26:33.690

Jennifer Sutton: share.

248

02:26:35.640 --> 02:26:36.660

Jennifer Sutton: sorry about that.

249

02:26:37.320 --> 02:26:38.460

Heather Wright: No problem.

250

02:26:39.150 --> 02:26:40.230

Jennifer Sutton: Okay did that come up.

251

02:26:41.190 --> 02:26:42.840

Heather Wright: Yes, perfect.

252

02:26:44.430 --> 02:27:00.180

Heather Wright: And yes, great so the purpose of tonight's presentation is to provide an overview of the MFA program, including the taxing implications, as well as the planning commission's recommendation and to confirm the scheduling of the public hearing next slide please.

253

02:27:01.980 --> 02:27:10.230

Heather Wright: The idea of adopting this program originated and the COMP plan for years ago and was later, supported by the affordable housing Task Force.

254

02:27:10.650 --> 02:27:18.930

Heather Wright: Specifically, the COMP plan identified the adoption of a multi family tax exemption as a high priority housing implementation policy.

255

02:27:19.620 --> 02:27:30.750

Heather Wright: And it specifically states to partner with nonprofit sector to create affordable housing through the targeted implementation of an affordable multifamily tax Program.

256

02:27:32.400 --> 02:27:42.120

Heather Wright: As well as affordable housing costs report acknowledge that there were three top priority recommendations, one of which was to adopt them multifamily tax exemption Program.

257

02:27:43.920 --> 02:27:54.120

Heather Wright: And in 2028 council for the joint land use subcommittee made the decision to direct the direct the planning Commission to make recommendations on a 12 year multifamily tax exemption Program.

258

02:27:54.660 --> 02:28:03.540

Heather Wright: Tonight we will share the planning Commission recommendations and we will describe to you the tax relief that is authorized through this program and next slide please.

259

02:28:10.320 --> 02:28:20.340

Heather Wright: So what is a multi family tax exemption, just a brief refresher here, it does provide temporary tax relief from taxation on the residential improvements.

260

02:28:20.670 --> 02:28:31.320

Heather Wright: Which means that the land is still taxed, while the program has an effect, but the improvements are not for a period of time and that period of time depends on the program that is adopted.

261

02:28:32.520 --> 02:28:33.660

Heather Wright: Next slide please.

262

02:28:36.270 --> 02:28:42.690

Heather Wright: There are three programs that are actually available when it was recommended by the subcommittee for.

263

02:28:43.140 --> 02:29:00.990

Heather Wright: The planning Commission to make a recommendation on a program there were only two programs available the age and the 12 year program and each program varies depending on acceleration of requiring the affordability the income qualification and the tax relief that's provided.

264

02:29:02.100 --> 02:29:10.410

Heather Wright: Specifically Council directed the planning Commission to work on a 12 year program, and that is a recommendation that we're providing to you all this.

265

02:29:10.410 --> 02:29:10.890

evening.

266

02:29:12.690 --> 02:29:15.630

Heather Wright: And wayside, I will turn the presentation over to Jennifer satin.

267

02:29:18.180 --> 02:29:31.170

Jennifer Sutton: Thank you, as heather mentioned both the state's 12 year and new 20 year MFA programs have affordability requirements and affordability is measured using household income.

268

02:29:31.710 --> 02:29:44.370

Jennifer Sutton: and different programs different affordable housing programs are often targeted to different income ranges using the median income as a benchmark so on this slide here is the current median income.

269

02:29:44.820 --> 02:30:00.570

Jennifer Sutton: That the city is using we use the Bremerton Silver Dale metropolitan statistical area incomes, these are set by the Federal department of housing and urban development every year and we will be getting our.

270

02:30:02.310 --> 02:30:16.380

Jennifer Sutton: Income numbers in a few months that usually happens in the early summer, but just to kind of get an idea of what we mean when we're talking about 80% Am I or 115% Am I.

271

02:30:17.490 --> 02:30:19.620

Jennifer Sutton: As you can see it varies by household size.

272

02:30:20.790 --> 02:30:23.790

Jennifer Sutton: going up with as the household size goes up.

273

02:30:25.320 --> 02:30:25.950

Jennifer Sutton: So.

274

02:30:27.660 --> 02:30:35.550

Jennifer Sutton: The empty programs are a financial incentive to build or redevelop multifamily and affordable housing.

275

02:30:36.180 --> 02:30:45.300

Jennifer Sutton: As heather mentioned the incentive works by exempting the project from property taxes on the residential improvements of the project for 812.

276

02:30:45.690 --> 02:31:07.050

Jennifer Sutton: or 20 years depending on which program the project is enrolled in, and then the amount of the tax exemption is divided among and paid by other taxpayers, so we have an example from bremerston that we were able to put on the screen that the county assessor staff helped us learn about.

277

02:31:08.640 --> 02:31:21.510

Jennifer Sutton: And then the finance director dwayne pitts also was able to run an example for one of our newer apartment buildings here on the island and I just like to take a pause here, to see if the Council.

278

02:31:22.110 --> 02:31:35.640

Jennifer Sutton: Has any questions about the information so far, or any specific tax questions for Shannon Lewis from that assessor office or dwayne at the time.

279

02:31:38.490 --> 02:31:39.210

councilmember car.

280

02:31:40.770 --> 02:31:44.490

Christy Carr: yeah thanks um could be somebody explain this shift.

281

02:31:45.870 --> 02:31:47.160

Christy Carr: For me.

282

02:31:48.990 --> 02:31:51.900

Christy Carr: I don't know how it works.

283

02:31:54.330 --> 02:31:56.610

DeWayne Pitts: Gentlemen, would you go ahead and feel that question.

284

02:32:07.710 --> 02:32:24.930

DeWayne Pitts: Gentlemen may have some technical difficulties there so i'll go ahead and do my best on this particular item, so what that means councilmember car is, in essence, the property, there is a tax on the property that is exempt it's essentially getting shifted to the remaining tax base.

285

02:32:26.250 --> 02:32:33.000

DeWayne Pitts: So that because of the way calculations of property taxes are made tax doesn't actually go.

286

02:32:33.000 --> 02:32:33.510

DeWayne Pitts: away.

287

02:32:33.540 --> 02:32:42.270

DeWayne Pitts: It just gets shifted and so that the property owner isn't paying it, but the remainder of the island property holders are.

288

02:32:43.500 --> 02:32:44.640

Shannon Lewis: Yes, I think.

289

02:32:46.530 --> 02:32:48.420

Shannon Lewis: You can hear me now yeah.

290

02:32:48.450 --> 02:32:49.050

DeWayne Pitts: Thank you, Jim.

291

02:32:49.800 --> 02:33:01.680

Shannon Lewis: Yes, it's the rate what happens is the tax district budget is divided by the total assessed value and that equals the rate.

292

02:33:02.400 --> 02:33:15.360

Shannon Lewis: So when you remove you when you exempt a property you're reducing the total assessed value and that generates a slightly higher rate that everyone else would be paying to make up that difference.

293

02:33:20.820 --> 02:33:21.570

Kirsten Hytopoulos: So quite as you.

294

02:33:22.170 --> 02:33:23.640

Shannon Lewis: Does that make sense or.

295

02:33:24.570 --> 02:33:25.320

Kirsten Hytopoulos: You want to follow up.

296

02:33:27.000 --> 02:33:44.100

Christy Carr: Just really quickly is is that written where's that written down, I mean it's not in the are CW related to the M amp T so i'm not I just i'm curious where that is that in County or State law somewhere.

297

02:33:45.030 --> 02:33:59.760

Shannon Lewis: It it's just part of the property tax calculation, the basic way that we do it's after we determine what a district me levy in this exemption generally doesn't really affect what a district can lovey in most cases.

298

02:34:00.750 --> 02:34:01.530

Shannon Lewis: The rate is.

299

02:34:02.010 --> 02:34:21.810

Shannon Lewis: determined by dividing the mountain levied by the assessed value so when you do take any property off the tax rolls for whatever exemption that reduces the total assessed value, which makes the rate a little bit higher than everyone else is going to pay.

300

02:34:26.190 --> 02:34:26.880

Christy Carr: Okay, thank you.

301

02:34:27.690 --> 02:34:32.790

Kirsten Hytopoulos: counsel Republic, I apologize, because I think you were before customer car is my fault comes up all right.

302

02:34:34.560 --> 02:34:37.650

Michael Pollock: So right, it was a good question um I.

303

02:34:38.280 --> 02:34:49.110

Michael Pollock: guess, just to be clear when you when they're talking about the amount levy that's the total amount levy that's not on a per per thousand basis it's the total amount and so that amount has to come out to the same amount.

304

02:34:49.530 --> 02:34:54.090

Michael Pollock: And that's why one tax that's why one person's taxes go down and others go up.

305

02:34:55.560 --> 02:35:05.040

Michael Pollock: So the question, though I have is it says in 2021 if bliss apartments were enrolled in the F mf key program and estimated \$16 will be added.

306

02:35:05.280 --> 02:35:24.150

Michael Pollock: So what does that translate into number of affordable homes, we get per unit spend in this case \$16 how many what's what's the metric I just want to know as a homeowner if I am spending another \$16 whether how much Am I getting in affordable, how many affordable homes my yelling.

307

02:35:25.530 --> 02:35:47.040

Heather Wright: that's a great question I oh sorry Jennifer and we can tag team this land, so we use that as an example, because it was already constructed and it lists apartments if I recall correctly or 115 units and Jennifer do you have the exact value of the construction to share with the Council.

308

02:35:47.910 --> 02:35:50.100

Jennifer Sutton: I think there were 107 units.

309

02:35:50.640 --> 02:35:50.880

Heather Wright: Under.

310

02:35:50.940 --> 02:35:51.900

Jennifer Sutton: Seven units thing.

311

02:35:51.930 --> 02:35:58.260

Jennifer Sutton: I know I think the final I think the finance director might have the the improved the.

312

02:35:59.580 --> 02:36:08.880

Jennifer Sutton: assessed value information for bliss but to answer your question about how many units, do you get the answer is, it depends depends on.

313

02:36:09.300 --> 02:36:20.130

Jennifer Sutton: The project size, how many units are being constructed, is it in it enrolled in the 12 year program and is it a rental project so then 20% of the total units.

314

02:36:21.360 --> 02:36:24.390

Jennifer Sutton: would be set aside as affordable or.

315

02:36:25.770 --> 02:36:42.720

Jennifer Sutton: If it was a 12 year homeownership project than 100% would be set aside to be affordable at below 1:15am I so that so it depends, depending on the project how big the project is.

316

02:36:44.130 --> 02:36:50.700

Michael Pollock: So, so in this example, how many homes did the \$16 getting affordable homes.

317

02:36:51.090 --> 02:37:06.330

Jennifer Sutton: Well, if you want to assume that we had the 12 year program and that this was a rental projects 20% of 107 units would be, what about 21.5 affordable units or 22.

318

02:37:08.850 --> 02:37:24.480

Michael Pollock: Okay, so I get 25 affordable units for 12 months or something like that for \$16 or 21 or something like that for \$16 so it's cost me less than \$1 per affordable unit.

319

02:37:26.670 --> 02:37:29.340

Michael Pollock: As I correct him i'm just trying to get clarity here.

320

02:37:30.810 --> 02:37:36.120

Jennifer Sutton: To use this example, for your for a home assessed at 800,000 which.

321

02:37:37.410 --> 02:37:38.580

Jennifer Sutton: Is the current average.

322

02:37:39.120 --> 02:37:55.170

Michael Pollock: Okay, so it's costing less than \$1 total and if we just looked at it a 12 year going with your 12 year example that and i'm just rounding up to \$1, then you would divide that by 12 so it's costing me as a taxpayer, or is this every year \$16.

323

02:37:56.130 --> 02:37:56.760

Heather Wright: right here.

324

02:37:57.120 --> 02:37:59.700

Michael Pollock: For you okay okay so it's costing me a buck a year.

325

02:38:01.560 --> 02:38:06.720

Michael Pollock: per affordable unit for if I was \$800,000 home on or something like that and rough numbers.

326

02:38:08.400 --> 02:38:10.770

DeWayne Pitts: A little more, yes, no okay.

327

02:38:13.710 --> 02:38:14.490

Michael Pollock: Okay, great thanks.

328

02:38:15.390 --> 02:38:18.480

Kirsten Hytopoulos: Plenty Commissioner quits one that you want to add something.

329

02:38:24.600 --> 02:38:26.190

Heather Wright: you're muted Commissioner quick.

330

02:38:33.240 --> 02:38:34.710

Jon Quitslund: There we go okay.

331

02:38:36.780 --> 02:38:37.200

Jon Quitslund: Like.

332

02:38:39.330 --> 02:38:45.930

Jon Quitslund: councilmember car i'm mystified to discover this wrinkle in the fabric.

333

02:38:48.810 --> 02:38:53.250

Jon Quitslund: I don't i'm not questioning what the tax assessor from county has said, but.

334

02:38:54.420 --> 02:39:04.320

Jon Quitslund: If you read about this, if you read about functioning of MFA programs in various municipalities and you read the rtw and you read what.

335

02:39:06.540 --> 02:39:16.680

Jon Quitslund: The puget sound Regional Council says about the advantages of this you read you have nothing about this tax shift and, if you look at the bremerton website.

336

02:39:17.670 --> 02:39:30.360

Jon Quitslund: Where the example, one of the examples comes from, there is nothing said about any tax shift connected with the mf D program as its functioning in bremerton.

337

02:39:31.110 --> 02:39:58.680

Jon Quitslund: So i'm still bewildered, but I also want to say, as this program is implemented on bainbridge island we're going to be talking peanuts we're going to be talking small ventures potentially you know four units here six units somewhere else in mixed use where the tax impact of this.

338

02:40:00.810 --> 02:40:07.350

Jon Quitslund: Except exemption is really very small compared to the bliss apartments example.

339

02:40:08.580 --> 02:40:15.300

Jon Quitslund: we're never going to have a project on that scale that provides affordable housing.

340

02:40:17.040 --> 02:40:18.540

Jon Quitslund: At least I don't foresee it.

341

02:40:20.580 --> 02:40:22.980

Jon Quitslund: Something of this of the scale and of the.

342

02:40:24.120 --> 02:40:28.500

Jon Quitslund: With the market rate units, like the bliss apartments we're going to be talking.

343

02:40:31.290 --> 02:40:44.160

Jon Quitslund: Well, in the in the distant future, and I was going to say that later, but just mentioning it here, this is a digression that we shouldn't get hung up on it's it's a bit of a freak out for me, but everybody else forget about it.

344

02:40:48.870 --> 02:40:52.080

Kirsten Hytopoulos: Any other questions at this stage I have.

345

02:40:52.380 --> 02:41:01.260

Kirsten Hytopoulos: A couple real quick one is um so the 20 year and F T is a creation of the 2020 the legislature, they just.

346

02:41:02.490 --> 02:41:06.600

Kirsten Hytopoulos: finished, so we didn't consider that that one of the reasons we wouldn't have considered it.

347

02:41:07.050 --> 02:41:07.860

Heather Wright: Nice correct.

348

02:41:08.100 --> 02:41:14.730

Kirsten Hytopoulos: um are we able to adopt this I should know the answer this or we will adopt more than one or do we have to choose.

349

02:41:15.810 --> 02:41:18.840

Heather Wright: We can talk multiple ones that's correct okay.

350

02:41:19.350 --> 02:41:24.240

Kirsten Hytopoulos: I mean what's been injured what's interesting is that the introduction of the of the parameter for 20 year.

351

02:41:24.600 --> 02:41:33.360

Kirsten Hytopoulos: And if T kind of even gets further into the question I heard customer pollock asking, which I think is always the question, what are we getting for this, and so that's appears to have.

352

02:41:35.280 --> 02:41:44.520

Kirsten Hytopoulos: Longer effect, I don't see any other references that you had, is there any minimum affordability period for the others, that that one was permanent right the 20 years permanent affordability.

353

02:41:45.690 --> 02:41:47.310

Kirsten Hytopoulos: that's correct okay.

354

02:41:47.340 --> 02:41:57.060

Heather Wright: um an eight year doesn't require any and then the 12 year would refer back to our program which is 50 for rental and 99 for those that are for sale mm hmm.

355

02:41:57.840 --> 02:41:58.680

Kirsten Hytopoulos: Okay, thank you.

356

02:41:59.730 --> 02:42:00.180

Kirsten Hytopoulos: mayor.

357

02:42:01.740 --> 02:42:08.640

Rasham Nassar: Yes, so i'm reviewing the memo here that was provided in the packet and I see a couple of bullet points here on page three.

358

02:42:09.480 --> 02:42:19.920

Rasham Nassar: And they seem to suggest some policy decision points in terms of where the designation eligibility areas are going to be and it sounds like there's some.

359

02:42:20.580 --> 02:42:32.250

Rasham Nassar: it's still up for debate whether it applies to the window masterplan study area or the window sewer system service area, which is a little bit bigger I don't know if we have those maps included in the packet materials.

360

02:42:34.320 --> 02:42:47.400

Rasham Nassar: And I wonder if those are decision points that we're seeking seeking direction on tonight, or if those can be reserved for when this information starts to be distributed to the public at public hearings and so forth.

361

02:42:48.420 --> 02:42:58.320

Jennifer Sutton: Where we're, seeing as you'll see will the maps are later in the presentation is kind of a pending Commission recommendation to you, we are going to.

362

02:42:58.890 --> 02:43:05.880

Jennifer Sutton: seek if you choose to move forward with some kind of MFA program, we would like some preliminary.

363

02:43:06.450 --> 02:43:20.730

Jennifer Sutton: Preliminary direction about what eligible areas, you would like to move forward with because the State law requires that we have a public hearing, specifically on the eligibility areas and that would be the next.

364

02:43:21.300 --> 02:43:33.450

Jennifer Sutton: kind of formal step in creating this program so you wouldn't have to be making the final decision on those areas tonight you would choose which areas would be put forward for a public hearing.

365

02:43:33.990 --> 02:43:49.050

Jennifer Sutton: And then take you know common at that hearing and then your eventual what areas you want to have the program apply we'd be incorporated into an ordinance after that public hearing which would then have its own public hearing.

366

02:43:53.040 --> 02:43:55.230

Kirsten Hytopoulos: let's see any more questions from Council and.

367

02:43:56.490 --> 02:43:58.050

Kirsten Hytopoulos: staff were to continue the presentation.

368

02:44:00.420 --> 02:44:02.280

Jennifer Sutton: Right thanks, and thank you.

369

02:44:02.850 --> 02:44:08.460

DeWayne Pitts: So Jennifer if it's Okay, at this point if anybody has any more questions for Shannon while she's here.

370

02:44:09.900 --> 02:44:15.750

DeWayne Pitts: please feel free to ask now, otherwise I think it's okay to go ahead and excuse her for the rest of the presentation.

371

02:44:19.470 --> 02:44:21.780

DeWayne Pitts: Thank you Shannon We appreciate you joining us.

372

02:44:22.350 --> 02:44:23.460

Shannon Lewis: Okay you're welcome.

373

02:44:25.080 --> 02:44:25.680

Jennifer Sutton: Thank you.

374

02:44:28.080 --> 02:44:38.550

Jennifer Sutton: Okay, so we've just gone over what is an MFA program it's a financial incentive to build multifamily housing, we want to make sure that the Community and the Council.

375

02:44:39.840 --> 02:44:48.600

Jennifer Sutton: Understand that the program doesn't modify any zoning or environmental regulations doesn't reduce any required permit.

376

02:44:49.140 --> 02:45:07.680

Jennifer Sutton: processes or requirements doesn't modify any development standards like density or building height, so this is the M and T is a financial incentive that would apply for projects that go through the development, the land use review and development process that's already in our code.

377

02:45:13.080 --> 02:45:26.790

Jennifer Sutton: So to enroll in an MFA program a project would go through the normal land use review process, whether that be a site plan and design review or conditional use permit and once that land use permit is approved.

378

02:45:27.810 --> 02:45:38.910

Jennifer Sutton: The project, we need to go through building permit review and at that time the developer applicant would apply to the city to enroll in our mf T Program.

379

02:45:39.870 --> 02:45:49.740

Jennifer Sutton: We would review to review the application to make sure that the project was not only meeting all of the land use requirements.

380

02:45:50.490 --> 02:46:00.300

Jennifer Sutton: put on it, but also that it was going to be eligible, and be able to meet all of the mf T criteria that we would put in our future ordinance and b.

381

02:46:00.960 --> 02:46:08.550

Jennifer Sutton: and meet State law and then, if that can be approved the developer would enter into a contract with the city.

382

02:46:09.210 --> 02:46:24.480

Jennifer Sutton: That would be then executed and then the exemption itself wouldn't begin until the project is completed getting final inspection and occupied and then that would start that eight Year 12 year or 20 year exemption period.

383

02:46:26.160 --> 02:46:38.250

Jennifer Sutton: The developer, the developer or project or project manager would also need to submit annual report to the city and work with the city to verify income of renters or buyers.

384

02:46:40.080 --> 02:46:46.320

Jennifer Sutton: So city staff to administer the program we would need to upfront create new forms and.

385

02:46:48.090 --> 02:46:52.380

Jennifer Sutton: New review steps in our building permit review.

386

02:46:54.210 --> 02:47:10.110

Jennifer Sutton: And then this would be just kind of one additional step that we may need to do as far as part of our land use and building permit review process, and then we would also need to coordinate submitting the reporting information to the State Department of Commerce annually.

387

02:47:11.850 --> 02:47:21.060

Jennifer Sutton: So i'm going to turn turn it over to John Commissioner John Quinlan to discuss the planning Commission recommendations to you.

388

02:47:22.650 --> 02:47:45.270

Jon Quitslund: Yes, i'll do this as quickly as I can but giving us a frame of reference, the reason why this program was of interest to me and other members of the subcommittee Joe par and Sarah blossom Joe par has experience with an F T.

389

02:47:46.290 --> 02:47:50.760

Jon Quitslund: programs having practiced as a developer in Seattle and.

390

02:47:52.200 --> 02:48:04.740

Jon Quitslund: So he kind of knows how it works, he was the one who said well the eight Year program doesn't involve any requirement of affordable housing, so we can set that aside.

391

02:48:05.880 --> 02:48:16.500

Jon Quitslund: The 12 year program is the only one, the 20 year program wasn't in the picture at the time we were developing these ideas are our.

392

02:48:17.670 --> 02:48:24.360

Jon Quitslund: goal was to focus that you could maybe shift Jennifer to the next slide with the map.

393

02:48:25.380 --> 02:48:27.210

Jon Quitslund: Of the greater winslow area.

394

02:48:31.860 --> 02:48:34.200

Jon Quitslund: The reason why we recommended.

395

02:48:35.550 --> 02:48:39.000

Jon Quitslund: By the planning Commission recommends the two.

396

02:48:42.750 --> 02:48:45.300

Jon Quitslund: Two districts, which overlap, of course, but.

397

02:48:46.620 --> 02:48:52.230

Jon Quitslund: The winslow masterplan study area is more or less rectangular going out.

398

02:48:54.960 --> 02:49:04.500

Jon Quitslund: Over one point, the winslow sewer service area which is not the same exactly include some areas where multifamily.

399

02:49:07.410 --> 02:49:09.360

Jon Quitslund: Development may be possible.

400

02:49:10.440 --> 02:49:23.700

Jon Quitslund: It might be more than it might be only a handful but some some potential there, so we wanted to include that that possibility, as well as the winslow masterplan study area.

401

02:49:27.540 --> 02:49:31.080

Jon Quitslund: And we also wanted to recommend that.

402

02:49:33.510 --> 02:49:38.970

Jon Quitslund: A small a small a development as four units in a single building.

403

02:49:40.830 --> 02:49:51.630

Jon Quitslund: That that should be allowed, because there are are there infill opportunities for both mixed use development where there might be four units above a commercial.

404

02:49:55.140 --> 02:49:59.130

Jon Quitslund: First floor or a service service providing.

405

02:50:01.440 --> 02:50:05.640

Jon Quitslund: establishment and non non residential, in other words, and there may be also.

406

02:50:06.840 --> 02:50:08.250

Jon Quitslund: Small multifamily.

407

02:50:09.690 --> 02:50:10.710

Jon Quitslund: But potential.

408

02:50:12.840 --> 02:50:19.080

Jon Quitslund: four units together in a purely residential area so.

409

02:50:20.340 --> 02:50:21.000

Jon Quitslund: Those are the.

410

02:50:22.020 --> 02:50:24.690

Jon Quitslund: Specific things that we were asked to recommend, on.

411

02:50:27.930 --> 02:50:29.370

Jon Quitslund: I want to emphasize that.

412

02:50:31.230 --> 02:50:38.130

Jon Quitslund: If this program is inactive, it will be only gradually and on a small scale.

413

02:50:39.180 --> 02:50:51.180

Jon Quitslund: used for the foreseeable future, we need a foundation for this program in the form of an exclusionary housing ordinance, we need to modify.

414

02:50:52.380 --> 02:50:53.730

Jon Quitslund: or completely revamp.

415

02:50:55.650 --> 02:51:02.220

Jon Quitslund: 1821 which is called affordable housing, but it doesn't really provide much and.

416

02:51:03.450 --> 02:51:13.260

Jon Quitslund: 1812 the dimensional standards that involve the flir regulations as they now stand, and they may be modified in some way.

417

02:51:14.760 --> 02:51:20.370

Jon Quitslund: In the future, all of that needs to happen before this program can be fully operational.

418

02:51:21.810 --> 02:51:27.360

Jon Quitslund: But it may provide some put some potential now for small small scale development.

419

02:51:31.110 --> 02:51:33.000

Jennifer Sutton: Do you want me to move on to the next slide Jain.

420

02:51:34.050 --> 02:51:47.160

Jon Quitslund: that's yes and you just adding to the picture the next slide with the language Center area that was another thing that we recommended allowing this in those in the areas indicated.

421

02:51:49.050 --> 02:51:56.400

Kirsten Hytopoulos: john could you could you pause one second just check in with with mayor, as to whether you have a question that you'd want to ask before we move on.

422

02:51:56.790 --> 02:51:59.520

Rasham Nassar: I do, and if you could please go back to that other slide.

423

02:52:00.870 --> 02:52:08.310

Rasham Nassar: So i'm learning this Commission or Switzerland and planner Sutton so apologies if my question seems basic.

424

02:52:09.840 --> 02:52:14.160

Rasham Nassar: But maybe the political benefit from hearing the answers as well um.

425

02:52:15.180 --> 02:52:21.210

Rasham Nassar: I see here, and I know that the winslow masterplan area, for example, includes properties that are zoned our point for.

426

02:52:22.410 --> 02:52:23.040

Rasham Nassar: Correct.

427

02:52:24.120 --> 02:52:26.160

Rasham Nassar: Or is that not correct is.

428

02:52:27.000 --> 02:52:28.350

Rasham Nassar: getting harder you.

429

02:52:29.160 --> 02:52:43.860

Jennifer Sutton: It includes yeah include some properties sound are to kind of at the edge there's it includes properties owned are 4.3 but the R 0.4 zone doesn't begin until the West side of sports.

430

02:52:44.700 --> 02:52:52.650

Rasham Nassar: Right, I remember that now I just don't see that it's really small on my screen so i'm struggling to see the designations, but I see the are, I see the archie now okay.

431

02:52:53.130 --> 02:53:05.490

Rasham Nassar: So um when you apply or overlay this mf T over those zones does does a development have to conform to underline zoning regulations in terms of density per unit per acre.

432

02:53:06.030 --> 02:53:07.080

Jennifer Sutton: Yes, yes.

433

02:53:07.350 --> 02:53:11.130

Jennifer Sutton: Okay yeah the M amp T is just a financial incentives.

434

02:53:11.250 --> 02:53:19.080

Jennifer Sutton: Okay, and so i'm in the our two zone multifamily development is a conditional use.

435

02:53:20.520 --> 02:53:35.160

Jennifer Sutton: Instead of so you would go through a conditional use permit and site plan review instead of a subdivision, but it does this program does not modify any of the density provision so however many units would be allowed, without this program is what would be allowed.

436

02:53:35.730 --> 02:53:42.420

Rasham Nassar: Okay, great that's very clear and I do recall at some point I think Commissioner quit some you kind of touched on this that.

437

02:53:42.840 --> 02:53:49.950

Rasham Nassar: At one point, someone had insinuated or inferred that there was some link between mf T and inclusion area zoning.

438

02:53:50.430 --> 02:54:01.380

Rasham Nassar: Meaning that where we decide to overlay an MFA program is is in theory or hypothetically where we would decide to have exclusionary zoning.

439

02:54:02.130 --> 02:54:12.540

Rasham Nassar: Is there can someone speak to that because I don't really understand the nexus between those two, but I did hear it, I have heard them linked in conversation in the past, and I just want to be clear on that.

440

02:54:13.230 --> 02:54:14.280

Jon Quitslund: Well, the.

441

02:54:15.240 --> 02:54:16.380

Jon Quitslund: way was put to me.

442

02:54:18.330 --> 02:54:26.970

Jon Quitslund: Was that empty is stacked upon the foundation of a an affordable housing.

443

02:54:31.200 --> 02:54:39.990

Jon Quitslund: A design for affordable housing call it an exclusionary housing exclusionary zoning many different terms for it but.

444

02:54:41.970 --> 02:54:55.140

Jon Quitslund: You want to you want to facilitate affordable housing, and this is part of the, this is one of the tools that makes that possible, but you need the appropriate.

445

02:54:58.320 --> 02:55:02.130

Jon Quitslund: need you need more to the merchant the code.

446

02:55:03.210 --> 02:55:07.920

Jon Quitslund: They go hand in hand and I made that point in my Prince middle memorandum.

447

02:55:09.720 --> 02:55:14.040

Jon Quitslund: So this is only one step down the road, but it is.

448

02:55:15.150 --> 02:55:18.000

Jon Quitslund: A very useful mechanism for.

449

02:55:19.560 --> 02:55:21.600

Jon Quitslund: providing an incentive to developers.

450

02:55:23.310 --> 02:55:30.960

Kirsten Hytopoulos: And I, and I believe i'm a planner Sutton you might have wanted to respond that to should we hear from staff as well on that subject.

451

02:55:31.590 --> 02:55:43.890

Jennifer Sutton: yeah I was just going to say that there's there is many jurisdictions that you have both programs right and because an inclusion rezoning program would modify the.

452

02:55:45.210 --> 02:56:06.270

Jennifer Sutton: Underlying you know it adds to the underlying development standards generally to provide incentives, such as bonus density for building affordable housing, so we, we, the city right now have a voluntary exclusionary zoning program that is a little bit different and.

453

02:56:07.410 --> 02:56:09.750

Jennifer Sutton: I think what maybe you're thinking of is that.

454

02:56:10.770 --> 02:56:20.940

Jennifer Sutton: In our conversations with ECO Northwest in 2018 and 2019 we were talking about both programs, and we were evaluating.

455

02:56:21.750 --> 02:56:39.090

Jennifer Sutton: Both what standards may be modified to create a functional exclusionary zoning program and then we were also having a good earth class do some analysis about the eight Year versus the 12 year program and how those two programs could help you dial in.

456

02:56:40.680 --> 02:56:47.940

Jennifer Sutton: different levels of affordability, but so we did talk about them at the same time.

457

02:56:49.110 --> 02:57:01.350

Jennifer Sutton: Back in 2018 and 2019 but they're not they are independent programs right because the mf T is just a financial incentive tool it doesn't modify any of our development standards.

458

02:57:03.870 --> 02:57:04.350

Kirsten Hytopoulos: Over car.

459

02:57:06.510 --> 02:57:08.280

Christy Carr: Thank you, I.

460

02:57:09.570 --> 02:57:20.760

Christy Carr: I guess, I wanted to confirm that staff and the planning Commission are confident that the winslow master plan study area and the winds, those who are service area.

461

02:57:22.350 --> 02:57:27.480

Christy Carr: meet the designation criteria in our CW hey for 1404 oh.

462

02:57:28.650 --> 02:57:29.880

Christy Carr: Specifically.

463

02:57:31.170 --> 02:57:32.340

Christy Carr: That it.

464

02:57:34.110 --> 02:57:40.410

Christy Carr: That they lack sufficient available housing, including affordable housing.

465

02:57:42.450 --> 02:57:49.680

Christy Carr: Because I mean if we're looking at this map, I think we all know that this area has a lot of housing.

466

02:57:51.120 --> 02:57:55.650

Christy Carr: So it's at the sole discretion of the local governing authority to.

467

02:57:56.880 --> 02:58:05.970

Christy Carr: say that the targeted area meet the designation criteria, but I guess i'd like to hear a little bit more about the analysis that was done to.

468

02:58:07.170 --> 02:58:09.030

Christy Carr: make this designation.

469

02:58:10.410 --> 02:58:12.630

Christy Carr: per the criteria in the RC w.

470

02:58:14.220 --> 02:58:17.070

Jennifer Sutton: Sure, well, we we kind of our discussion focused.

471

02:58:18.120 --> 02:58:25.470

Jennifer Sutton: On vacant vacancy rates and that they're low and low availability of Rentals and but as far as.

472

02:58:26.820 --> 02:58:38.760

Jennifer Sutton: The urban areas and how wide to how wide, we would want to make how wide the planning Commission wanted to recommend for an elegant of possible eligibility area.

473

02:58:41.550 --> 02:59:02.160

Jennifer Sutton: It was discussed that kind of in the area in the northern part of winslow like in the sewer service area where copper top and the schools and North Tom woods and the barn and that kind of winslow North area kind of has made basically a third kind of Center of.

474

02:59:03.420 --> 02:59:10.110

Jennifer Sutton: Commercial and residential development in winslow, and so the planning Commission and their discussion they.

475

02:59:11.910 --> 02:59:18.390

Jennifer Sutton: kind of just wanted to have the program be as widely available as made sense.

476

02:59:19.800 --> 02:59:23.130

Jennifer Sutton: And that's another reason why they recommended.

477

02:59:24.270 --> 02:59:32.820

Jennifer Sutton: The the minimum for multifamily units as a project threshold as opposed to increasing that.

478

02:59:34.020 --> 02:59:38.130

Jennifer Sutton: So that it would only be eligible for bigger projects so.

479

02:59:42.300 --> 02:59:43.740

Kirsten Hytopoulos: Did you have anything else customer car.

480

02:59:45.330 --> 03:00:04.890

Christy Carr: No, that was it, I was just looking for that rationale and analysis in terms of meeting the criteria for designation areas and if we're trying to use this tool to incentivize multifamily development that we're confident that we're having targeted areas where we want multifamily development.

481

03:00:08.790 --> 03:00:17.520

Kirsten Hytopoulos: So, I guess, I have a question as far as the the the geographic scope here, so what, why are we missing any in the in the kind of the rural area.

482

03:00:17.730 --> 03:00:24.480

Kirsten Hytopoulos: is, are you say there is the possibility and some parcels out there to put four units with a conditional use permit.

483

03:00:25.110 --> 03:00:40.920

Kirsten Hytopoulos: Are we are we capturing with this tool, all the possible places were some like a one off project could be happening because, after all, this is a financial tool, not a not a density tool so i'm just wondering, and I don't know Jennifer john did the planning Commission speak to that.

484

03:00:41.760 --> 03:00:44.550

Jon Quitslund: i'll i'll speak to that, if I can.

485

03:00:46.500 --> 03:00:48.180

Jon Quitslund: It might be that.

486

03:00:49.320 --> 03:01:01.110

Jon Quitslund: As the island Center plan develops there might be Puck potential there or there might be potential in rolling day rolling Bay area as that.

487

03:01:02.760 --> 03:01:06.090

Jon Quitslund: area is the sub areas plan.

488

03:01:07.410 --> 03:01:11.100

Jon Quitslund: But the RC w allows the addition of.

489

03:01:12.480 --> 03:01:14.370

Jon Quitslund: Areas of opportunity let's call it.

490

03:01:15.750 --> 03:01:19.470

Jon Quitslund: Another criterion that that the RC who applies is.

491

03:01:22.500 --> 03:01:23.820

Jon Quitslund: transit and.

492

03:01:25.620 --> 03:01:32.520

Jon Quitslund: Commercial close at hand, in other words you're promoting walkability rather than then.

493

03:01:33.600 --> 03:01:36.720

Jon Quitslund: density that in called that requires.

494

03:01:37.800 --> 03:01:39.900

Jon Quitslund: automobile traffic and the like.

495

03:01:41.190 --> 03:01:44.550

Jon Quitslund: And, of course, our comprehensive plan focuses on.

496

03:01:45.720 --> 03:01:48.270

Jon Quitslund: The concentration of new development.

497

03:01:50.970 --> 03:02:03.210

Jon Quitslund: moderately dense development in the winslow area so that seemed to be the place to start and maybe the place that will get the most get the most benefit of various kinds.

498

03:02:04.920 --> 03:02:06.390

Jon Quitslund: We we lack.

499

03:02:09.030 --> 03:02:10.260

Jon Quitslund: lock rental housing.

500

03:02:11.610 --> 03:02:31.980

Jon Quitslund: I think there may be housing, that will be for sale that qualifies under this program, but we need rental housing, we need more diversity of housing types to in order to suit the requirements of the housing element in the comprehensive plan so that's that's where we're going.

501

03:02:33.420 --> 03:02:34.320

Kirsten Hytopoulos: Because we were Schneider.

502

03:02:35.820 --> 03:02:40.350

Leslie Schneider: Thank you i'm just looking right here at the the Senate bill.

503

03:02:42.060 --> 03:02:54.420

Leslie Schneider: senate bill 50 to 87 as of March 4 2021 and so they're talking about how we would be needing to create a residential targeted area and RTA.

504

03:02:55.950 --> 03:03:03.660

Leslie Schneider: And the only thing that it talks about here in terms of the requirements for an RTA is pretty much what Jennifer sentence said.

505

03:03:04.050 --> 03:03:14.370

Leslie Schneider: Which is the RTA must be in an urban Center that lack sufficient residential housing, including affordable housing to meet the needs of the public who would like we live in the urban Center.

506

03:03:14.910 --> 03:03:22.500

Leslie Schneider: If housing were available and sees with a population of 15,000 or more may designate an RTA so.

507

03:03:23.700 --> 03:03:28.170

Leslie Schneider: i'm pretty sure that that's you know we have a lot of flexibility in.

508

03:03:29.190 --> 03:03:33.570

Leslie Schneider: In determining our our residential targeted areas.

509

03:03:35.520 --> 03:03:37.290

Kirsten Hytopoulos: Thank you, on summer beats.

510

03:03:38.940 --> 03:03:43.740

Joe Deets: yeah yeah Thank you I haven't had a chance to chime in really appreciate this discussion.

511

03:03:44.760 --> 03:03:56.070

Joe Deets: It does seem like I am fts is is a necessary but hardly sufficient condition to incentivize affordable housing so it's good that we do this, but being I think I take.

512

03:03:56.550 --> 03:04:04.770

Joe Deets: Commissioner equivalence point if I got it correctly, that you know, this is, we need to do more to such as exclusionary zoning and.

513

03:04:05.100 --> 03:04:22.470

Joe Deets: I maybe just confirm, Commissioner, Switzerland, the my understanding is that recommendation, the planning Commission is at this stage we try and we move forward, making it as broad as possible as widely available at this point, since we're not making any final decision, but we're.

514

03:04:23.520 --> 03:04:28.440

Joe Deets: Moving forward to a casting a wide as wide a net as possible due to.

515

03:04:29.400 --> 03:04:32.250

Joe Deets: The characterization accurate and yes.

516

03:04:37.290 --> 03:04:40.680

Kirsten Hytopoulos: I don't see any more pounds up did we have for the presentation.

517

03:04:47.490 --> 03:04:48.330

Kirsten Hytopoulos: Later, did you want to.

518

03:04:50.910 --> 03:05:07.230

Leslie Schneider: I had one more comment I wasn't sure whether this was the right time or not, but also in that senate bill is sort of a tweak on what what we can consider median income, and so I just wanted to make sure that that came to the attention.

519

03:05:09.210 --> 03:05:20.700

Leslie Schneider: That it says here for cities located in high cost areas low income household means low income household means a household that has an income at or below 100% of the.

520

03:05:23.940 --> 03:05:32.550

Leslie Schneider: it's it's the difference between county and city, and so we have a much higher cost of living cost of housing here and.

521

03:05:32.910 --> 03:05:42.840

Leslie Schneider: for purposes of calculating median family income city and metropolitan statistical area family median income may be used in addition to county family.

522

03:05:43.350 --> 03:05:55.560

Leslie Schneider: median income, so I just wanted to point that out that that we can use that to sort of correct for what median family income means on bainbridge island.

523

03:05:56.970 --> 03:06:00.120

Jon Quitslund: Yes, this is that two plus.

524

03:06:01.650 --> 03:06:03.210

Jon Quitslund: The fact that we're a high cost.

525

03:06:04.710 --> 03:06:19.710

Jon Quitslund: Cuts up county as a whole is not a high cost area and it depends on how you read the CW whether bainbridge might be eligible for the greater flexibility or not, I had a conversation with.

526

03:06:22.290 --> 03:06:27.780

Jon Quitslund: Well, I won't go further into it, but that at all needs to be explored.

527

03:06:28.860 --> 03:06:41.850

Jon Quitslund: But the rules, you know, there are two things about this, the requirement of at least 20% and for the 20 year program it's at least 25%.

528

03:06:44.880 --> 03:06:49.200

Jon Quitslund: that's that's a very different from 10%, which is what.

529

03:06:51.270 --> 03:06:59.430

Jon Quitslund: We used to be thinking about and the 20 year program has to pass to have a mandatory affordable housing.

530

03:07:03.000 --> 03:07:03.660

Jon Quitslund: requirement.

531

03:07:04.770 --> 03:07:07.500

Jon Quitslund: as well, so the.

532

03:07:08.580 --> 03:07:13.380

Jon Quitslund: Anyway, the the designations of eligible.

533

03:07:14.670 --> 03:07:21.360

Jon Quitslund: Income qualified categories are somewhat more broad than what we've been working with in the past.

534

03:07:23.760 --> 03:07:24.810

Kirsten Hytopoulos: And it comes to require.

535

03:07:27.030 --> 03:07:27.810

Christy Carr: Thanks.

536

03:07:28.920 --> 03:07:35.640

Christy Carr: i'd like to try to move us along and have is confirmed that we'd like staff to continue moving forward with an m amp T Program.

537

03:07:36.750 --> 03:07:39.300

Christy Carr: and confirm the.

538

03:07:40.950 --> 03:07:54.240

Christy Carr: Initial preliminary program elements of the four unit project size and the eligibility areas as presented tonight, and then we can can schedule a public hearing for June 8.

539

03:07:56.280 --> 03:07:58.680

Kirsten Hytopoulos: I have one question can we add.

540

03:07:59.730 --> 03:08:04.890

Kirsten Hytopoulos: The toy, we will this up by by adding the 20 year on the team for consideration.

541

03:08:06.180 --> 03:08:18.090

Jennifer Sutton: No, no, we wanted your feedback tonight about what which of the three programs are all of them, you would want to continue to have us develop into a future ordinance.

542

03:08:19.230 --> 03:08:24.600

Kirsten Hytopoulos: interested to hear and how to support for expanding beyond what comes requires already it's already asked us to reach you.

543

03:08:25.710 --> 03:08:26.400

Kirsten Hytopoulos: Because we're my car.

544

03:08:26.850 --> 03:08:31.230

Christy Carr: agrees yeah I meant to say that, actually, thank you, the 20 year program as well.

545

03:08:32.250 --> 03:08:33.210

Kirsten Hytopoulos: and was very deep.

546

03:08:34.170 --> 03:08:35.670

Joe Deets: yeah I was just gonna say the same thing.

547

03:08:36.900 --> 03:08:50.220

Joe Deets: Although I did hear Commissioner could say that a member of the planning Commission was not in favor of the eight year did I catch that correctly and, if so, then so we've just looked at the 12 year and 20 year.

548

03:08:53.100 --> 03:09:00.420

Jon Quitslund: That would be my recommendation, because the eight Year program doesn't have an affordable housing component.

549

03:09:01.440 --> 03:09:05.250

Jon Quitslund: I see in something that.

550

03:09:07.410 --> 03:09:12.660

Jon Quitslund: Council member scheider was quoting from I see a reference to.

551

03:09:13.860 --> 03:09:20.520

Jon Quitslund: You could you could add the the affordable housing component to an eight year program but.

552

03:09:23.280 --> 03:09:24.660

Jon Quitslund: I don't see the advantage.

553

03:09:25.740 --> 03:09:29.970

Jon Quitslund: Because we want permanent affordability, in any case.

554

03:09:31.830 --> 03:09:34.140

Jon Quitslund: And 12 years.

555

03:09:35.880 --> 03:09:46.470

Jon Quitslund: Is not 12 years is a greater incentive for a developer, because the tax burden if you're building rental housing the tax burden is something very considerable.

556

03:09:47.790 --> 03:09:52.140

Jon Quitslund: In the startup costs of a project.

557

03:09:54.300 --> 03:09:55.470

Jon Quitslund: You really your costs.

558

03:10:00.720 --> 03:10:07.020

Michael Pollock: yeah i'd like to move us along, I guess, I would appreciate if councilmember car would be willing to state.

559

03:10:07.830 --> 03:10:21.180

Michael Pollock: What she said as emotion and to clarify on the program if that's to be included in the 20 year program and then i'd like an opportunity to seconded and i'd like an opportunity for us to vote on it and move on where we're terribly behind schedule.

560

03:10:27.510 --> 03:10:28.920

Kirsten Hytopoulos: that's the car did you want to do that.

561

03:10:33.510 --> 03:10:34.170

Kirsten Hytopoulos: Microsoft.

562

03:10:35.760 --> 03:10:39.660

Christy Carr: If we need emotion i'm happy to make one if that'll move us along.

563

03:10:41.880 --> 03:10:43.170

Joe Deets: there's one in the in the packet.

564

03:10:44.430 --> 03:10:45.300

Christy Carr: Well, how about that.

565

03:10:53.520 --> 03:10:54.360

Christy Carr: hold on one second.

566

03:11:08.490 --> 03:11:25.440

Christy Carr: So there's two emotions in the packet I can read, I can read those I moved to direct the city manager to continue developing a 12 year and 20 year city MFA program that would be available to projects building four or more multifamily.

567

03:11:26.640 --> 03:11:27.600

Christy Carr: residences.

568

03:11:28.410 --> 03:11:31.290

Kirsten Hytopoulos: Second, if I can also do any discussion.

569

03:11:31.650 --> 03:11:38.700

Michael Pollock: yeah I actually come from number car on your you said to schedule a public hearing or to get some public feedback on this and I think that.

570

03:11:38.700 --> 03:11:42.480

Christy Carr: That there's two emotions in the packet that's part of the second motion.

571

03:11:42.690 --> 03:11:44.520

Michael Pollock: Okay okay great okay.

572

03:11:44.910 --> 03:11:46.530

Kirsten Hytopoulos: Any discussion on the first motion.

573

03:11:48.600 --> 03:11:51.330

Kirsten Hytopoulos: Seeing none all those in favor say Aye.

574

03:11:51.870 --> 03:11:52.410

Why.

575

03:11:53.640 --> 03:11:55.080

Joe Deets: Did we stop sharing the screen.

576

03:11:56.430 --> 03:12:00.060

Kirsten Hytopoulos: That would help, thank you, I was there any days.

577

03:12:01.590 --> 03:12:05.100

Kirsten Hytopoulos: That motion carries with animal sleep Okay, we have a second motion.

578

03:12:07.320 --> 03:12:25.800

Christy Carr: I moved to add an agenda item to the may 11 2021 City Council meeting to schedule a public hearing for June 8 2021 on the mf T eligibility and designation areas, including the winslow master plan study area, the winslow sewer system service area and within the linwood Center.

579

03:12:26.940 --> 03:12:30.510

Christy Carr: area, the neighborhood Center nc slash.

580

03:12:31.530 --> 03:12:33.330

Christy Carr: And our five zones.

581

03:12:34.650 --> 03:12:35.940

Kirsten Hytopoulos: and deep second.

582

03:12:37.200 --> 03:12:40.650

Kirsten Hytopoulos: Any discussion on this motion councilmember pollock.

583

03:12:41.190 --> 03:12:53.070

Michael Pollock: yeah i'm i'm going to be supporting it, but that doesn't mean I necessarily support what's the support having a hearing on and getting public feedback so just to be clear and i'm guessing others fill out.

584

03:12:55.530 --> 03:12:56.730

Kirsten Hytopoulos: Any further discussion.

585

03:12:58.500 --> 03:13:00.540

Kirsten Hytopoulos: Okay, all those in favor please say Aye.

586

03:13:00.840 --> 03:13:01.560

Aye.

587

03:13:02.640 --> 03:13:04.290

Kirsten Hytopoulos: looks like motion carries unanimously.

588

03:13:06.300 --> 03:13:15.360

Kirsten Hytopoulos: Thank you very much for your presentation staff and are visiting any Commissioner, this is still here, it looks like we are lunch.

589

03:13:16.020 --> 03:13:35.220

Kirsten Hytopoulos: Thank you, looks like we're moving on and we are, we are a bit late, we did way late because our executive session with me are doing fairly well on these difficult topics The next item is five bees update on the SNP public participation project program and work plan and.

590

03:13:36.630 --> 03:13:37.200

Rasham Nassar: yeah.

591

03:13:38.160 --> 03:13:38.640

Rasham Nassar: It would it be.

592

03:13:38.730 --> 03:13:39.480

Rasham Nassar: Appropriate this point.

593

03:13:39.840 --> 03:13:40.470

Rasham Nassar: Take a break.

594

03:13:40.770 --> 03:13:43.590

Kirsten Hytopoulos: yeah I think that's a great idea let's take a five minute break.

595

03:13:45.720 --> 03:13:46.140

Thank you.

596

03:19:26.460 --> 03:19:29.220

Kirsten Hytopoulos: Okay, I think it's been five minutes, would you guys agree.

597

03:19:31.260 --> 03:19:31.920

Kirsten Hytopoulos: get started.

598

03:19:33.600 --> 03:19:38.730

Kirsten Hytopoulos: So the next thing we were about to tackle was item five be update on SMP public.

599

03:19:38.730 --> 03:19:39.990

Kirsten Hytopoulos: Participation program and work.

600

03:19:39.990 --> 03:19:49.200

Kirsten Hytopoulos: plan, and I think we were about to hear from director heather right and Peter best, and I think we also have plenty Commissioners in the room, as well.

601

03:19:50.760 --> 03:20:00.720

Heather Wright: Yes, thank you mayor Council tonight we will be discussing the s&p periodic review and our last time before you on this topic was in the fall of last year.

602

03:20:01.230 --> 03:20:12.780

Heather Wright: When we adopted the s&p work plan in February of this year we provided an update via email have a revised schedule a change due to scheduling changes to our work plan and staffing.

603

03:20:13.650 --> 03:20:23.430

Heather Wright: Tonight we're going to seek direction from you, by providing an update on a work that has been done to date and seek direction on for policy issues.

604

03:20:24.180 --> 03:20:32.460

Kirsten Hytopoulos: And director right before we continue, I noticed that counselor pollock and the mayor had their hands up make sure they didn't want to weigh in at all early on.

605

03:20:35.010 --> 03:20:45.630

Rasham Nassar: Well, I do I just I want to note the time it's 850 close to nine this item is scheduled for 45 minutes this isn't this is really dense and comprehensive material.

606

03:20:46.140 --> 03:20:51.840

Rasham Nassar: And I absolutely appreciate that staff has hung out with us so late, and has shown up to present this material.

607

03:20:52.620 --> 03:21:03.210

Rasham Nassar: We do we did have a Council member circulate an email to the full Council that had some direction for Council action, so I know that there's going to be some back end discussion by the Council.

608

03:21:03.540 --> 03:21:10.800

Rasham Nassar: At the conclusion of this so i'm hoping that the presentation portion can just be kept to a minimum Council was briefed on this.

609

03:21:11.460 --> 03:21:22.830

Rasham Nassar: Prior to attending this session this open session and have several of us have had discussions and attended briefings on the SNP in the past, so.

610

03:21:23.790 --> 03:21:30.960

Rasham Nassar: I just want to, I want to put that out there, just to be sensitive of the time and allow us to potentially proceed with the actions that have been.

611

03:21:32.220 --> 03:21:36.030

Rasham Nassar: recommended that the Council take by one Council member tonight.

612

03:21:38.400 --> 03:21:39.000

Kirsten Hytopoulos: Thank you.

613

03:21:41.070 --> 03:21:41.880

Kirsten Hytopoulos: If you want to add something.

614

03:21:43.890 --> 03:21:46.230

Michael Pollock: yeah I think it would.

615

03:21:48.480 --> 03:21:58.050

Michael Pollock: Help actually hear a car would be willing to put that on the table so that we can be have that our heads as we're moving forward, hopefully, very briefly, with this presentation.

616

03:21:58.860 --> 03:22:04.950

Kirsten Hytopoulos: So I i'd like to hear from other Council members on that I don't think they'll be appropriate i'm sure we're going to get there.

617

03:22:05.160 --> 03:22:13.230

Kirsten Hytopoulos: But I think it's appropriate to give staff staff, an opportunity to make the basic the basic general informational presentation that it's, not just for our benefit, but for the Community.

618

03:22:13.920 --> 03:22:27.390

Kirsten Hytopoulos: And we'll set it will also set the status quo, that if we're going to be considering motions to change that direction will know what that direction was, but how do other Council members feel about that you went else want to change the order.

619

03:22:30.360 --> 03:22:33.660

Kirsten Hytopoulos: And not seeing anyone interested in doing that councilmember fintry Johnson.

620

03:22:34.410 --> 03:22:40.290

Brenda Fantroy-Johnson: yeah I think if we can keep this brief, we should be able to get to Council members cars.

621

03:22:41.310 --> 03:22:44.430

Brenda Fantroy-Johnson: Information, but you know it's late and then.

622

03:22:45.660 --> 03:22:49.350

Brenda Fantroy-Johnson: I know it's hard for us to keep it brief I just hope we can do that.

623

03:22:50.970 --> 03:22:55.170

Kirsten Hytopoulos: Okay, great director right, I think you please proceed.

624

03:22:56.310 --> 03:23:07.350

Heather Wright: Thank you, I will try to work as best as I can, with that guidance, I do apologize, I do not have a copy of Council Mars Member cars memo so I can't directly respond to that as far as like maybe.

625

03:23:08.610 --> 03:23:11.490

Heather Wright: Not having duplicative information but i'll do my best.

626

03:23:12.150 --> 03:23:23.250

Heather Wright: So basically tonight we're seeking direction on for policy issues that were raised primarily from one of the Council members, as well as our planning Commission because we want to make sure Council that we are on the right track.

627

03:23:23.760 --> 03:23:30.750

Heather Wright: As far as the scope of our review the aqua culture amendment and the direction that we are going with that and.

628

03:23:31.560 --> 03:23:39.990

Heather Wright: Specifically, a Council wants us to pursue sea level rise, and then the joint review process that we have in place primarily.

629

03:23:40.260 --> 03:23:49.290

Heather Wright: And we've heard concerns from the planning Commission as far as when they have been incorporated into the process and if Council one says to change that process or not.

630

03:23:49.830 --> 03:23:57.420

Heather Wright: And so, with that I have a background slide which I don't think as important that we dive into I just want to know that.

631

03:23:57.750 --> 03:24:03.390

Heather Wright: we've launched this effort in February and we've done quite a bit of outreach that you can see from the slide here.

632

03:24:04.020 --> 03:24:09.270

Heather Wright: As far as initiating stakeholder focus groups reaching out to clean and Commission and producing.

633

03:24:09.750 --> 03:24:22.350

Heather Wright: we're working currently on a baseline draft right now, which was actually going to be shared with our Council, this evening, but we shifted gears to have this important policy discussion with you tonight um with that i'll turn it over to Peter.

634

03:24:24.960 --> 03:24:26.430

Heather Wright: For the next slide please.

635

03:24:26.910 --> 03:24:34.140

Peter Best (COBI): Okay, thank you so um i'll try to be as quick as possible, but not all Council members have been.

636

03:24:35.310 --> 03:24:44.340

Peter Best (COBI): involved with all of the issues that lead up to where we're at today so just wanted to make sure these four issues are in in context.

637

03:24:45.450 --> 03:24:57.870

Peter Best (COBI): So we completed the drilling master program comprehensive update in 2014 and the SNP periodic review initially started in 2019.

638

03:24:59.070 --> 03:25:22.890

Peter Best (COBI): The the 2014 SMP has had a long tail to it, the first being the the appeal by the the prison group, which is a broad appeal on a wide number of issues that was upheld in hearings board and it's still under appeal and with in September, being the next hearing and kits up superior court.

639

03:25:24.060 --> 03:25:28.770

Peter Best (COBI): There were a number of settlement discussions associated with some of those issues.

640

03:25:29.580 --> 03:25:41.820

Peter Best (COBI): And so, how we address or do not address those issues identified in that appeal and in those settlement discussions is the first topic we're looking for guidance on.

641

03:25:42.720 --> 03:26:02.640

Peter Best (COBI): Some of the issues raised in the appeal included non conforming uses and that was adopted in an amendment in 2021 other extending issue from 2014 was agriculture and there was an appeal associated with that, as you know, it was dismissed without a hearing.

642

03:26:03.690 --> 03:26:24.510

Peter Best (COBI): And, largely because there was an agriculture amendment that was developed adopted in 2016 but, as you know, and was withdrawn for the agriculture amendment to be incorporated into the periodic review process, so how we proceed with agriculture is issue number two.

643

03:26:26.190 --> 03:26:34.200

Peter Best (COBI): issue number three relates to climate change and we've had an extensive climate change initiative on bainbridge island.

644

03:26:34.650 --> 03:26:47.250

Peter Best (COBI): here's a climate impact assessment, published in 2016 that identified sea level rise as a significant threat to bainbridge the climate change advisory committee issued a sea level rise assessment in.

645

03:26:48.300 --> 03:27:07.710

Peter Best (COBI): Which provided more information on that the city adopted in 2020 Climate Action Plan that the implementation of which is guided by series of have goals targets and actions, including integrating sea level rise into the shoreline master program by 2025.

646

03:27:08.850 --> 03:27:15.570

Peter Best (COBI): So the the scope of sea level rise and how we move forward in a periodic review is the third issue.

647

03:27:17.010 --> 03:27:25.230

Peter Best (COBI): And then the periodic review process itself is the fourth issue so just to refresh you on some of that context in.

648

03:27:26.310 --> 03:27:30.330

Peter Best (COBI): Council adopted its first public participation program and work plan.

649

03:27:31.560 --> 03:27:39.210

Peter Best (COBI): That proceeded for several months, and then we had an extended staff vacancy followed by an epidemic.

650

03:27:40.260 --> 03:27:52.290

Peter Best (COBI): That caused you know the department in the city to rethink a lot of procedures and how we could do the public's business and as a result of new staff of a pandemic pandemic.

651

03:27:53.160 --> 03:28:01.770

Peter Best (COBI): As well as a change in deadline associated with when the periodic review needed to be completed, that was related to the availability of grant funding.

652

03:28:02.820 --> 03:28:20.580

Peter Best (COBI): We proposed in Council adopted a new public participation plan and work plan in 2020 So the issue here tonight is really about how do we proceed with the joint review process where it from where we're at today.

653

03:28:22.440 --> 03:28:27.960

Peter Best (COBI): So i'll turn it back over to director right to introduce the the first issue.

654

03:28:29.880 --> 03:28:44.220

Heather Wright: I think you counsel, so the first question we have is about the scope of the project, so what we have proposed on the work plan was to improve the SNP for readability to reduce faintness and provide clarity.

655

03:28:44.760 --> 03:28:55.410

Heather Wright: There wasn't a proposal to do substantive changes, however, that doesn't close the door on those changes those changes could come in and the way that I propose is that they could come in.

656

03:28:55.980 --> 03:29:02.370

Heather Wright: Through the surveys that we have available online, which would provide us some information from the public, some of the changes they were seeking.

657

03:29:02.700 --> 03:29:09.570

Heather Wright: And then, at the joint hearing that we would have with the planning Commission the City Council department of ecology and staff.

658

03:29:10.020 --> 03:29:16.920

Heather Wright: And if there were substantive changes that came out of that hearing that the Council wanted us to address, for example.

659

03:29:17.850 --> 03:29:28.770

Heather Wright: No net loss or looking at full cats potentially some of the issues that were raised during the prism appeal and some of the settlement discussions that were held previously with staff.

660

03:29:29.220 --> 03:29:37.020

Heather Wright: If that was the council's direction after the hearing and those substantive issues could be potentially built into the periodic review.

661

03:29:37.380 --> 03:29:41.760

Heather Wright: But at this juncture, what what has been proposed and the work plan is to.

662

03:29:42.180 --> 03:29:53.700

Heather Wright: Just reduced vagueness and provide clarity and the baseline and not take on substantive issues and then find out through the public process if those are going to be added in or not.

663

03:29:54.630 --> 03:30:09.660

Heather Wright: So this is an area where you're seeking counsel clarification Peter for each of these questions tonight we're going to have what was adopted in the work plan, and then a question for Council to consider some alternative so Peter if you could go to the next slide please.

664

03:30:11.190 --> 03:30:18.120

Peter Best (COBI): And just for reference in the corners of these slides are the page numbers for the memo that has the relevant content for you to reference.

665

03:30:19.980 --> 03:30:20.040

Heather Wright: hey.

666

03:30:21.180 --> 03:30:26.070

Kirsten Hytopoulos: Could I just in our promo just because I know I think we all Council and those having heard from.

667

03:30:26.580 --> 03:30:30.690

Kirsten Hytopoulos: A couple members of planning Commission, I think, on behalf of planning Commission also having heard from councilmember car.

668

03:30:31.500 --> 03:30:40.200

Kirsten Hytopoulos: We know that there's different points of view in the room to be heard, and so I just want to recognize that and make sure that what i'm hoping will do, and we would agree, so why don't we hear.

669

03:30:41.010 --> 03:30:47.820

Kirsten Hytopoulos: The this presentation that enrolls for each item and then turn it over to whoever wants to speak, whether it's.

670

03:30:48.180 --> 03:30:58.170

Kirsten Hytopoulos: Customer car or the Council members, if one of the planning Commissioners wants to speak up with that work for us, so we can tackle this item 1234 making sure that everybody has heard as we go.

671

03:30:58.470 --> 03:31:02.610

Kirsten Hytopoulos: If that weren't that great that would be the assumption okay great.

672

03:31:07.110 --> 03:31:14.730

Kirsten Hytopoulos: So did you did did heather did you uh Peter what a discuss the slide or is that sort of that's our point and we should be weighing in now on.

673

03:31:15.300 --> 03:31:27.900

Heather Wright: Excuse me get so I wasn't going to describe this slide so allow time for people to converse just so it's clear the Green is what was recommended from staff and adopted and we're in and be as an option to consider, as well as others.

674

03:31:28.530 --> 03:31:44.790

Peter Best (COBI): Maybe just one clarification on option B, which would be that you know new substantive amendments at this point in time, in a periodic review would probably need to be done through a separate amendment process, given the timeline for the mandatory work of the periodic review.

675

03:31:46.080 --> 03:31:55.950

Kirsten Hytopoulos: Cancer if Andrew Johnson think you've had your hand up, I think he was left over, did you did you want to speak with leftover Okay, I think councilmember car is next.

676

03:31:59.070 --> 03:32:00.420

Christy Carr: Thank you um.

677

03:32:01.680 --> 03:32:04.350

Christy Carr: I don't like option A or B actually.

678

03:32:05.370 --> 03:32:06.510

Christy Carr: And i'll tell you why.

679

03:32:07.680 --> 03:32:08.970

Christy Carr: Because I think that.

680

03:32:11.100 --> 03:32:19.110

Christy Carr: The public and the planning Commission anticipated that the periodic review would look very differently than what we're doing right now.

681

03:32:20.340 --> 03:32:31.560

Christy Carr: And I think that the first process option A and B really those really aren't our options, from my perspective, I don't think it's an either or, but I do think that.

682

03:32:33.210 --> 03:32:52.590

Christy Carr: The planning Commission and the public and staff did a lot of work leading up to the first public participation plan for the periodic review and we built a lot of trust with shoreline property owners and the broader public during that work and to to not to not move forward.

683

03:32:54.390 --> 03:32:55.410

Christy Carr: I think.

684

03:32:56.520 --> 03:33:07.920

Christy Carr: will be us not learning lessons that we have learned over and over again with the SNP I think that.

685

03:33:08.490 --> 03:33:20.040

Christy Carr: it's not a good process to have a draft staff baseline SMP presented effectively to the public and the Council and the planning Commission and ecology, at the same time.

686

03:33:20.370 --> 03:33:32.070

Christy Carr: We know the other issues are going to come up I don't think that we want to be on our back foot waiting to hear those I think we should put our best foot forward and create a draft SMP that we think has.

687

03:33:32.700 --> 03:33:40.890

Christy Carr: has some legs, if you will, and have some agreement in terms of what what should be in it, and what should be addressed, I.

688

03:33:42.300 --> 03:33:47.880

Christy Carr: You know, obviously had a lot of familiarity with this topic and and.

689

03:33:50.010 --> 03:33:54.450

Christy Carr: And I acknowledged that I haven't been in City Hall, since mid.

690

03:33:55.980 --> 03:34:00.360

Christy Carr: But I don't think that the topics that we discussed.

691

03:34:01.620 --> 03:34:09.240

Christy Carr: During that time have changed all that much, I think that what i've heard from people who have participated in the focus group that.

692

03:34:09.660 --> 03:34:17.100

Christy Carr: That that wasn't really sufficient public comment, so I don't think we've heard from the public, I don't think we've heard from the planning Commission.

693

03:34:17.520 --> 03:34:24.900

Christy Carr: And I think that we need to because, again, we need to learn our lessons about the SNP because we need to do this out in the open.

694

03:34:25.260 --> 03:34:32.910

Christy Carr: With the public with the shoreline property owners with the planning Commission at planning Commission meetings so in terms of.

695

03:34:33.780 --> 03:34:41.640

Christy Carr: And we'll get to process at the end question number four but in terms of what's called process options here, which I think is really scope.

696

03:34:42.150 --> 03:34:58.350

Christy Carr: I would like to encourage the Council to go back to our original public participation plan and work plan and incorporate those review topics and go back to the original what was an amendment that then became guiding themes for the periodic review and.

697

03:35:00.090 --> 03:35:10.080

Christy Carr: So what I would like to see is an option C for this question and that's to direct staff to address review topics and the original public participation plan from.

698

03:35:11.760 --> 03:35:15.090

Christy Carr: and guiding themes for the SNP amendment as presented in.

699

03:35:17.100 --> 03:35:22.380

Christy Carr: In a staff memo amending the topics as needed based on planning Commission and public input.

700

03:35:23.100 --> 03:35:37.620

Christy Carr: Direct staff to revise the SNP for clarity and readability when addressing these topics and previously identified legal issues will only be addressed if brought up as public comment during the course of the periodic review process that is not separately or specifically.

701

03:35:41.460 --> 03:35:42.180

Kirsten Hytopoulos: Is that emotion.

702

03:35:43.440 --> 03:35:44.280

Kirsten Hytopoulos: So that sentence sounds like.

703

03:35:45.480 --> 03:35:46.200

Kirsten Hytopoulos: recommendation.

704

03:35:47.760 --> 03:35:49.800

Christy Carr: So moved okay.

705

03:35:51.150 --> 03:35:55.260

Kirsten Hytopoulos: Okay, and that was seconded by the mayor Council member Schneider.

706

03:35:57.000 --> 03:36:02.400

Leslie Schneider: Thank you i'm wondering if there is maybe i'm.

707

03:36:03.480 --> 03:36:08.670

Leslie Schneider: kind of a misperception or a disconnect on what's being proposed.

708

03:36:10.290 --> 03:36:18.960

Leslie Schneider: What if I mean what the way I think I see this and i've I had a conversation earlier today, in fact.

709

03:36:21.030 --> 03:36:29.730

Leslie Schneider: In the simplification and the clarification and the consistency that the that the SNP is going through now.

710

03:36:31.380 --> 03:36:39.840

Leslie Schneider: it's my understanding that that may in fact address issues from the from the prison.

711

03:36:40.680 --> 03:36:57.360

Leslie Schneider: efforts over the years and, if they don't, then it will become clearer what those remaining issues still are so I guess my, I would like to advocate for letting staff move forward with the clarification you know coming up with this new baseline draft.

712

03:36:58.440 --> 03:37:02.100

Leslie Schneider: And it's my understanding that the public participation in fact.

713

03:37:03.900 --> 03:37:17.430

Leslie Schneider: is pretty much what was recommended before, but the timing has changed on it, so there is no, there is no removal of public participation there's just a shift in it, so that the public participation can be on the.

714

03:37:18.540 --> 03:37:32.400

Leslie Schneider: The baseline draft itself, instead of prior to that which then you know leaves everything up in the air, because you don't know what a new clarified simplified version would be.

715

03:37:33.600 --> 03:37:51.660

Leslie Schneider: Anyway, so the, the bottom line of what i'm asking for, or whatever is to let staff move forward with this simplified version, and then we pick it up, from that point and start hacking away at it and saying, well, we want this and we don't want that Thank you okay.

716

03:37:53.040 --> 03:37:56.190

Kirsten Hytopoulos: Peter did you want to add something to this what's the race.

717

03:37:56.550 --> 03:37:58.320

Peter Best (COBI): Yes, thank you so um.

718

03:37:59.370 --> 03:38:02.640

Peter Best (COBI): I think, maybe there has been some.

719

03:38:03.840 --> 03:38:21.930

Peter Best (COBI): misunderstandings about what staffs scope is so the I totally support the motion that councilmember car just put forward that's my understanding of what our directive is that the the scope of work, the the table that was attached to the.

720

03:38:22.950 --> 03:38:36.180

Peter Best (COBI): Public participation plan well not published in detail and the updated version was is was and is something that I am working from as I, as I develop drafts.

721

03:38:36.990 --> 03:38:49.350

Peter Best (COBI): And the guiding themes, given that numbers one and two are already completed and number seven, this is the January 2018 memo that councilmember car was referring to.

722

03:38:50.070 --> 03:38:58.020

Peter Best (COBI): number seven is the substantive issues that staff is not recommending any changes on but that might come up during the process.

723

03:38:58.740 --> 03:39:09.420

Peter Best (COBI): that's our understanding as well proceeding on these amendments so having heard what I what I just heard, I think we're on the same page and just had, maybe some miscommunication.

724

03:39:11.370 --> 03:39:12.420

Kirsten Hytopoulos: That sounds in the Republic.

725

03:39:14.010 --> 03:39:27.840

Michael Pollock: So yeah I just want to get clear, first of all, I just want to thank my colleague councilmember card for the hard work that you put into developing your email it's really helpful and I just appreciate the work.

726

03:39:29.040 --> 03:39:30.300

Michael Pollock: It makes my job.

727

03:39:31.680 --> 03:39:32.760

considerably easier.

728

03:39:33.930 --> 03:39:46.110

Michael Pollock: As terms of the motion, though, you have for recommendations and your email one process option to the aquaculture minute three sea level rise and for joint review process.

729

03:39:47.040 --> 03:40:05.130

Michael Pollock: Is your motion to recommend these actions all four of them are you wanting to go through them one, at a time, or I guess I just like clarity, because I, I would be i'll just be clear, I would be happy to hear emotion, to move forward on all four of them.

730

03:40:06.690 --> 03:40:11.310

Michael Pollock: And would support that so I can I get clarity from the on that please.

731

03:40:12.090 --> 03:40:12.780

Kirsten Hytopoulos: get some bigger.

732

03:40:14.760 --> 03:40:23.160

Christy Carr: yeah sure I thank you councilmember pollock my understanding from the Deputy Mayor, is that we were going to go through each of these, one by one.

733

03:40:24.960 --> 03:40:32.190

Christy Carr: So that we all have an opportunity to participate in the discussion so I guess at this point my.

734

03:40:33.930 --> 03:40:39.840

Christy Carr: My approach would be as part of my contribution to the discussion would just be to make a motion.

735

03:40:42.120 --> 03:40:44.640

Christy Carr: On on each one okay.

736

03:40:44.760 --> 03:40:49.320

Michael Pollock: So we're going to debate and discuss all for these one, at a time that's that's.

737

03:40:51.090 --> 03:41:00.360

Christy Carr: What yeah I mean I think that's the way that staff set up the discussion was to get our get our feedback get the full Councils feedback on each of these four topics.

738

03:41:02.040 --> 03:41:09.060

Kirsten Hytopoulos: So and it's also, of course, allows the public to understand what we're doing it allows us to have different opinions potentially on different on different points so.

739

03:41:10.140 --> 03:41:11.430

Kirsten Hytopoulos: Hopefully we can I know which.

740

03:41:11.640 --> 03:41:22.230

Michael Pollock: are just for the record and i'll just record I support all four of these as outlined in the email and that's going to be on the comments i'm going to be making on it.

741

03:41:24.060 --> 03:41:26.280

Kirsten Hytopoulos: I think next up is councilmember deeds.

742

03:41:27.240 --> 03:41:40.290

Joe Deets: Thank you, Deputy Mayor and First, I will echo my thanks to councilmember car to doing the work, as well as the work done by staff so a lot of folks have been putting in a lot of work in this, so thank you all and.

743

03:41:42.330 --> 03:41:47.310

Joe Deets: One thing I haven't asked calcium or car can you repeat the motion.

744

03:41:48.570 --> 03:41:56.970

Joe Deets: Because I was listening, but since I don't have your memo in front of me just like to hear it and plus you know I think it's good for the public beer to.

745

03:42:03.120 --> 03:42:04.140

Christy Carr: yeah I can do that.

746

03:42:06.030 --> 03:42:12.240

Christy Carr: I moved to direct staff to address review topics in the original public participation plan from.

747

03:42:13.620 --> 03:42:25.020

Christy Carr: And the guiding themes for an SMP amendment as presented in the staff memo amending topics as needed based on planning Commission and public input.

748

03:42:27.570 --> 03:42:43.320

Christy Carr: And to direct staff to revise the SNP for clarity and readability when addressing these topics previously identified legal issues will only be addressed if brought up as public comment during the course of the periodic review process that is not separately or specifically.

749

03:42:46.140 --> 03:42:48.780

Kirsten Hytopoulos: Okay councilmember pantry Johnson.

750

03:42:49.680 --> 03:42:50.940

Brenda Fantroy-Johnson: um I was going to call it the vote.

751

03:42:52.980 --> 03:42:58.710

Kirsten Hytopoulos: Okay, so all those in favor of the motion on the floor, please say Aye.

752

03:43:00.000 --> 03:43:11.760

Kirsten Hytopoulos: Aye host looks like that carries me honestly um I would love to before we take a vote, if possible, and probably just not an issue here, but would be nice to just check in with.

753

03:43:12.630 --> 03:43:27.000

Kirsten Hytopoulos: The planning Commission chair, maybe he's here, and he should somebody to add at the end of our discussion that's okay before we call the question just the thought i'm so ready to move on to the next item, Peter did you want to speak to anything before we move to the next decision point.

754

03:43:27.090 --> 03:43:43.500

Peter Best (COBI): yeah just just one clarification, I believe, the answer is yes, but just to confirm with Commission Council member car that when you talk about not the legal issues, I just wanted specifically reference attachment six in the packet, which is the settlement.

755

03:43:44.880 --> 03:43:49.890

Peter Best (COBI): Discussion list that that was not included in your emotion Is that correct.

756

03:43:55.950 --> 03:43:59.040

Christy Carr: Correct My point is is that we're the way that.

757

03:43:59.460 --> 03:44:16.680

Christy Carr: The options were set presented to us, were the legal issues of prism which I believe we're in that matrix included in the agenda packet so My point is that we're not going to use that list as a guide or a roadmap to the periodic review okay.

758

03:44:16.770 --> 03:44:20.400

Peter Best (COBI): that's my understanding, I just wanted to make sure that that was clear, thank you.

759

03:44:21.630 --> 03:44:26.160

Peter Best (COBI): So yeah we'll move on to the next item.

760

03:44:35.490 --> 03:44:45.120

Peter Best (COBI): Okay, so the next item number two is agriculture and the department's currently working with an understanding of Councils directive.

761

03:44:45.720 --> 03:44:57.030

Peter Best (COBI): Being from resolution 2020 dash 16, which was the resolution to withdraw the previous agriculture amendment from ecologies review and directing the department to.

762

03:44:58.200 --> 03:45:07.200

Peter Best (COBI): develop an amendment that's compliant with destroying Management Act in with the pierce county SMP ruling through the periodic review process.

763

03:45:08.070 --> 03:45:21.330

Peter Best (COBI): And will not explicitly stated in the directive, but implied as part of the periodic review processes that that is now subject to new ideas from technical policy and in the public review process.

764

03:45:22.590 --> 03:45:28.320

Peter Best (COBI): So the issue is that we've received some comments indicating disagreement with our current approach.

765

03:45:29.430 --> 03:45:45.900

Peter Best (COBI): And we're seeking counsel directive, and we have limited resources to do new work, such as gathering news science or technical information I think that's probably a valuable bit of information in this discussion.

766

03:45:47.460 --> 03:45:55.590

Peter Best (COBI): There are two alternatives are really three alternatives that are being presented to counsel in an attachment number.

767

03:45:58.530 --> 03:46:03.360

Peter Best (COBI): Is it number nine but i'll highlight a few things so.

768

03:46:04.590 --> 03:46:12.810

Peter Best (COBI): that the staff research and some of our discussions with the stakeholder focus group, our agency coordination group and from our survey work.

769

03:46:15.000 --> 03:46:22.980

Peter Best (COBI): has indicated that that there may be some other approaches that we could work on to get to the same objectives.

770

03:46:24.210 --> 03:46:34.680

Peter Best (COBI): And that that need lesser known technical review and specifically address issues raised in the pierce county SMP decision so.

771

03:46:35.880 --> 03:46:45.270

Peter Best (COBI): there's a couple of of showing management policy related things that I thought would be helpful for you to understand, without getting into a lot of weeds.

772

03:46:45.600 --> 03:46:53.910

Peter Best (COBI): But there's there's two important structures to the trolling Management Act, one is that there is a hierarchy of preferred uses for shorelines.

773

03:46:54.960 --> 03:47:12.390

Peter Best (COBI): The first is protecting and restoring ecological functions that's that's the highest prefer to use in shorelines The second is water dependent and associated water related uses for context single family residences are number five in the list.

774

03:47:14.070 --> 03:47:33.180

Peter Best (COBI): The other policy context is the step the Statute actually states to us, whose interests, the SNP can consider in web parts of shoreline jurisdiction, so the top of this tables and tended to indicate that statewide interests, and those are not.

775

03:47:34.410 --> 03:47:45.600

Peter Best (COBI): articulated in the Act, except for a few particular instances and aquaculture is one of them statewide interests are the only interest we can consider in our offshore areas.

776

03:47:47.460 --> 03:47:55.230

Peter Best (COBI): In our upland areas in our intertidal areas we can find a balance between local interest and statewide interest, but we need to consider both.

777

03:47:55.860 --> 03:48:13.050

Peter Best (COBI): So that's an important context to hope that both of these are helpful for this discussion so some related interests, for example, that fall under the highest priority use of protecting restoring ecological functions, including includes critical areas.

778

03:48:14.130 --> 03:48:24.570

Peter Best (COBI): Species recovery and there's a number of state adopted and federally adopted recovery plans that are relevant to bainbridge island, including kill rock fish salmon and orca.

779

03:48:25.680 --> 03:48:28.800

Peter Best (COBI): Right and climate change mitigation and marine water quality.

780

03:48:30.000 --> 03:48:39.030

Peter Best (COBI): These issues include blue carbon with cart, which is a marine carbon sequestration ocean acidification buffering and nutrient reduction.

781

03:48:40.050 --> 03:48:42.480

Peter Best (COBI): So those are those are issues that are.

782

03:48:44.340 --> 03:48:49.260

Peter Best (COBI): Of statewide interest but also reflect the adopted policies and programs that the city has.

783

03:48:50.880 --> 03:48:53.550

Peter Best (COBI): And then under the second category water dependent.

784

03:48:54.690 --> 03:49:04.020

Peter Best (COBI): Some examples include recreation and sense of place i'm pulling some puget sound recovery indicators from the puget sound partnership and the.

785

03:49:05.220 --> 03:49:15.990

Peter Best (COBI): puget sound recovery plan that that I worked on in a previous position so some examples of that include shellfish gardens and wild harvest of shellfish, for example.

786

03:49:16.710 --> 03:49:29.610

Peter Best (COBI): Cultural well being is also another indicator of recovery, and that includes our neighbors the squamish tribe and culturally significant foods are sites that are located around bainbridge island.

787

03:49:30.510 --> 03:49:37.830

Peter Best (COBI): As well as navigation and other know anchor areas that that might affect where agriculture could be related.

788

03:49:39.420 --> 03:49:49.800

Peter Best (COBI): And, and then for commercial agriculture, our work does indicate that there's some local interest for that, but not significant local interest for.

789

03:49:50.250 --> 03:49:59.190

Peter Best (COBI): Commercial agriculture, and it is officially adopted in in state whack that it is a statewide interest, so we didn't need to be aware of that.

790

03:49:59.700 --> 03:50:11.520

Peter Best (COBI): and ecology and its last review clearly articulated to us that are SMP needs to recognize and provide reasonable accommodation for agriculture, but that does include all types of agriculture.

791

03:50:13.230 --> 03:50:23.100

Peter Best (COBI): So an example, some quick examples of some of the geographic context to the alternatives that are outlined in your packet.

792

03:50:23.670 --> 03:50:34.950

Peter Best (COBI): So in red on this map is a 1500 foot setback, which was adopted in the 2016 amendment and would be included, also in the staffs recommended recommended alternative number one.

793

03:50:36.000 --> 03:50:50.760

Peter Best (COBI): That is for offshore agriculture to be located 1500 feet offshore and primarily to reduce a nuisance impacts on other uses in the shoreline there's other benefits as well.

794

03:50:52.200 --> 03:51:01.020

Peter Best (COBI): In addition to that alternative number one would propose creep designating bulk help restoration reserves.

795

03:51:02.160 --> 03:51:09.660

Peter Best (COBI): In brown on this map or you know, a cartoon drawing and I apologize because we're we're still in development on this, but.

796

03:51:10.890 --> 03:51:15.690

Peter Best (COBI): indicates where historic bulk help habitat has been mapped since the turn of the last century.

797

03:51:16.860 --> 03:51:27.810

Peter Best (COBI): On bainbridge island and so these areas as proposed would be designated priority aquatic areas and reserved for bulk health restoration.

798

03:51:28.320 --> 03:51:42.270

Peter Best (COBI): And bainbridge island, it has a unique local conditions for this, because we have some of the most exposed most the greatest amount of exposed bedrock habitat and central puget sound we have good documentation of this historic habitat.

799

03:51:43.440 --> 03:51:53.820

Peter Best (COBI): The nonprofit organization and the agencies that are pioneering bulk up restoration are located on bainbridge island and have a.

800

03:51:54.300 --> 03:52:05.700

Peter Best (COBI): Research facility in Manchester right across rich passage, so we are uniquely located, to be able to support this, and the reason, this is relevant to agriculture is two things one.

801

03:52:06.810 --> 03:52:23.610

Peter Best (COBI): Bulk up restoration you utilizes agriculture equipment and techniques and so technically fall under the umbrella of aquaculture into reserving these areas would restrict other types of incompatible aquaculture from those priority aquatic areas.

802

03:52:25.200 --> 03:52:37.740

Peter Best (COBI): And third, another area that would be designated or any federal state or local marine protected areas there's currently one on bainbridge island and that's the orchard rocks conservation area in the passage.

803

03:52:39.450 --> 03:52:52.050

Peter Best (COBI): In addition, and again another cartoon map I apologize for for this, but all the colored areas represent navigation channels very routes undersea cable areas or other restricted areas where.

804

03:52:52.770 --> 03:52:59.640

Peter Best (COBI): For example, offshore agriculture would not be allowed, because of anchorage or navigational issues so.

805

03:53:00.660 --> 03:53:06.000

Peter Best (COBI): You can start to see that as you overlay all these areas, there is a significant amount of.

806

03:53:08.010 --> 03:53:12.990

Peter Best (COBI): Other priority activities that need to be accommodated right and so.

807

03:53:14.100 --> 03:53:19.650

Peter Best (COBI): You can start to see where there may be limited opportunities for offshore agriculture.

808

03:53:21.810 --> 03:53:31.590

Peter Best (COBI): So just quickly to summarize around commercial agriculture, because I know that's a really significant consideration for the Council and the Community the three alternatives are listed here.

809

03:53:32.250 --> 03:53:43.380

Peter Best (COBI): Alternative one is a staff recommendation alternative to would be the existing amendment but with revisions to make it compliant with the pierce county decision, for example.

810

03:53:44.100 --> 03:53:51.510

Peter Best (COBI): In alternative three is just the existing SMP right if the Council decides that we're we're done with working on agriculture we're just going to live with what we have.

811

03:53:52.080 --> 03:54:01.770

Peter Best (COBI): that's alternative three so you know what our current program has so we would be retaining as much of the 2016 amendment as possible, and both of the.

812

03:54:02.910 --> 03:54:04.260

Peter Best (COBI): Alternative ones into.

813

03:54:05.940 --> 03:54:08.880

Peter Best (COBI): None of them would prohibit commercial aka culture.

814

03:54:10.050 --> 03:54:11.130

Peter Best (COBI): But there would be.

815

03:54:12.540 --> 03:54:20.910

Peter Best (COBI): A geographic restrictions as we just talked about with alternative one providing the most geographic restrictions of the alternatives.

816

03:54:22.950 --> 03:54:35.490

Peter Best (COBI): Regarding the existing fish farm enrich passage both alternative one and two would make that a non conforming use, but what allow replacement under the recent non conforming amendment.

817

03:54:36.480 --> 03:54:44.100

Peter Best (COBI): And it is allowed under the current SMP and then, as far as emphasizing encouraging the non commercial agriculture.

818

03:54:44.490 --> 03:54:59.460

Peter Best (COBI): Alternative one would emphasize that the most to try to pursue objectives around habitat restoration species recovery and climate change mitigation alternative to would actually be the least because it would not support kelp.

819

03:55:03.840 --> 03:55:06.840

Peter Best (COBI): kelp restoration using aquaculture techniques.

820

03:55:08.730 --> 03:55:19.380

Peter Best (COBI): So that's a quick summary of those and, as far as options go a is the alternative one, the staff recommendation, he is the alternative to which would be the.

821

03:55:20.280 --> 03:55:36.360

Peter Best (COBI): Minimum revision of the 2016 amendment see is to do something different to be discussed and figured out and D, would be to do alternative three and just cease working on aquaculture and live with what we currently have in the SNP.

822

03:55:38.160 --> 03:55:44.130

Peter Best (COBI): So that's that's all that we have to present on this issue happy to answer questions and respond to any comments.

823

03:55:57.240 --> 03:55:58.530

Kirsten Hytopoulos: mute myself councilmember car.

824

03:56:00.510 --> 03:56:01.020

Christy Carr: Thank you.

825

03:56:02.700 --> 03:56:06.480

Christy Carr: um I think the 2016 limited amendment.

826

03:56:08.430 --> 03:56:09.090

Christy Carr: provided.

827

03:56:10.380 --> 03:56:16.620

Christy Carr: policy direction related to the balance of statewide and local interest, I think it was articulated fairly well.

828

03:56:18.060 --> 03:56:23.100

Christy Carr: The growth management hearings for a decision from pierce county referring to preferred uses.

829

03:56:23.970 --> 03:56:37.890

Christy Carr: Basically, said that we have to use science and we knew that then, and we still know that now, and so we can't do a balancing act as a matter of policy, but we have to have scientific and technical information to support the amendments.

830

03:56:39.180 --> 03:56:42.360

Christy Carr: That were in the 2016 limited amendment.

831

03:56:44.580 --> 03:56:49.500

Christy Carr: So I have another motion that I would like to share.

832

03:56:50.790 --> 03:56:52.200

Christy Carr: I moved to direct.

833

03:56:53.220 --> 03:56:58.530

Christy Carr: staff to move forward with incorporating the 2016 aqua culture limited amendment.

834

03:56:58.950 --> 03:57:07.560

Christy Carr: into the periodic review amending as needed to comply with the fema and guidance from ecology related to the pierce county growth management hearings board decision.

835

03:57:08.100 --> 03:57:16.800

Christy Carr: And solicit consulting professional services to provide scientific and technical information and GIS spatial analysis as needed to support proposed amendments.

836

03:57:20.850 --> 03:57:23.460

Kirsten Hytopoulos: And that is seconded by the mayor.

837

03:57:25.800 --> 03:57:28.260

Kirsten Hytopoulos: And Council over Schneider.

838

03:57:29.280 --> 03:57:35.610

Leslie Schneider: Thank you, so I guess, this question is both to councilmember car and maybe also.

839

03:57:37.290 --> 03:57:44.880

Leslie Schneider: To staff with regards to councilmember car with regards to your 2016 agriculture.

840

03:57:46.200 --> 03:58:01.260

Leslie Schneider: Amendment work would would that preclude some of the Agriculture techniques, for that would be used in the bulk help restoration that we've been listening to.

841

03:58:02.370 --> 03:58:19.170

Leslie Schneider: Or would those be compatible I guess i'm just trying to process that opportunity of that restoration and and how you feel that does or doesn't fit in with with the 2016 version of the aqua culture and then.

842

03:58:24.420 --> 03:58:25.770

Kirsten Hytopoulos: He also recorded, you will respond.

843

03:58:26.490 --> 03:58:38.580

Christy Carr: yeah and Peter can help me out with this, I think that will help restoration is allowed right now with our current SNP I don't think that we need to have a have a periodic review to allow that to happen so yes so compatible.

844

03:58:40.680 --> 03:58:51.210

Peter Best (COBI): The only clarification out providers yes woke up restoration will be allowed under current SMP under the 2016 amendment I don't believe it wouldn't, be it limited.

845

03:58:52.620 --> 03:59:03.780

Peter Best (COBI): Most aquaculture activity to shellfish and I believe offshore was specifically limited to shellfish in fin fish, so there would have to be substantive revisions which.

846

03:59:04.710 --> 03:59:17.670

Peter Best (COBI): We would need you know further time and policy direction to to work to work on, if that were the case, which I think then gets us into more of alternative one once once we go there.

847

03:59:19.680 --> 03:59:32.580

Kirsten Hytopoulos: guys have a clarifying question, so what you were saying a moment ago councilmember car were you saying that, regardless of which route we go, we will need to be able to argue the science so either any of these or you're saying that.

848

03:59:33.090 --> 03:59:40.110

Kirsten Hytopoulos: Can you help understand us understand that what we need to do the similar similar studies that you're requesting regardless.

849

03:59:42.090 --> 03:59:42.510

Kirsten Hytopoulos: And Peter.

850

03:59:42.900 --> 03:59:56.880

Christy Carr: My understanding from stops current work plan is that they're not proposing to solicit any professional services for outside consulting to gather scientific and technical information to justify.

851

03:59:57.330 --> 04:00:07.650

Christy Carr: Our proposed amendments, while we heard throughout the entire limited amendment process was that we needed more scientific and technical information to support our amendments.

852

04:00:08.190 --> 04:00:16.470

Christy Carr: we've heard that we've known that all along and the intent was to roll it into the periodic review, so that we would have the time to have that information.

853

04:00:16.890 --> 04:00:32.550

Christy Carr: To support our revisions and again the growth management hearings for decision didn't say this isn't approvable it said that you need scientific and technical justification so that's what i'm proposing that we do that's what I thought we were doing that's what I thought, our.

854

04:00:34.410 --> 04:00:41.220

Christy Carr: Budget allowance for the SNP was going to be used for but it wasn't so.

855

04:00:42.420 --> 04:00:57.750

Christy Carr: I think that if if we want to push forward but 2016 limit amendment which has been previous canceled direction over and over and over again, we need scientific and technical information to justify those amendments.

856

04:01:00.210 --> 04:01:01.680

Kirsten Hytopoulos: Peter did you want to follow up.

857

04:01:01.980 --> 04:01:08.550

Peter Best (COBI): yeah so i'll leave the budget issue to director right, but what I wanted to say was.

858

04:01:09.810 --> 04:01:20.160

Peter Best (COBI): I have consulted with ecology staff about the alternative one approach and they're supportive of it, they think that it would be compliant with the shoreline Management Act.

859

04:01:21.420 --> 04:01:31.200

Peter Best (COBI): Our intention and the approaches is largely based on an analysis of the pierce county decision and an understanding that we don't have resources to do.

860

04:01:31.620 --> 04:01:44.850

Peter Best (COBI): technical work, so instead of kind of attacking some of those technical issues head on this alternative is taking a 10 gentle approach that does seem to have supportive ecology so.

861

04:01:46.110 --> 04:01:54.690

Peter Best (COBI): In they're not mutually exclusive right we're we're intending to carry over as much of the 2016 amendment as as we can.

862

04:01:57.270 --> 04:02:06.870

Peter Best (COBI): And that's most of it, but this would be adding on and taking a this for lack of a better term tangential approach to some of the geographic.

863

04:02:08.160 --> 04:02:10.890

Peter Best (COBI): Issues that seem important.

864

04:02:11.730 --> 04:02:14.250

Kirsten Hytopoulos: director right did you want to add some more information here.

865

04:02:15.240 --> 04:02:25.320

Heather Wright: Yes, please, thank you, I wanna I completely agree with councilmember car and that to complete the 2016 amendment, we would need dollars for the scientific and technical.

866

04:02:26.190 --> 04:02:29.730

Heather Wright: expert advice and, as far as the budget is concerned.

867

04:02:30.690 --> 04:02:36.030

Heather Wright: The there are some miss I think information about the grant that we received from ecology, that I wanted to.

868

04:02:36.330 --> 04:02:41.640

Heather Wright: clarify with Council we did receive a grant that is specific to public participation.

869

04:02:41.940 --> 04:02:52.770

Heather Wright: So the money is that we've received to date, we could not use towards the aquaculture amendment, and we do not currently in our budget have money for that scientific and technical.

870

04:02:53.190 --> 04:03:03.690

Heather Wright: advice that we would need to support the 2016 amendment, and so what we've done Peter, in particular, with his expertise and with the focus groups.

871

04:03:04.230 --> 04:03:10.050

Heather Wright: and looking at aquaculture with this fresh lens as crafted a way to basically get the same result.

872

04:03:10.380 --> 04:03:17.250

Heather Wright: without having to get that outside expertise that we don't currently have, nor do we have the money is allocated towards.

873

04:03:17.670 --> 04:03:23.670

Heather Wright: And the focus on it is on restoration and enhancement, that is bainbridge island specific.

874

04:03:24.480 --> 04:03:34.290

Heather Wright: That uses a different lens like I said to essentially get the same result so um we were wanting to try this and see if Council would be supportive.

875

04:03:34.680 --> 04:03:43.920

Heather Wright: Of essentially the same, but without the scientific and technical because Council requires correct if we were to go that route, with 2016 We absolutely need that.

876

04:03:44.580 --> 04:03:53.370

Heather Wright: And the amount that we would need would be probably between 50 to 75,000 potentially is the range that we originally asked for.

877

04:03:53.670 --> 04:04:05.970

Heather Wright: And the 20 I think in 2019 we had allocated in our budget but due to Kobe we cut back some of those monies and then it wasn't re entered into the conversation for 2021 22 budget so.

878

04:04:06.630 --> 04:04:13.590

Heather Wright: There was a potential pot of money, but that that money is not currently available without Councils direction and drupal.

879

04:04:15.210 --> 04:04:16.230

Kirsten Hytopoulos: councilmember Schneider.

880

04:04:19.950 --> 04:04:20.490

Leslie Schneider: Thank you.

881

04:04:21.810 --> 04:04:36.360

Leslie Schneider: I know that there's emotion in a second on the floor so i'm not quite sure how to process or how to fit that in with what i'm going to say next but I guess I am curious and would love to know from staff, how much of the.

882

04:04:38.580 --> 04:04:45.300

Leslie Schneider: Agriculture amendment could be supported by your staff recommendation and what would not be supported.

883

04:04:46.470 --> 04:04:47.460

Leslie Schneider: In other words, I just.

884

04:04:48.720 --> 04:04:52.440

Leslie Schneider: it'd be nice to get a little bit of a finer.

885

04:04:53.550 --> 04:05:07.620

Leslie Schneider: Understanding, so that we so that we, and maybe specifically councilmember car could see what's at stake here right what pieces of that 2016 would know couldn't would not be supported.

886

04:05:09.300 --> 04:05:16.530

Leslie Schneider: And therefore, like how much of the coastline of bainbridge island would be there for.

887

04:05:18.390 --> 04:05:27.840

Leslie Schneider: at risk, any what what we size that there's some compelling evidence that we're going to be able to protect and restore a huge amount of our shoreline but.

888

04:05:29.040 --> 04:05:35.340

Leslie Schneider: But not everywhere, and so I guess, I would like to understand with councilmember car.

889

04:05:36.630 --> 04:05:45.300

Leslie Schneider: What these trade offs are does that make sense, and so I don't know if there's a friendly amendment to be made to Council member cars.

890

04:05:48.090 --> 04:05:53.700

Leslie Schneider: motion to direct staff to come back with.

891

04:05:57.960 --> 04:06:05.880

Leslie Schneider: sort of a venn diagram of what's in and what's not in on those 26 teen amendments.

892

04:06:06.960 --> 04:06:12.300

Leslie Schneider: If, on the the staff side of things i'm sorry it's getting late.

893

04:06:13.830 --> 04:06:17.040

Kirsten Hytopoulos: So you'd like you'd like more clarity on what's lost.

894

04:06:17.160 --> 04:06:17.880

Leslie Schneider: If new.

895

04:06:18.000 --> 04:06:19.950

Kirsten Hytopoulos: go with the 2016 amendment.

896

04:06:20.370 --> 04:06:22.680

Leslie Schneider: Now I couldn't I just just sit back, thank you.

897

04:06:23.880 --> 04:06:24.180

Kirsten Hytopoulos: um.

898

04:06:24.570 --> 04:06:25.770

Kirsten Hytopoulos: And mayor.

899

04:06:28.470 --> 04:06:31.410

Rasham Nassar: i'm happy to let Peter answer that question.

900

04:06:32.310 --> 04:06:40.800

Peter Best (COBI): yeah so maybe just one clarification would be what what topics could not move forward without the additional technical or scientific support right so.

901

04:06:41.130 --> 04:06:52.590

Peter Best (COBI): So it's not that as as councilmember car said it's not that those are categorically inconsistent with the shoreline Management Act, but that they were deemed so without sufficient.

902

04:06:53.100 --> 04:07:09.030

Peter Best (COBI): Support to justify them, but I think the the, the fundamental question of identifying what what would have to be removed, to make it compliant without that additional information, we would be happy to provide that I think it's a great great bit of information, we can provide.

903

04:07:11.040 --> 04:07:11.460

Kirsten Hytopoulos: mayor.

904

04:07:12.420 --> 04:07:17.820

Rasham Nassar: yeah just real quick, are we on a deadline for this there's some sense of urgency.

905

04:07:18.870 --> 04:07:20.280

Rasham Nassar: Here that.

906

04:07:20.310 --> 04:07:33.330

Peter Best (COBI): There is ecology is renowned for being flexible and its deadlines in our current process will will shoot past our our deadline of June.

907

04:07:35.400 --> 04:07:43.170

Peter Best (COBI): But we do need to be mindful that there are mandatory elements of the periodic review that we do need to in good faith, keep moving forward on.

908

04:07:43.740 --> 04:07:58.320

Peter Best (COBI): And so you'll see and many of these are several of these alternatives and options that you have tonight include spinning off a more extensive amendment to its own process so that we don't hold up those mandatory pieces.

909

04:07:59.850 --> 04:08:02.100

Rasham Nassar: Okay, so do you have a date.

910

04:08:03.180 --> 04:08:06.180

Peter Best (COBI): June 30 2021 is our deadline.

911

04:08:06.420 --> 04:08:16.890

Rasham Nassar: Okay, so that's great thanks so it's 939 40 we have another agenda item on this is clearly a very complicated and dense subject matter.

912

04:08:17.370 --> 04:08:34.260

Rasham Nassar: I'm going to propose that we conclude this there's emotion on the floor it's been second tip and then my I'm going following that I would like us to consider postponing this this discussion, the remainder two sections for the next for the next to the next study session.

913

04:08:36.810 --> 04:08:38.370

Kirsten Hytopoulos: Council want to weigh in on that.

914

04:08:42.120 --> 04:08:42.510

Brenda Fantroy-Johnson: I will.

915

04:08:42.630 --> 04:08:52.680

Kirsten Hytopoulos: I will say that my feeling is that you know we're responsible for having hour and a half, plus long executive sessions, for one thing, and we need to finish our work would be my position.

916

04:08:52.980 --> 04:08:58.920

Kirsten Hytopoulos: But, more importantly, I think we have a little momentum going right here that we won't be able to recreate easily we got an overview.

917

04:08:59.280 --> 04:09:08.850

Kirsten Hytopoulos: This is an easy for a lot of us are experts, like the planners in the room, and so I feel like we kind of have this understand we're going we have for decision points, it seems pretty clean.

918

04:09:09.330 --> 04:09:18.270

Kirsten Hytopoulos: And so I as much as I would love to call it, and I I don't think we should do that so that's my opinion I don't know if anybody else would like to weigh in on whether or not we want to.

919

04:09:19.290 --> 04:09:25.590

Kirsten Hytopoulos: move this item on the agenda tonight um so next up would be a counselor country Johnson yeah I.

920

04:09:25.620 --> 04:09:29.700

Brenda Fantroy-Johnson: Think my michaels off, so I think you heard me I support that okay.

921

04:09:33.600 --> 04:09:36.420

Kirsten Hytopoulos: anybody else councilmember deeds.

922

04:09:37.140 --> 04:09:46.770

Joe Deets: uh yeah I like us to try and plow through I know it's late folks but that's why we get paid the big bucks right so let's get through this.

923

04:09:47.940 --> 04:09:54.510

Joe Deets: I am curious you know it seems like we're we're really in agreement with what we want to accomplish it's it's.

924

04:09:55.470 --> 04:10:10.470

Joe Deets: it's that do we want to take that extra step and hire get those extra studies of you know 50 to \$75,000 which are not budgeted so that seems to be the question in some misunderstanding that.

925

04:10:12.210 --> 04:10:20.100

Joe Deets: We say go with councilmember cars recommendation her motion, then that requires us to find that money in our budget.

926

04:10:21.120 --> 04:10:26.160

Joe Deets: But it's it's really to get to the same result and if I miss reading that please correct me.

927

04:10:28.110 --> 04:10:29.070

Kirsten Hytopoulos: counseling Schneider.

928

04:10:30.720 --> 04:10:42.450

Leslie Schneider: Thank you, I support plowing through and trying to make something happen tonight, and just as an additional comment, I want to go back to the bulk help thing what I heard from staff is that.

929

04:10:43.500 --> 04:10:51.630

Leslie Schneider: The that the 2016 amendment would not allow aquaculture techniques to be used for restoration of bulk help so.

930

04:10:52.890 --> 04:10:56.490

Leslie Schneider: I guess that's kind of a pivotal piece for me.

931

04:10:57.750 --> 04:11:00.810

Leslie Schneider: And if if that can be.

932

04:11:01.950 --> 04:11:18.090

Leslie Schneider: incorporated into emotion of some kind of, and I would I would be happy to support what councilmember car has proposed, but I don't want to preclude that kind of restoration, so that that's my consideration right now.

933

04:11:20.460 --> 04:11:21.330

Kirsten Hytopoulos: kills number car.

934

04:11:22.860 --> 04:11:23.970

Christy Carr: Thanks a few things.

935

04:11:26.160 --> 04:11:37.020

Christy Carr: I think that we had we had an appeal of our s&p agriculture regulations, because people were concerned about protecting our shorelines and the health of puget sound and.

936

04:11:38.070 --> 04:11:45.780

Christy Carr: It was focused on protection it wasn't focused on restoration, so I think that we have an order of magnitude here that we can we can.

937

04:11:46.470 --> 04:11:53.910

Christy Carr: go in sequence, I would not at all suggest spinning off aka culture to a separate amendment because we already did that.

938

04:11:54.480 --> 04:12:09.600

Christy Carr: And we decided to put it into the periodic review, so I don't want to go backwards if if it makes you feel comfortable to have something specific and emotion that would allow bulk bulk help restoration i'm fine with that amendment.

939

04:12:10.860 --> 04:12:25.290

Christy Carr: And in terms of what we would lose without doing scientific and technical information, we would lose restrictions on commercial agriculture, because the College, he will not approve that.

940

04:12:25.800 --> 04:12:41.040

Christy Carr: Without it, and that was basically what we heard from the guards managing hearings board so that's what we would lose and I don't want to lose that because that's really the point of the amendments to our agriculture regulations is so.

941

04:12:43.950 --> 04:12:49.080

Christy Carr: I will, I guess, except a friendly amendment to allow for.

942

04:12:50.310 --> 04:12:52.470

Christy Carr: Both bulk help restoration.

943

04:12:54.780 --> 04:12:55.860

Christy Carr: But then, otherwise.

944

04:12:57.570 --> 04:12:58.380

Christy Carr: like to move on.

945

04:12:59.940 --> 04:13:04.260

Kirsten Hytopoulos: Okay, could you weigh in on whether you want to try to get through the remaining items after this.

946

04:13:04.410 --> 04:13:09.120

Christy Carr: I think we yeah i'm happy to do that, I will try to be very brief okay.

947

04:13:09.570 --> 04:13:14.730

Kirsten Hytopoulos: And Peter did you want to follow up on any of this to help us with the with the close up this item.

948

04:13:15.150 --> 04:13:24.420

Peter Best (COBI): yeah so i've really appreciated the conversation I think it can be an end rather than an or essentially between these two alternatives right and.

949

04:13:26.520 --> 04:13:31.530

Peter Best (COBI): yeah I don't think they're in conflict with each other, the issue is a resource issue right and so.

950

04:13:33.120 --> 04:13:46.170

Peter Best (COBI): I think if you wanted to consider essentially pursuing both that is an option, the timeline to get consultant on board and to do that work will have to look at the timeline.

951

04:13:47.520 --> 04:13:56.820

Peter Best (COBI): and see how that could work there could be there could be some some issues there but i'm happy to look at that and come back to you to see how that could how that could be made possible.

952

04:13:57.570 --> 04:14:06.510

Kirsten Hytopoulos: Could I ask a clarifying question I was wondering if I was hearing a con a conflict on aka really illegal analysis I mean it's not like maybe.

953

04:14:06.990 --> 04:14:14.130

Kirsten Hytopoulos: That what what staff is saying right now is that they believe that this that this option will allow us to avoid.

954

04:14:14.580 --> 04:14:20.610

Kirsten Hytopoulos: The same application of the requirements that we were hearing from the state about the science need to be done.

955

04:14:21.090 --> 04:14:26.370

Kirsten Hytopoulos: And so i'm just wondering if this is, I mean that's that would be one of the reasons for the beat and.

956

04:14:26.790 --> 04:14:38.970

Kirsten Hytopoulos: right would be if we could get this further develops get legal review etc and know whether there is a way to do this without the legal review that would be required for the other option, I think that's a missing piece, for me, and the reason i'm.

957

04:14:39.720 --> 04:14:45.270

Kirsten Hytopoulos: Sorry for prolonging the conversation that we're talking about 70,000 protect potential dollars 50 or \$70,000.

958

04:14:45.750 --> 04:14:52.650

Kirsten Hytopoulos: We have to find that somewhere everyone, so I just went to remember that and we have some other things coming up that we're going to have to find huge amounts of money for.

959

04:14:52.980 --> 04:15:08.130

Kirsten Hytopoulos: So is it possible that we can stay with it and keep things moving no recognize we have deadlines coming up, could we get could be either go with we can explore both of these and then get again have some legal analysis get some understands, can we avoid.

960

04:15:09.510 --> 04:15:10.350

Kirsten Hytopoulos: The cost.

961

04:15:12.000 --> 04:15:13.110

Kirsten Hytopoulos: back with more information.

962

04:15:13.170 --> 04:15:21.960

Kirsten Hytopoulos: And I guess that's partially in many ways, in large part it's directed accounts from a car, to see if there's anything in there, that you think we could find in the accommodation on.

963

04:15:27.420 --> 04:15:33.570

Christy Carr: Know i'd like to just have my emotion stand as amended and move on okay.

964

04:15:34.530 --> 04:15:41.640

Kirsten Hytopoulos: Alright, are we ready to call the question then looks like it all those in favor of the motion on the table say I.

965

04:15:42.660 --> 04:15:44.370

Christy Carr: Right okay.

966

04:15:44.400 --> 04:15:47.970

Kirsten Hytopoulos: So i'm gonna unfortunately no but it looks like it past.

967

04:15:48.180 --> 04:15:59.190

Kirsten Hytopoulos: six to one if i'm correct okay great so we're moving on to item, the third decision point, and you know I did not ask the planning, Commissioner, to weigh in.

968

04:16:00.360 --> 04:16:04.710

Kirsten Hytopoulos: Somebody helped me with that, and again I don't want to cut her out of just anything to add, of course I hope.

969

04:16:05.760 --> 04:16:09.540

Kirsten Hytopoulos: Planning Commissioner Osman you'll raise your hand definitely if you want to add anything.

970

04:16:11.370 --> 04:16:12.780

Kirsten Hytopoulos: um okay.

971

04:16:13.230 --> 04:16:23.070

Peter Best (COBI): Okay, thank you so issue number three is the sea level rise amendment, and this is specifically focused on the risk of flooding, rather than erosion.

972

04:16:24.450 --> 04:16:27.270

Peter Best (COBI): And that was written into the the.

973

04:16:28.830 --> 04:16:32.520

Peter Best (COBI): Public participation plan work plan, it was also mentioned in the.

974

04:16:33.960 --> 04:16:34.800

Peter Best (COBI): work plan.

975

04:16:36.900 --> 04:16:48.060

Peter Best (COBI): And incense, then we also have a the adopted Climate Action Plan, which has goals targets and actions in it specifically to sea level rise so.

976

04:16:49.860 --> 04:17:02.940

Peter Best (COBI): We This issue is back to you for some clarification because we received some comments, indicating that this is maybe a bit of a too new and too broad, of an issue to incorporate in the periodic review process.

977

04:17:04.080 --> 04:17:04.800

Peter Best (COBI): and

978

04:17:05.850 --> 04:17:14.940

Peter Best (COBI): And I think that our approach is in in bite sized pieces, but I want to share some context for you and explain how.

979

04:17:16.830 --> 04:17:33.630

Peter Best (COBI): We think that this is doable in the periodic review, so this these maps are out of the sea level rise flooding White Paper that's in your packet, I just wanted to highlight a couple things so based on that preliminary vulnerability assessment that's in that document.

980

04:17:35.520 --> 04:17:44.670

Peter Best (COBI): We believe that a substantial amount of our vulnerability is associated with neighborhoods there are obviously individual parcels.

981

04:17:45.120 --> 04:17:55.230

Peter Best (COBI): and small areas out there that are at risk of flooding from sea level rise, but substantially it's it's neighborhoods associated with neighborhoods that are either directly.

982

04:17:55.710 --> 04:18:05.310

Peter Best (COBI): vulnerable to future flooding or even current flooding, for that matter, or and that's the map on the left and the timeline reflects.

983

04:18:07.020 --> 04:18:17.730

Peter Best (COBI): A mid century and 100 year horizon with the colors and we've distinguished between lower density neighborhoods and higher density neighborhoods.

984

04:18:19.470 --> 04:18:26.430

Peter Best (COBI): So, so the map on the Left represents homes and properties that are directly at risk of flooding.

985

04:18:27.450 --> 04:18:36.300

Peter Best (COBI): In the map on the right represents access to neighborhoods that are at risk of being blocked due to future flooding so.

986

04:18:37.500 --> 04:18:49.350

Peter Best (COBI): The House symbols on this map represent that there would be no access during flood events and the traffic cones represented areas that would require detouring in order to provide access.

987

04:18:50.370 --> 04:18:56.460

Peter Best (COBI): So there is definitely interconnection between capital facilities planning right, as well as land use planning.

988

04:18:58.320 --> 04:19:01.380

Peter Best (COBI): And the fact that this is substantially neighborhood based.

989

04:19:02.910 --> 04:19:06.390

Peter Best (COBI): reflects one of the approaches we we want to develop.

990

04:19:07.440 --> 04:19:19.470

Peter Best (COBI): In this amendment, which is a framework for neighborhood based adaptation planning that integrates capital facilities and and the residents in developing a integrated plan.

991

04:19:21.450 --> 04:19:40.410

Peter Best (COBI): So, so what this looks like, and this is just a sketch right we don't have the details for you, until we fully developed them but we're focusing on flooding first and then we'll be focusing on an erosion and a face to process in the future again targeted towards completion in 2025.

992

04:19:41.730 --> 04:19:50.790

Peter Best (COBI): But the first steps legislation is what we would address in a periodic review so part of that is what types of adaptations strategies.

993

04:19:51.960 --> 04:20:05.670

Peter Best (COBI): Do we want to identify as our preferences policy preferences for those so that includes you know, protection against flooding so walls and other things that would protect from flooding.

994

04:20:06.390 --> 04:20:17.970

Peter Best (COBI): Accommodation so raising homes are living with periodic flooding and what in the literature is often called retreat, but I prefer to call it transition.

995

04:20:19.290 --> 04:20:35.370

Peter Best (COBI): of how do we transition out of the flooded coastal area, so what are our policies amongst those three type buckets of strategies and that's and at this point, this is intended to be broad.

996

04:20:37.650 --> 04:20:45.360

Peter Best (COBI): What our policies around risk tolerance and there's a whole bunch of work in the White Paper around risk risk.

997

04:20:45.840 --> 04:20:58.680

Peter Best (COBI): as well, and both of those then inform a neighborhood planning framework right and the framework would be intended to describe you know who should be involved, what kind of deliverables should they be developing, what does that process look like.

998

04:21:00.390 --> 04:21:07.680

Peter Best (COBI): And then there likely will be some very limited sea level rise flooding regulations proposed in this amendment.

999

04:21:08.700 --> 04:21:16.020

Peter Best (COBI): But mostly setting up for next steps, which would be pilot implementation and learning from some early.

1000

04:21:17.160 --> 04:21:28.680

Peter Best (COBI): Activity so with understanding, where our risk tolerances are we can then move into high resolution vulnerability assessments, which is what the next task and the Climate Action Plan.

1001

04:21:29.400 --> 04:21:41.850

Peter Best (COBI): Community workshops, which is another action from the Climate Action Plan do a couple of pilot projects of neighborhood planning, so that we can engage with our Community.

1002

04:21:42.480 --> 04:21:57.000

Peter Best (COBI): With real context and develop and learn through that process right there's also some jurisdictional review that we need to do before we develop or adopt more regulations in the future, we need to.

1003

04:21:58.560 --> 04:22:06.240

Peter Best (COBI): address how sea level rise crosses a whole bunch of different jurisdictional regulatory jurisdictional boundaries and how we're going to address that issue.

1004

04:22:07.380 --> 04:22:08.610

Peter Best (COBI): And then, in the future.

1005

04:22:10.500 --> 04:22:21.180

Peter Best (COBI): Second steps legislation would would expand on flood regulations and then begin to address erosion and that's all to be determined at this point, but that's that's kind of the phasing.

1006

04:22:22.200 --> 04:22:30.600

Peter Best (COBI): And so the intent is that we're taking bite sized pieces doing some exploration learning from that and then growing as a community right.

1007

04:22:31.620 --> 04:22:38.880

Peter Best (COBI): And then moving forward so that's the idea and options are.

1008

04:22:40.140 --> 04:22:43.680

Peter Best (COBI): Essentially, at this point to either stop working on it at this point.

1009

04:22:44.460 --> 04:22:54.030

Peter Best (COBI): As part of the periodic review or continue with these early first steps and then obviously will be developing a proposal that, then you can review and decide.

1010

04:22:54.630 --> 04:23:05.610

Peter Best (COBI): You know whether that's something you want to continue with spin off into a different process so once you see the product, then you can make another decision about how to proceed.

1011

04:23:07.530 --> 04:23:08.760

Kirsten Hytopoulos: Thank you councilmember car.

1012

04:23:10.770 --> 04:23:22.680

Christy Carr: Thank you, I moved to direct staff to remove sea level rise as a topic from the periodic review and have the new climate change staff with assistance from the climate change advisory committee take up this work in 2022.

1013

04:23:24.570 --> 04:23:25.650

Kirsten Hytopoulos: Is I get it by councilmember.

1014

04:23:25.650 --> 04:23:26.130

pollock.

1015

04:23:28.710 --> 04:23:31.620

Kirsten Hytopoulos: And and for what to hear video do we want to hear at all I don't know.

1016

04:23:32.130 --> 04:23:44.160

Kirsten Hytopoulos: If planning Commissioner Austin was to when I do curious to know, I think the planning Commission might also be agreed that they thought this was a pretty big task, but it hasn't been review, but would we all like to hear from our Commissioner.

1017

04:23:47.340 --> 04:23:48.270

Kirsten Hytopoulos: Some people would.

1018

04:23:49.380 --> 04:23:57.540

Kirsten Hytopoulos: Thank you sure Osman, could you just let us know whether this is consistent with what this this mission was hoping for this item or give me feedback for us.

1019

04:23:57.930 --> 04:24:04.800

Kim McCormick Osmond: Yes, and i'll make this very brief, because I know that it's been a long evening and there's a lot of material here, this was.

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04:24:05.850 --> 04:24:11.940

Kim McCormick Osmond: An important topic for this, the planning Commission when we were briefed on it in our two workshops and.

1021

04:24:12.750 --> 04:24:18.600

Kim McCormick Osmond: I think the most important point for us was the public participation part of it, because clearly.

1022

04:24:19.050 --> 04:24:25.560

Kim McCormick Osmond: This topic will affect every shoreline homeowner and resident on Bainbridge Island, we are an island.

1023

04:24:26.010 --> 04:24:33.090

Kim McCormick Osmond: And I think it deserves as Peter pointed out it's got some really meaty topics in it that are.

1024

04:24:33.510 --> 04:24:40.080

Kim McCormick Osmond: Very important from a public perception standpoint and everyone should have an opportunity to really weigh in and discuss.

1025

04:24:40.650 --> 04:24:52.590

Kim McCormick Osmond: The many issues that this is going to bring for us, so the planning Commission felt like it was much more appropriate to have it be a separate amendment and have a very robust public participation process to make sure.

1026

04:24:53.010 --> 04:24:59.220

Kim McCormick Osmond: that the Community has a chance to to understand the issues and weigh in on the potential solutions.

1027

04:25:00.510 --> 04:25:04.110

Kirsten Hytopoulos: We thank you anyone else, I also want to address the issue.

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04:25:06.810 --> 04:25:08.010

Kirsten Hytopoulos: Council member tonight have.

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04:25:09.090 --> 04:25:20.100

Leslie Schneider: A have a question for Peter if this were to be postponed and become a separate amendment, what would a timeline look like for that, given that our.

1030

04:25:21.330 --> 04:25:36.030

Leslie Schneider: Our Climate Action Plan wants to have this fully included in the s&p by 2025 are we your two step plan for doing that is that at risk at that point what what's the timeline for an amendment.

1031

04:25:36.630 --> 04:25:51.090

Peter Best (COBI): So the just to flesh out a little bit more what the Climate Action Plan is asking for so by 2025, the SNP would fully address sea level rise, and it would be incorporated in the city's permitting processes.

1032

04:25:52.440 --> 04:26:03.510

Peter Best (COBI): So the the the two phase process that that i'm proposing I think there's a risk of maybe going a bit past 2025 potentially but the goal is to hit that mark.

1033

04:26:04.740 --> 04:26:05.340

Peter Best (COBI): So.

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04:26:06.630 --> 04:26:11.730

Peter Best (COBI): You know, a new process might take a different approach and try to.

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04:26:13.290 --> 04:26:20.460

Peter Best (COBI): You know, take it on in in much bigger pieces the Multi phase approaches, is, I think.

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04:26:21.090 --> 04:26:30.360

Peter Best (COBI): Based on what i've learned from looking at other communities that it's it's a process that Community needs to kind of grow with it seems like to be successful.

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04:26:31.230 --> 04:26:37.770

Peter Best (COBI): And so you know, whoever does that work and whenever they do it, I think that's an important lesson learned from from other communities.

1038

04:26:38.940 --> 04:26:43.470

Peter Best (COBI): But it does it, it does seem that it needs to start with some policy direction.

1039

04:26:44.640 --> 04:26:48.630

Peter Best (COBI): which is what the phase one was was intended to try to address.

1040

04:26:50.010 --> 04:26:59.490

Peter Best (COBI): So 2022 isn't that far away and not that much of a delay So hopefully that work could proceed pretty quickly.

1041

04:27:00.660 --> 04:27:05.940

Peter Best (COBI): I do have some concerns about taking it outside of the shoreline management staff.

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04:27:07.560 --> 04:27:12.090

Peter Best (COBI): Based on expertise, but that's something that can be addressed further down the road.

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04:27:13.830 --> 04:27:14.700

Kirsten Hytopoulos: anyone else.

1044

04:27:17.640 --> 04:27:28.170

Kirsten Hytopoulos: The I think I will say I looked at the slides help make it clear how complex this is and how much there is to do, I mean i'm lay person speaking here, but I would I would tend to favor what i'm hearing from.

1045

04:27:30.090 --> 04:27:31.110

Kirsten Hytopoulos: From in the motion.

1046

04:27:32.730 --> 04:27:36.450

Kirsten Hytopoulos: For ready to vote all those in favor say Aye.

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04:27:38.100 --> 04:27:40.710

Kirsten Hytopoulos: And those closed motion carries again.

1048

04:27:42.450 --> 04:27:43.140

Kirsten Hytopoulos: Okay, great.

1049

04:27:43.410 --> 04:27:45.990

Peter Best (COBI): Thank you very much, so our last one for tonight.

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04:27:47.490 --> 04:27:52.560

Peter Best (COBI): Potentially might have the most discussion because it's about public process and public participation.

1051

04:27:53.640 --> 04:27:59.700

Peter Best (COBI): Let me start out by saying I think there's been some some misunderstandings about the issues involved here.

1052

04:28:00.390 --> 04:28:13.200

Peter Best (COBI): I'll take some responsibility for maybe I haven't been clear in writing or communicating what the proposal has been and what the process has been so I'm going to try to be as clear as possible tonight.

1053

04:28:15.060 --> 04:28:31.470

Peter Best (COBI): and know that you know, there are public participation goals that we're seeking that you know the department strongly believes in and so there is absolutely no intent of trying to reduce diminish or push towards the end public participation in fact.

1054

04:28:32.790 --> 04:28:42.870

Peter Best (COBI): we've we've tried, through several innovative ways to try to bring early input into this process and I want to try to articulate that as we, as we go in here.

1055

04:28:43.440 --> 04:28:57.180

Peter Best (COBI): So just to maybe remind you a little bit, so our current directive is the department understand it understands it is to conduct an early policy input process, and this was a recommendation from the Department in the.

1056

04:28:58.260 --> 04:29:14.880

Peter Best (COBI): Public participation program recall that this is our response to how to move forward in a coven world and I understand that if you know 2020 hindsight feels that there should be some different approaches here, maybe that's appropriate but.

1057

04:29:16.140 --> 04:29:24.420

Peter Best (COBI): In the context that early policy input process, which is what the planning Commission went through and the stakeholder group participated in.

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04:29:24.990 --> 04:29:35.700

Peter Best (COBI): was intended to be an opportunity that doesn't normally exist in a legislative process, it was to advise the department, as we develop our proposals and drafts.

1059

04:29:36.180 --> 04:29:50.760

Peter Best (COBI): So planning Commission and the public normally are not consulted in that process and our goal was to get early input to build a better proposal and try to reduce the number of issues that happened later on.

1060

04:29:52.800 --> 04:30:07.860

Peter Best (COBI): So then process we're in right now is to develop it department draft and in in the process, we propose that that come back to counsel for the term we used was endorsement, I think that term has.

1061

04:30:09.600 --> 04:30:19.410

Peter Best (COBI): Maybe different meanings for different people a better way might be to say a check in with counsel and really the fundamental question was intended to be.

1062

04:30:20.190 --> 04:30:31.380

Peter Best (COBI): You gave us a work plan have we developed a product that addresses the work plan, and is it ready to move forward into the public review process wasn't intended to be an approval of the content.

1063

04:30:32.940 --> 04:30:34.920

Peter Best (COBI): we'll talk a little bit more about that in a second.

1064

04:30:36.390 --> 04:30:51.090

Peter Best (COBI): And then hold a joint public hearing and comment period in the in the goal here is that all the review parties here the public comments, together, to be more efficient right and then to be able to engage in review kind of all from the same sheet of music.

1065

04:30:53.070 --> 04:30:55.080

Peter Best (COBI): And, and that.

1066

04:30:56.550 --> 04:31:05.400

Peter Best (COBI): With the public input then planning Commission begins its traditional role of reviewing the content and making recommendations and suggested changes.

1067

04:31:06.000 --> 04:31:18.000

Peter Best (COBI): Then to City Council and as within shoreline amendment also ecology, is part of the initial review process, so this is back before you because.

1068

04:31:18.600 --> 04:31:29.250

Peter Best (COBI): we've received comments that disagree with our current approach and have concerns about public participation and i'm sure you'll have an opportunity to hear more about that as we go on, but just to.

1069

04:31:30.540 --> 04:31:42.540

Peter Best (COBI): really address some of the specific issues that we've heard so that maybe we can clear up some misunderstandings this slide reflects the steps that were in the.

1070

04:31:43.740 --> 04:31:45.330

Peter Best (COBI): Public participation plan.

1071

04:31:46.380 --> 04:31:55.110

Peter Best (COBI): And if you just follow the steps down planning Commission completes its review before the public hearing ever starts.

1072

04:31:56.100 --> 04:32:01.800

Peter Best (COBI): And the department recognize that that was a mistake in our own recommendation and drafting this document.

1073

04:32:02.310 --> 04:32:10.740

Peter Best (COBI): And in updating the schedule and in January of 2021 and a memo that we provided the Council we corrected this mistake.

1074

04:32:11.580 --> 04:32:22.380

Peter Best (COBI): But this I think has perpetuated some misunderstandings about planning commission's role in that public participation, might be pushed towards the end of the process, so to clarify.

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04:32:23.280 --> 04:32:29.550

Peter Best (COBI): I'm going to walk you through a comparative analysis here of what the plan to joint review process is.

1076

04:32:29.940 --> 04:32:43.590

Peter Best (COBI): What a typical coby joint review process is based on the previous amendments that have gone through the joint review process and what a traditional sequential review for an SMP amendment looks like so they all begin with Council Directive.

1077

04:32:45.420 --> 04:32:57.300

Peter Best (COBI): But what's planned what's proposed is that we went through this early input process, which is intended to really focus on new topics like sea level rise as well as.

1078

04:32:58.680 --> 04:33:08.520

Peter Best (COBI): major amendments like agriculture that were redirected into this periodic review process and just test staff ideas and again this is all done form that staff proposal.

1079

04:33:09.750 --> 04:33:15.060

Peter Best (COBI): And the goal was to build better proposal and in to hopefully have fewer issues later on in the process.

1080

04:33:16.710 --> 04:33:17.430

Peter Best (COBI): The next.

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04:33:19.170 --> 04:33:35.640

Peter Best (COBI): step would be that city council endorsement or check in process and, again, this would be just to check in that have we met the objectives in the scope of work in are we ready to proceed further into the review process is what the intent was there.

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04:33:37.530 --> 04:33:45.960

Peter Best (COBI): And then issue identification, so one way to try to maximize the efficiency, out of this joint review process is to get.

1083

04:33:46.770 --> 04:33:54.570

Peter Best (COBI): everyone's issues out on the table, rather than to wait period sequentially as we go through the process to learn about new issues.

1084

04:33:55.320 --> 04:34:12.540

Peter Best (COBI): So if we could identify 80% of the issues up front through the public comment period, the public hearing consulting with planning Commission and city council on ecology on the department's draft develop a matrix of what those issues are the goal is that.

1085

04:34:14.340 --> 04:34:23.400

Peter Best (COBI): there's no surprises about issues staff can fully support those from the beginning, so planning Commission can consider all the issues.

1086

04:34:24.840 --> 04:34:37.350

Peter Best (COBI): develop recommendations on those and the in that this provides the earliest public participation in informal public input and the compared to all three of these processes.

1087

04:34:39.120 --> 04:34:50.610

Peter Best (COBI): So, in a normal joint review process, the public hearing comes during the planning Commission review process so planning Commission is already making changes before it's heard public comment.

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04:34:51.750 --> 04:35:05.340

Peter Best (COBI): that's the way the the previous processes seem to go in in a sequential review, you have multiple public hearings at each step of the review process which is highly redundant and you're probably hearing the same thing three three times.

1089

04:35:06.660 --> 04:35:07.320

Peter Best (COBI): So.

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04:35:08.490 --> 04:35:14.820

Peter Best (COBI): The, the proposal is to have the same joint review, but to have everyone get the public input.

1091

04:35:15.210 --> 04:35:23.820

Peter Best (COBI): Before they begin working on revising and developing recommendations and making decisions so it's very focused and issue based.

1092

04:35:24.240 --> 04:35:36.900

Peter Best (COBI): And just as a hypothetical I like to say let's imagine we have 50 issues that come out of that process, some of those are triage as outside of the scope of the periodic review some of those are triage as.

1093

04:35:38.670 --> 04:35:46.020

Peter Best (COBI): already addressed but we're pointing to clarifications of where those things are being dealt with, and then we end up with.

1094

04:35:46.410 --> 04:36:01.980

Peter Best (COBI): Some substantive issues that everyone gets an opportunity to focus in on and staff can provide full support for so you're not waiting through a 400 page document you're waiting through a couple dozen issues to keep every it all focused.

1095

04:36:03.420 --> 04:36:09.210

Peter Best (COBI): Right joint decision making process is the same amongst all the processes amongst the three options here.

1096

04:36:10.320 --> 04:36:27.360

Peter Best (COBI): In just to remind counselor or inform new Council members, you know, a shoreline amendment has to be both approved by the city council and approved by the Department of ecology and so there's it kind of goes back and forth between the two bodies.

1097

04:36:29.130 --> 04:36:41.460

Peter Best (COBI): And then we think that our proposal is the most efficient of the options and that will provide us with some time savings that we can dedicate towards other projects and so just to.

1098

04:36:42.720 --> 04:36:53.970

Peter Best (COBI): Actually, developed a full timeline for these three processes and think that you know we be spending time on fewer drafts and saving six months potentially through.

1099

04:36:54.960 --> 04:37:07.650

Peter Best (COBI): This process that we're recommending and, again, there is a formal public input process in the very beginning of the public public facing part of this.

1100

04:37:08.880 --> 04:37:14.010

Peter Best (COBI): And there's a formal public input process during the decision making, as well, so.

1101

04:37:16.080 --> 04:37:19.320

Peter Best (COBI): That hopefully clears up some of.

1102

04:37:20.400 --> 04:37:32.040

Peter Best (COBI): Confusion that maybe I was responsible for not being able to communicate on previously, but I do think the process we're recommending has some innovative new ideas that.

1103

04:37:33.060 --> 04:37:37.050

Peter Best (COBI): can make it more efficient, but it is change, and it is different and.

1104

04:37:38.070 --> 04:37:39.540

Peter Best (COBI): If there's a if there's a.

1105

04:37:40.560 --> 04:37:45.210

Peter Best (COBI): desire to do something different, I hope that we have an opportunity to discuss that tonight.

1106

04:37:46.290 --> 04:37:48.960

Kirsten Hytopoulos: Thank you, thank you councilmember car.

1107

04:37:51.690 --> 04:37:52.800

Christy Carr: yeah, I would like to see if.

1108

04:37:54.780 --> 04:37:59.220

Christy Carr: Commissioner McCormick would like to comment on this topic.

1109

04:38:00.900 --> 04:38:12.000

Kim McCormick Osmond: I would like to and I Peter I really appreciate your explanation, I think that helps a lot, the situation in the planning Commission is in is we're not really sure.

1110

04:38:12.510 --> 04:38:25.140

Kim McCormick Osmond: How we're going to be able to meet the requirements of the Code, the bainbridge island municipal code will respect the planning Commission because, under what is it to 16.

1111

04:38:28.050 --> 04:38:36.900

Kim McCormick Osmond: One add we are required to review have a public hearing and provide a recommendation to the city council.

1112

04:38:37.320 --> 04:38:46.320

Kim McCormick Osmond: on any change to the code affecting land use, including everything in Title 16 and that's this this document, the SMP periodic review.

1113

04:38:46.890 --> 04:38:54.720

Kim McCormick Osmond: I appreciate the explanation about the joint process, and I am completely supportive of anything that will make this process more efficient.

1114

04:38:55.140 --> 04:39:06.480

Kim McCormick Osmond: But I don't see any step in there, where we actually provide a recommendation to the City Council, and that was the part that really had us confused about what is our role and in this review process.

1115

04:39:06.900 --> 04:39:11.670

Kim McCormick Osmond: The workshops were great for identifying basically policy issues.

1116

04:39:12.180 --> 04:39:24.150

Kim McCormick Osmond: But the reason that Joe par and I wrote wrote the letter to the Council for tonight's discussion is we didn't really understand how else we were supposed to present our views, because this is not the typical.

1117

04:39:24.570 --> 04:39:33.840

Kim McCormick Osmond: The typical process, we would follow, which was to do the review to have a public hearing to hear from the public, and then to make a recommendation to the city council for next steps.

1118

04:39:34.500 --> 04:39:51.360

Kim McCormick Osmond: So I think we just need to figure out how we can mash what the planning Commission is supposed to do under our code, with the joint process that Peter has pulled pulled together to create efficiency in in processing this very large amount of material.

1119

04:39:53.100 --> 04:40:05.520

Peter Best (COBI): So, so, if I can so I appreciate that and and hopefully this is bringing us to a very clear point of clarification, so that there is a clear decision to be made by Council.

1120

04:40:06.060 --> 04:40:20.310

Peter Best (COBI): So in direct response to planning Commission and providing recommendations, so the sequence would be, we would release the draft for public comment in here and public hearing.

1121

04:40:22.500 --> 04:40:29.100

Peter Best (COBI): caught up on all three bodies planning Commission city council on a college, he would sit at the hearing and receive the comments.

1122

04:40:30.090 --> 04:40:47.850

Peter Best (COBI): That then goes to planning Commission and the role that you're you're used to begins at that time right you, you have the benefit of all the comments to start with, and any staff analysis and and feedback on that.

1123

04:40:49.890 --> 04:40:55.170

Peter Best (COBI): You review and and and develop recommendations and.

1124

04:40:56.490 --> 04:41:06.060

Peter Best (COBI): And that goes to counsel so, so it should look and feel very similar once we've gone through the public hearing it's the it's putting the hearing.

1125

04:41:06.570 --> 04:41:24.030

Peter Best (COBI): In the very front that's new and then also to help track issues were were intending to develop an issue tracking tool that would track these issues, all the way through the process so that you can there's full transparency and.

1126

04:41:25.500 --> 04:41:38.160

Peter Best (COBI): it's well documents were planning commission's recommendations are what Councils decisions are what college is review is so that, when we submit that as part of the full record it's it's really clear how we've addressed those issues.

1127

04:41:38.910 --> 04:41:46.740

Kirsten Hytopoulos: I think that may be playing with your husband, would like to help you raise your hand again, did you want to follow up with the clarifying questions or.

1128

04:41:47.520 --> 04:41:55.500

Kim McCormick Osmond: I did just want to respond to Peters proposal because I think it's a good one, I have some concerns about timeline because.

1129

04:41:56.070 --> 04:42:09.120

Kim McCormick Osmond: Our experience on the planning Commission is when we get the draft, and we have the public comments and they're going to include ecology so there's, and that is, it sounds like they're also going to include public comments from the city council.

1130

04:42:09.630 --> 04:42:12.510

Kim McCormick Osmond: that's a lot of material that we're going to have to process and go through.

1131

04:42:12.900 --> 04:42:32.070

Kim McCormick Osmond: And then we're going to have to send it to the city council with our recommendation and then the City Council is going to have to go through its whole decision making process, however long that takes and so can we actually make that timeline Peter that you need if we do it that way.

1132

04:42:32.490 --> 04:42:44.070

Peter Best (COBI): Right well you know, I understand that every legislative process is subject to change right in and so we've we've budgeted a certain number of meetings, and if we need more that's that's what we need.

1133

04:42:45.180 --> 04:42:45.510

Peter Best (COBI): I mean.

1134

04:42:46.800 --> 04:43:01.320

Peter Best (COBI): As staff i'm here to support you right, and so my goal is to try to provide you with information as digestible as possible, so that you can really focus on what you need to focus on and not get lost in a 400 page document.

1135

04:43:02.550 --> 04:43:05.490

Peter Best (COBI): So you know I know that we will figure out.

1136

04:43:06.630 --> 04:43:12.240

Peter Best (COBI): You know how to work through that process, and if we need extra meetings that's that's what we'll end up meeting.

1137

04:43:13.110 --> 04:43:21.780

Kirsten Hytopoulos: And counseling Ricard would you go right with it looks like that comes Commissioner Osman has another follow up question, do you mind if we complete this oops it's this conversation.

1138

04:43:23.280 --> 04:43:24.120

Kirsten Hytopoulos: Go ahead, Commissioner.

1139

04:43:26.310 --> 04:43:28.710

Kim McCormick Osmond: I actually i'm fine with what Peter just.

1140

04:43:28.710 --> 04:43:45.390

Kim McCormick Osmond: So the only other question I would have is whether the the baseline document is going to be ready for review by ecology for a joint public hearing it sounds like it's basically the document that you had prepared for the meeting tonight, if I understand the timeline correctly.

1141

04:43:46.110 --> 04:44:04.590

Peter Best (COBI): So we had been intending to deliver it tonight, through the original process but that's been put on hold support you know this, this process and to and to get clarification so we'll be going back into high gear following this meeting, and following new Council direction.

1142

04:44:06.180 --> 04:44:07.710

Kirsten Hytopoulos: Thank you councilmember car.

1143

04:44:10.260 --> 04:44:11.820

Christy Carr: Thanks um.

1144

04:44:13.710 --> 04:44:23.490

Christy Carr: So I think that efficiency is great I love finding efficiencies I don't think time efficiencies way public trust and I think that, by presenting.

1145

04:44:23.970 --> 04:44:34.470

Christy Carr: At a public hearing draft that is based on such limited and curated public input to date, we are going to take a step backwards in public trust.

1146

04:44:35.640 --> 04:44:36.630

Christy Carr: On the SNP.

1147

04:44:37.830 --> 04:44:39.300

Christy Carr: In addition, I think that.

1148

04:44:40.770 --> 04:44:49.050

Christy Carr: that the public hearing draft will likely change substantially enough that it will require a second public hearing so we're actually not going to save ourselves anytime.

1149

04:44:50.100 --> 04:45:06.540

Christy Carr: So For those two reasons, I have the following motion I moved to direct staff to follow a public participation plan that includes review and recommendation by the planning Commission, including noticed public comment opportunities before the joint public hearing public comment period.

1150

04:45:09.510 --> 04:45:10.500

Kirsten Hytopoulos: seconded by the mayor.

1151

04:45:12.990 --> 04:45:15.060

Kirsten Hytopoulos: Okay, any further any Council discussion.

1152

04:45:18.540 --> 04:45:19.500

Kirsten Hytopoulos: councilmember Schneider.

1153

04:45:22.140 --> 04:45:26.280

Leslie Schneider: Thank you councilmember car just for my own understanding.

1154

04:45:27.600 --> 04:45:31.170

Leslie Schneider: That would just mean that it delays the draft.

1155

04:45:33.090 --> 04:45:40.770

Leslie Schneider: Coming to counsel for a check in and coming to ecology for a check in so it postpones that piece of.

1156

04:45:41.940 --> 04:45:44.310

Leslie Schneider: What we're doing now is is that.

1157

04:45:45.480 --> 04:45:48.420

Leslie Schneider: A summary of what you're offering or suggesting.

1158

04:45:52.680 --> 04:46:02.040

Christy Carr: I think Council can get a chicken whenever we want one that doesn't need to be delayed the joint public hearing public comment period is between the city.

1159

04:46:03.270 --> 04:46:09.840

Christy Carr: and ecology, so that that's something that has to happen and it, it can happen when we're ready for it to happen.

1160

04:46:10.200 --> 04:46:23.010

Christy Carr: The joint public joint review process does not mandate anything prior to that joint public hearing which is within a 30 day joint public comment period, so we can do whatever we want leading up to that.

1161

04:46:23.520 --> 04:46:31.140

Christy Carr: And in terms of if you I don't think that's a delay, but that's just the way that the process works.

1162

04:46:32.040 --> 04:46:36.060

Leslie Schneider: So I guess I just i'm still confused and I apologize, but.

1163

04:46:37.350 --> 04:46:48.780

Leslie Schneider: Maybe peer could you suggest to be what councilmember cars, how that would change the timeline and the process that you were proposing.

1164

04:46:48.960 --> 04:46:54.600

Kirsten Hytopoulos: Would it be helpful for us to have Peter share that screen, so we can understand where this would pop in for those of us that.

1165

04:46:55.350 --> 04:47:03.660

Kirsten Hytopoulos: Would that be helpful, would be helpful for me to ask a question of customer car to Can you help us understand what we're looking at a where we're putting this in.

1166

04:47:09.120 --> 04:47:17.340

Peter Best (COBI): yeah if I could jump in my my question to councilmember car was also clarification about the sequence so maybe.

1167

04:47:18.960 --> 04:47:21.810

Peter Best (COBI): You know what what is planning Commission.

1168

04:47:22.860 --> 04:47:28.620

Peter Best (COBI): accomplishing when does the hearing happen relative to planning Commission in city council.

1169

04:47:30.720 --> 04:47:37.560

Peter Best (COBI): In the sequence of events, and you know, since you've been through this before you're in a good spot to articulate that.

1170

04:47:38.040 --> 04:47:38.760

Kirsten Hytopoulos: also have a car.

1171

04:47:39.750 --> 04:47:49.890

Christy Carr: yeah thanks I mean this Council has been through this before it's the same process that we just used for the amendment integrating the critical areas ordinance and addressing the non conforming.

1172

04:47:51.300 --> 04:47:58.890

Christy Carr: Structures chapter so that's the process that was used before in terms of the planning Commission had.

1173

04:47:59.970 --> 04:48:12.180

Christy Carr: made a review and recommendation and then there was a joint public hearing with ecology and then that was forwarded to the Council to to approve and then transmit to ecology.

1174

04:48:13.230 --> 04:48:22.260

Christy Carr: So again, the Council just went through this so they should understand that the process My point is is that, where the real public comment at.

1175

04:48:22.590 --> 04:48:35.910

Christy Carr: happens is at the planning Commission where they have their study sessions and they receive public comment, and then they make recommendations, based on that and based on on their duties, so I think that it's.

1176

04:48:36.930 --> 04:48:46.710

Christy Carr: it's important that we have that public comment and planning Commission input inform the draft that is the public hearing draft.

1177

04:48:48.930 --> 04:48:56.160

Kirsten Hytopoulos: Right okay um let me see who's up next is it counselor Schneider sorry okay.

1178

04:48:57.720 --> 04:49:15.870

Leslie Schneider: So he so councilmember car what you're saying, then, is that the the planning Commission would start with the 400 page existing SnP and get public comment on that or would the planning commission be starting with the new draft that is basically ready right now.

1179

04:49:17.010 --> 04:49:20.220

Leslie Schneider: But you know needs to be updated, based on tonight.

1180

04:49:22.050 --> 04:49:26.790

Leslie Schneider: What can you explain what the starting point would be for the planning Commission.

1181

04:49:35.160 --> 04:49:50.490

Christy Carr: Well, I think that that depends, because I don't think it's the draft that was ready for tonight because we've made some decisions tonight that change that draft so in terms of the starting point, it would be based on the direction and the scope and the content of the periodic review.

1182

04:49:51.600 --> 04:50:00.390

Christy Carr: That staffs gotten tonight, I mean I don't think that we're starting at the 400 page document, I think we can be more tactical than that.

1183

04:50:01.200 --> 04:50:13.830

Christy Carr: But I don't think that we gain any efficiencies by having a staff proposal or a baseline draft that is presented at a public hearing that we haven't had.

1184

04:50:14.460 --> 04:50:27.180

Christy Carr: Public comment and planning Commission input on because that gets us right back to where we've been for so many years with the SNP and the lack of trust and the back door, and behind closed doors and.

1185

04:50:27.600 --> 04:50:40.560

Christy Carr: that's not i'd like that i'd like the formulation of the draft public hearing draft to to be more transparent and open to the public and have much more opportunity for.

1186

04:50:42.510 --> 04:50:45.420

Christy Carr: input by both the public and the planning Commission.

1187

04:50:46.140 --> 04:50:54.510

Leslie Schneider: Well, if you don't mind some back and forth I I just i'm still confused because it seems like that's what's being proposed here is that that the.

1188

04:50:54.930 --> 04:51:07.950

Leslie Schneider: Yes, I mean Council would have a check in on it and ecology would have a check in on it, but it basically goes to the planning Commission and the planning Commission goes through its normal public process at that point so.

1189

04:51:09.330 --> 04:51:23.700

Leslie Schneider: I I i'm still not clear what what the differences would be if you just sort of allow city council and ecology to kind of share in that check in, you know as an early touch point.

1190

04:51:26.220 --> 04:51:36.240

Christy Carr: you're basically presenting to the public kind of fully baked SMP draft and you're saying here the topics that we've identified that we want in here, and you just you just.

1191

04:51:36.660 --> 04:51:48.000

Christy Carr: it's not a good look I don't think for the City Council to take a public hearing draft forward that has had such little public comment and planning Commission input.

1192

04:51:49.290 --> 04:52:06.570

Christy Carr: And, and so, yes, the planning Commission would do their thing but there, I think, going to have to be making up for you know this first draft effort, whereas if you had more public comment and planning Commission input on the on the planning on the public hearing draft.

1193

04:52:07.590 --> 04:52:10.740

Christy Carr: We just set ourselves up for success so much better.

1194

04:52:11.310 --> 04:52:19.200

Christy Carr: Because, again, I would rather take more time and have more trust with the public and the shrine property owners and and that's what we were doing.

1195

04:52:19.560 --> 04:52:32.850

Christy Carr: Over the last you know 2017 1819 is building that rapport and that trust in that process and doing it out in the open, so that people could provide public comment and input and know that we were listening.

1196

04:52:35.760 --> 04:52:38.460

Kirsten Hytopoulos: Okay account mayor, did you want to go.

1197

04:52:38.670 --> 04:52:39.750

Rasham Nassar: Next yeah.

1198

04:52:40.140 --> 04:52:46.890

Rasham Nassar: Please i'm going to call the question there's a motion on the floor and it's been seconded it's time to take a vote on the motion on the floor.

1199

04:52:51.480 --> 04:52:55.140

Kirsten Hytopoulos: Okay, let me leave some of us with any answer questions but um.

1200

04:52:57.000 --> 04:53:05.670

Rasham Nassar: there's I just want to point out that Questions can still be asked and answered Council members are free to submit their questions of the planning director.

1201

04:53:06.180 --> 04:53:18.870

Rasham Nassar: If they have further questions i'm sure that we could schedule this on a subsequent meeting, we have the right to do that, we have the flexibility that I would absolutely support doing that, we will now be in meeting for five hours.

1202

04:53:20.160 --> 04:53:26.820

Rasham Nassar: And I, and I understand that count, that this is it's a very important topic, but the the flip side to the argument.

1203

04:53:27.330 --> 04:53:35.010

Rasham Nassar: That we have a job to do, is that we don't do our jobs, while we do it after 10pm and this Council has conceded that point.

1204

04:53:35.460 --> 04:53:40.950

Rasham Nassar: In the presence of a parliamentarian who advised us at our meeting should not go over three hours.

1205

04:53:41.370 --> 04:53:53.700

Rasham Nassar: This is very dense and substantive material, I do not think it does the public any good for us to be debating this point when we are all tired during in what is now becoming the fifth hour of meeting.

1206

04:53:54.210 --> 04:54:02.520

Kirsten Hytopoulos: And I think we're just a couple minutes away from moments away probably from everyone understand what they're voting on, so will will be voting now so applying some of us so.

1207

04:54:03.540 --> 04:54:06.090

Kirsten Hytopoulos: Okay, so the question has been called.

1208

04:54:07.320 --> 04:54:10.170

Kirsten Hytopoulos: All those in favor of the motion on the floor say I.

1209

04:54:15.420 --> 04:54:25.260

Leslie Schneider: i'm sorry but I just need to have a point of order here um when somebody calls the question if there's debate on that calling the question then don't we take a vote on that.

1210

04:54:25.920 --> 04:54:42.330

Leslie Schneider: And I just I see two hands raised, I saw Peters hands raised and and Commissioner osmonds hand raised and I can't make a decision, I can't vote, unless I hear those points of view.

1211

04:54:42.450 --> 04:54:48.300

Kirsten Hytopoulos: So someone who's better parliamentarian than I can intervene it, I think you may be right if someone makes an objection.

1212

04:54:50.010 --> 04:54:56.910

Joe Levan: A marriage, I can I can speak to the based on the drastic Parliament that you all received that training.

1213

04:54:57.840 --> 04:55:04.950

Joe Levan: Based on that, when the it's on page 94 of the slides that you had when the when there's a call the question, it requires a second.

1214

04:55:05.580 --> 04:55:16.950

Joe Levan: It cannot be debated it cannot be amended it takes two thirds to pass and, if approved there's no more discussion, but then that's the vote to end debate, not to approve the motion.

1215

04:55:17.760 --> 04:55:25.770

Joe Levan: So that the call into question is to vote on whether or not you're going to stop debate it's not to actually build on the depending motion and you need two thirds pass it.

1216

04:55:27.900 --> 04:55:32.730

Kirsten Hytopoulos: Okay, so we second for the fmc encrypted we have a second for the calling the question.

1217

04:55:34.410 --> 04:55:41.160

Kirsten Hytopoulos: We do Okay, and I do want to vote on that, then all those in favor of climb the question I.

1218

04:55:42.570 --> 04:55:49.950

Kirsten Hytopoulos: looks like we have four and day two three Okay, so it passes, no.

1219

04:55:50.070 --> 04:55:51.390

Joe Levan: It doesn't because not two thirds.

1220

04:55:51.600 --> 04:56:01.770

Kirsten Hytopoulos: Two thirds sorry about that Okay, so it is late um could we just go ahead and ask are a couple of clarifying questions I cook where i'm guessing we're really close to potentially passing this motion, but.

1221

04:56:02.190 --> 04:56:09.540

Kirsten Hytopoulos: I could be wrong anybody else want to ask any clarifying questions to close up this conversation uh how's your deeds.

1222

04:56:10.320 --> 04:56:21.690

Joe Deets: Well, thank you, I hadn't had a chance to speak and I felt like there was, we were being rushed to vote, while there was still questions going on um it's still not clear to me.

1223

04:56:22.830 --> 04:56:38.700

Joe Deets: Why staffs recommendation is ill advised by colleagues, there seems to be plenty of public comment, and of course there's there's planning Commission meetings will be public comment there's City Council meetings, be public public comment.

1224

04:56:41.280 --> 04:56:48.480

Joe Deets: it's still not clear to me why this is not preferable, yes, absolutely we need public trust completely that's why we're doing this.

1225

04:56:49.560 --> 04:57:08.580

Joe Deets: And if we feel we need to amend it, we can my colleague customer car was saying, well, we can make changes as we go along well, we can do that with this as well, so i'll just leave it at that I I, and I heard supporting comments from the bomb Commissioner McCormick so.

1226

04:57:10.650 --> 04:57:15.780

Kirsten Hytopoulos: Okay, I will definitely get to Commission McCormick in a moment councilmember Andrew Johnson.

1227

04:57:16.680 --> 04:57:28.680

Brenda Fantroy-Johnson: yeah I you know, I think that the point that's trying to be made is that when you put the public comment up front you're not really commenting on.

1228

04:57:29.280 --> 04:57:37.080

Brenda Fantroy-Johnson: The entire thing you're not commenting on what maybe the planning people might want to put in there you're you're commenting before it even gets to now.

1229

04:57:37.950 --> 04:57:42.810

Brenda Fantroy-Johnson: I don't know why we're debating this it's not rushing we've been on it for at least hour and a half.

1230

04:57:43.320 --> 04:57:58.200

Brenda Fantroy-Johnson: So it's not rushing if everybody's already, in agreement with what's you know what we're going to vote on, we don't need to everybody, do not need to repeat what everybody has already said i'm I understand if you don't stand but there's no need to repeat what everybody said.

1231

04:57:59.850 --> 04:58:02.910

Kirsten Hytopoulos: Just to clarify I just i'm not sure everybody understands where.

1232

04:58:02.910 --> 04:58:04.350

Kirsten Hytopoulos: This is happening in the.

1233

04:58:04.500 --> 04:58:12.840

Kirsten Hytopoulos: End I could be wrong, and so in that timeline we were looking at so just to clarify we this unusual circumstance of us having the.

1234

04:58:13.200 --> 04:58:21.090

Kirsten Hytopoulos: Council endorsement, or whatever you call it counselor car would that's where we would place prior to something like that we would place the public hearing.

1235

04:58:21.660 --> 04:58:38.100

Kirsten Hytopoulos: i'm sorry up the planning Commission process, we would fall more traditional approach, this is what I just don't understand what instead of us having this endorsement for formal formal input we would have the planning Commission due process and have public input Is that correct.

1236

04:58:39.780 --> 04:58:42.540

Kirsten Hytopoulos: Is that how we would modify that first column here.

1237

04:58:44.250 --> 04:59:03.210

Christy Carr: it's not really related to the Council endorsement or check in it's more related to when we have the planning Commission review and recommendation and public comment relative to the joint public hearing and public comment period so currently it is.

1238

04:59:04.830 --> 04:59:14.280

Christy Carr: The planning Commission review and recommendation would come after the joint public hearing and public comment period so to councilmember fatma johnson's point.

1239

04:59:15.660 --> 04:59:21.270

Christy Carr: I it was well said is that you're asking people to comment on something that really isn't done yet.

1240

04:59:21.810 --> 04:59:36.540

Christy Carr: It stops proposal but it's got it's it's going to change quite a bit based on that planning Commission review and recommendation, so the traditional approach is to have a planning Commission review and public participation, ahead of the joint public hearing.

1241

04:59:37.740 --> 04:59:42.810

Christy Carr: And I think it will save us time, in the end I don't think we gain time efficiencies I think we're going to lose it.

1242

04:59:44.430 --> 04:59:47.040

Kirsten Hytopoulos: Okay anyone else any.

1243

04:59:47.520 --> 04:59:48.900

Kirsten Hytopoulos: Customer Sandra Johnson.

1244

04:59:48.960 --> 04:59:49.800

Kirsten Hytopoulos: Is your hand so up.

1245

04:59:50.850 --> 04:59:54.420

Kirsten Hytopoulos: And I guess Peter did you want to add one more thing, before we.

1246

04:59:55.020 --> 04:59:55.620

Peter Best (COBI): Take yeah.

1247

04:59:55.950 --> 05:00:07.860

Peter Best (COBI): I do thank you, so I think there's there's there's two amendments really here to consider one is the the baseline draft which as we've talked about is really.

1248

05:00:08.220 --> 05:00:16.680

Peter Best (COBI): reorganization and clarification so it's not a whole bunch of substantive changes it's making it more useful and easier understood.

1249

05:00:17.460 --> 05:00:28.260

Peter Best (COBI): So in that way it's it's a huge amount of work but it's it's and I almost hate to use this word, but more of a housekeeping type of thing.

1250

05:00:29.010 --> 05:00:33.870

Peter Best (COBI): right that it's it's not changing the substance of the SMP or it's not intended to.

1251

05:00:34.680 --> 05:00:51.390

Peter Best (COBI): So that's one amendment right the other that you've already that you've agreed to move forward in some form is the agriculture amendment that is substantive and so maybe there's a slightly different process with the planning Commission between those two things.

1252

05:00:53.310 --> 05:00:58.860

Peter Best (COBI): The other thing about public input, you know, I think, maybe there's just a difference of opinion on this, but.

1253

05:01:00.330 --> 05:01:15.000

Peter Best (COBI): That having public input right up front gets all the issues out on the table so that the planning Commission in others can process that and take it into consideration, there is another public.

1254

05:01:16.110 --> 05:01:17.580

Peter Best (COBI): hearing process.

1255

05:01:18.810 --> 05:01:27.300

Peter Best (COBI): Prior to formal adoption for people who respond to the changes that have been made, so I just wanted to make sure that that part of the process was understood.

1256

05:01:28.290 --> 05:01:36.990

Kirsten Hytopoulos: And counsel like to give them the Commissioner one more chance to be another she's heard all of this, what her position is miss if that's all right, Commissioner Osman.

1257

05:01:37.350 --> 05:01:39.630

Kim McCormick Osmond: Thank you very much, I just wanted to clarify.

1258

05:01:42.510 --> 05:01:58.020

Kim McCormick Osmond: The planning commission's concern is that there is not enough public input at the front end of this process, we very much endorsed the periodic review process steps that are in the work plan that was.

1259

05:01:59.310 --> 05:02:14.670

Kim McCormick Osmond: was approved by the city council and step four is planning Commission review public hearing and recommendation to the City Council step five was then City Council endorsing the draft and then moving it to the joint public comment.

1260

05:02:15.720 --> 05:02:19.950

Kim McCormick Osmond: public hearing, that is, excuse me a schedule that step six.

1261

05:02:20.970 --> 05:02:25.830

Kim McCormick Osmond: Without the step for for the for the planning Commission The concern is that.

1262

05:02:26.640 --> 05:02:35.550

Kim McCormick Osmond: There is not going to be adequate public comment at the front end of this process we're going to end up with a lot of public comment at the back end, which is after the the one.

1263

05:02:35.850 --> 05:02:43.770

Kim McCormick Osmond: joint public hearing when it comes back to the planning Commission and then we have to work through all of the new material from that single public hearing.

1264

05:02:44.220 --> 05:02:51.000

Kim McCormick Osmond: And then, it has to come back to the City Council again with a recommendation from us without any more public hearing or public comments so.

1265

05:02:51.960 --> 05:03:02.340

Kim McCormick Osmond: The public comment is is not very robust compared to the normal process that we have always followed in the past, and I think that there's good reason for that process.

1266

05:03:03.930 --> 05:03:07.380

Kirsten Hytopoulos: Thank you very much okay Council are we ready to vote.

1267

05:03:08.820 --> 05:03:12.450

Kirsten Hytopoulos: All right, all those in favor of emotion on the floor, please say Aye.

1268

05:03:15.180 --> 05:03:15.510

Kirsten Hytopoulos: nay.

1269

05:03:16.950 --> 05:03:23.160

Kirsten Hytopoulos: hashes he passes unanimously, thank you very much for your patience, everyone we've gotten through this topic.

1270

05:03:25.170 --> 05:03:32.370

Kirsten Hytopoulos: Okay next item up and thank you for being here, the next item up is i'm five see updating the triangle property.

1271

05:03:36.240 --> 05:03:37.740

Kirsten Hytopoulos: And director right are you here on that.

1272

05:03:39.000 --> 05:03:46.800

Heather Wright: I did great some are planning manager should be joining us momentarily he has a brief presentation to provide your his.

1273

05:03:48.300 --> 05:03:49.890

David Greetham: Thank you, good evening.

1274

05:03:51.690 --> 05:03:58.740

David Greetham: I have just a very few slides, and I know the late hour, and so i'll try to focus you very quickly on what the key issues are for this update.

1275

05:03:59.730 --> 05:04:08.340

David Greetham: Our understanding of the request is that you request an update from the interim city manager she's not available this evening, so I just a few slides that i'll screen share.

1276

05:04:11.190 --> 05:04:17.010

David Greetham: And this will quickly I think focus in on on what the key item is for this.

1277

05:04:19.830 --> 05:04:30.690

David Greetham: The triangle property you've had an update as recently as December of 2020 and, by the way, i'm sorry, as I was getting lead in I should reduce myself Dave wreath and planning manager.

1278

05:04:33.330 --> 05:04:42.690

David Greetham: But the triangle property is located aptly named between fletcher balian with Center and buck on hill roads, I think we're all familiar with, where this is.

1279

05:04:43.500 --> 05:04:56.580

David Greetham: This is well known as a long, often on mining site, it goes way back to the 16th so it's actually an existing legally non conforming us it's pre pre conditional use permits, but it was recognized as an existing years.

1280

05:04:57.870 --> 05:05:08.790

David Greetham: I just want to hit on three key things for this update for you this evening, recent developments, the state agencies with permit oversight in the city's role and prior actions and then i'll step aside for your questions.

1281

05:05:10.050 --> 05:05:17.190

David Greetham: here's a key slide and if you'll pardon the s&p upon this is the sea change slide this is, this is the new news sincere December update.

1282

05:05:17.700 --> 05:05:26.760

David Greetham: The site operator has indicated, there plans to enter what's called the reclamation phase so we'll see in a minute they're offering interstate permitted mine reclamation permit.

1283

05:05:27.450 --> 05:05:36.180

David Greetham: Entering the reclamation phase is a huge change we've been trying to get our arms around this project and the ongoing citizen concerns which i'll come back to in a minute.

1284

05:05:37.170 --> 05:05:51.270

David Greetham: In working with state agencies over the last 18 months or so and, in a recent series of meetings we reached out to the operator and he indicated, he would like to stop mining and start the reclamation phase What that means is this mine is coming to an end.

1285

05:05:52.290 --> 05:05:58.200

David Greetham: Now, under State law they have two years to complete the reclamation and that basically ensures slopes are stable.

1286

05:05:58.800 --> 05:06:03.840

David Greetham: Ensure stormwater is taken care of so it mimics what would generally be a pre development state.

1287

05:06:04.500 --> 05:06:13.680

David Greetham: And it really restores the site to condition appropriate for the city designated zoning, which is our 0.4, so this is actually a rather typical residential zone.

1288

05:06:14.640 --> 05:06:24.750

David Greetham: which normally wouldn't have mining, unless I went to a conditional use permit so it's really they have two years to restore that site to prepare for whatever our zoning code would allow their.

1289

05:06:26.070 --> 05:06:35.760

David Greetham: That is overseen by the State Department natural resources, so this is a busy slide without but my key points here, or is there are two state permits this site is operating under.

1290

05:06:36.300 --> 05:06:45.960

David Greetham: The Department of natural resources overseas it under the surface maniac this is key, the second bullet they have exclusive jurisdiction over reclamation activities.

1291

05:06:46.440 --> 05:06:53.010

David Greetham: This is really important, because we have a lot of concerns from from local citizenry that we want to make sure we're addressing.

1292

05:06:53.310 --> 05:07:00.120

David Greetham: But we also have a limited role so i'll talk about what our role has been and how we propose to continue to carry those concerns forward.

1293

05:07:00.690 --> 05:07:07.800

David Greetham: Secondly, the Department of ecology also has regulatory authority over the site surface and groundwater through sand and gravel permit.

1294

05:07:08.250 --> 05:07:15.840

David Greetham: there's some other laws that apply a very simple example of where their role comes in, they recently did a site inspection in early.

1295

05:07:16.620 --> 05:07:29.730

David Greetham: April and identified there's an area where a piece of equipment had been dripping oil, the immediate order is for the operator to clean that portion out to San Diego where the oil had been ripping and.

1296

05:07:31.110 --> 05:07:36.720

David Greetham: and take care of that right away so that's an example, what ecology looks for when they're investigating a site.

1297

05:07:37.950 --> 05:07:39.090

David Greetham: Now the city's role.

1298

05:07:40.260 --> 05:07:48.270

David Greetham: The city does not currently have jurisdiction over the reclamation, and this is the phase, the side operators in kitty starting now.

1299

05:07:48.750 --> 05:07:55.260

David Greetham: The RC wf side here is very clear that it uses exclusive authority and another section uses sole authority.

1300

05:07:55.950 --> 05:08:03.480

David Greetham: star city role has been to meet with the state agencies, I just referenced in this slide here over the last 18 months or so.

1301

05:08:04.050 --> 05:08:09.330

David Greetham: and carry forward the concerns that we have that the citizenry has brought forward to us and to you as a Council.

1302

05:08:09.930 --> 05:08:18.000

David Greetham: And and we're trying to get our arms around what our role is in can be in this process when it shifted recently to that sea change I mentioned.

1303

05:08:18.360 --> 05:08:29.250

David Greetham: Which is reclamation, so this is right, where we're entering at this time I met with dnr today and I asked dnr has the set our beta confirm they're entering this phase.

1304

05:08:29.670 --> 05:08:34.860

David Greetham: And they have they've shared some email with emails with me from the end of March, where the operator has.

1305

05:08:35.400 --> 05:08:46.260

David Greetham: indicated, and specifically dnr has indicated, you are now in the reclamation phase, and you have the two years to restore that site to what would prepare for whatever the city zoning would allow.

1306

05:08:47.040 --> 05:08:55.620

David Greetham: So the city's current role is really to continue to coordinate with dnr and ecology, as we get system concerns and an example is.

1307

05:08:56.130 --> 05:08:59.460

David Greetham: A list of questions for you, and we have staff received over the weekend.

1308

05:09:00.300 --> 05:09:07.830

David Greetham: I haven't had a chance to go through all of those those questions, yet, but I did meet with dnr today to start to work through some of those questions.

1309

05:09:08.220 --> 05:09:17.520

David Greetham: One example, can the city require bonding for the reclamation so we can make sure that as that triangle site is restored it's done to our satisfaction.

1310

05:09:17.970 --> 05:09:31.260

David Greetham: Well, unfortunately, the answer is no, but we can continue to carry forward the concerns to ecology to excuse me to dnr the reason it's no is because the State law gives dnr exclusive jurisdiction over reclamation.

1311

05:09:32.250 --> 05:09:44.460

David Greetham: So our cities, role and by say the city, the interim city manager legal team, the planning director and the public works director and I worked as a team to meet with dnr and ecology over the recent months.

1312

05:09:45.060 --> 05:09:57.630

David Greetham: Are we propose that the best way to handle the ongoing concerns is to continue those meetings like I did today and carry those issues forward and then i'll just wrap up with a little background info before I step site for your questions.

1313

05:09:58.770 --> 05:10:07.200

David Greetham: These are some of the prior actions over the last 18 months or so, so we we started receiving concerns from the neighboring residence for this current round, I would say.

1314

05:10:07.560 --> 05:10:16.140

David Greetham: With some material stockpiling in my activity is very active in late 19th and early 20th the city issued a warning of violation and notice to correct.

1315

05:10:16.560 --> 05:10:22.260

David Greetham: This gave us an opportunity to stop the work to make sure they had appropriate permits to do the work they were doing on the site.

1316

05:10:22.950 --> 05:10:29.820

David Greetham: They did provide their state permits and we were able to use that process to also notify ecology.

1317

05:10:30.270 --> 05:10:40.080

David Greetham: Of the seas ongoing concerns about any water quality issues and that can include simple things like runoff from from dirt and wheels on mud on the street from even the truck wheels.

1318

05:10:40.830 --> 05:10:48.330

David Greetham: In early 2020 we hosted a meeting with the concern residents and state agencies to at least start the conversation start sharing the concerns.

1319

05:10:49.980 --> 05:10:58.050

David Greetham: Ongoing communication with the site operator has continued and that's where we recently found again in March, that they are entering the reclamation phase.

1320

05:10:58.860 --> 05:11:05.010

David Greetham: And, as I just mentioned, we continue to meet with the dnr and ecology, including the meeting I had today to start to discuss the recent.

1321

05:11:05.490 --> 05:11:13.170

David Greetham: most recent list of concerns, so I know it's a late hour, I wanted to hammer home the key points that that we're entering that reclamation phase.

1322

05:11:13.800 --> 05:11:19.950

David Greetham: And what our cities role is and maybe isn't here but but we certainly acknowledge.

1323

05:11:20.670 --> 05:11:26.880

David Greetham: The amount of work and concern that the local residents have have shared with us and continue to share with us and.

1324

05:11:27.420 --> 05:11:39.060

David Greetham: Very well thought out questions and we again want to make sure those questions, continue to be presented to the state agencies that have jurisdiction here, so I know that was quick i'll step aside for your questions, thank you.

1325

05:11:41.850 --> 05:11:46.440

Kirsten Hytopoulos: mayor and could you possibly stop sharing David unless we thank you.

1326

05:11:48.960 --> 05:11:57.300

Rasham Nassar: Thanks clint have read them a quick question about the water report I think it's the w at that and stated that.

1327

05:11:58.560 --> 05:11:59.220

Rasham Nassar: i'm.

1328

05:12:00.750 --> 05:12:01.050

Rasham Nassar: Like.

1329

05:12:02.490 --> 05:12:11.940

Rasham Nassar: That chromium and lube oils came in above the allowable limits for the water that was tested in that area and that that those were only a portion of the contaminants that were tested.

1330

05:12:12.420 --> 05:12:22.290

Rasham Nassar: So is that something that dnr handles that within their jurisdiction under the reclamation or is the water concern in the game and it's in the water issue with the city.

1331

05:12:23.370 --> 05:12:31.680

David Greetham: and part of that part of the water issue or that was part of the meeting today with dnr and they have reminded us that state health and local health.

1332

05:12:32.010 --> 05:12:42.720

David Greetham: As the key authority over well contamination concerns or potential contamination I previously reach out to the State health which which handles larger wells.

1333

05:12:44.250 --> 05:12:54.240

David Greetham: And they have indicated, there was no sign of contamination to the larger well and area I previously talked to local health, but that was a year ago now, so to answer your question.

1334

05:12:54.690 --> 05:13:03.150

David Greetham: I think it's very appropriate for me to circle back with local health and share that information as we're getting all this information in from the from the concerned citizens.

1335

05:13:03.570 --> 05:13:19.740

David Greetham: I am not an expert on the water quality impacts, personally I wouldn't claim to be, but I can certainly make sure we continue to get those to the right agencies and again local health for single wells and and state health for wells that serve multiple residents.

1336

05:13:21.270 --> 05:13:32.070

Rasham Nassar: Okay, and then what their communication and be with dnr because the city apparently has absolutely no jurisdictional authority over the management of that property as it moves to reclamation or I mean I don't understand how that works.

1337

05:13:32.460 --> 05:13:45.210

David Greetham: yeah so dnr and ecology you recall the to the other agency I mentioned was ecology ecology has jurisdiction over surface and groundwater impacts, the ecology.

1338

05:13:46.890 --> 05:13:58.140

David Greetham: And dnr corresponds we've had to date indicates there they're not aware of any specific contamination issues, however, I believe the issue you've mentioned mayor.

1339

05:13:58.440 --> 05:14:00.330

David Greetham: is something that we do want to.

1340

05:14:00.360 --> 05:14:09.000

David Greetham: convey to local health if I recall correctly it's tied to a specific well or the concern is tied to a specific single well.

1341

05:14:10.260 --> 05:14:13.950

David Greetham: So, to answer your question dnr and yeah and I think the city are appropriate as well.

1342

05:14:15.090 --> 05:14:17.670

David Greetham: Because we can get least convey and connect to the agencies.

1343

05:14:18.120 --> 05:14:26.850

Rasham Nassar: OK, and then it seems to have been you know kind of an issue in the past that dnr said it was their jurisdiction or it wasn't and it was a college or wasn't.

1344

05:14:27.510 --> 05:14:33.600

Rasham Nassar: And then the city wasn't quite sure where it could insert insert itself, especially in terms of the code enforcement process.

1345

05:14:34.050 --> 05:14:42.450

Rasham Nassar: And then the DNS came to the surface and finally realized that while the city may have the authority to revoke that permit all of that seems moot at this point, provided that.

1346

05:14:42.750 --> 05:14:50.880

Rasham Nassar: In light of the fact that the owners now stated it sounds like on the record and it's it's been agreed upon that he's moving towards reclamation so.

1347

05:14:51.900 --> 05:15:03.570

Rasham Nassar: In terms of moving forward through the reclamation process that what what oversight, can the city provide to ensure that dnr is following through with their work, because that really has been the issue here is that.

1348

05:15:03.930 --> 05:15:16.950

Rasham Nassar: Everyone everyone says it's, this is not mine or it's not why or you know they'll come to me that's yours, or it is mine and and then the problems just exacerbate they just continue and no one's held accountable for them so right.

1349

05:15:17.130 --> 05:15:22.200

David Greetham: So so that's a great summary of the meetings we've had over the last 18 months is okay, where where can we.

1350

05:15:23.280 --> 05:15:24.660

David Greetham: Where can the city.

1351

05:15:25.680 --> 05:15:31.590

David Greetham: insert themselves into making sure the site conditions or the site concerns are addressed, we were in the middle of.

1352

05:15:32.130 --> 05:15:42.150

David Greetham: I would say the end of that discussion when we got the news about the reclamation so right it's it's a moot point but it's not it's, not because we continue to meet with those agencies and we tend to assert that.

1353

05:15:42.780 --> 05:15:52.440

David Greetham: That the city's concerns in the cities, specifically the local residents concerns are things that we, as a city want to make sure our intro are covered, because.

1354

05:15:53.460 --> 05:15:56.370

David Greetham: Even the rtw addressing dnr role.

1355

05:15:57.420 --> 05:16:02.310

David Greetham: addresses the impact of groundwater on from mining and.

1356

05:16:03.360 --> 05:16:14.130

David Greetham: it's so easy to repeat reclamation as the sole authority or the exclusive authority again or it does not mean that were recruited from presenting issues to the agencies.

1357

05:16:14.400 --> 05:16:20.940

David Greetham: And we've actually developed a very good communication system with both ecology and dnr I believe over the last month.

1358

05:16:22.050 --> 05:16:32.820

David Greetham: I don't know if i've answered your question very well because you're right we have wrangled we try to get our arms around just what you said mayor, who, what is our role, what can we do and that's what we've really been wrangling with with the agencies.

1359

05:16:33.720 --> 05:16:37.200

Rasham Nassar: So one last follow up, I mean could the city just, for example.

1360

05:16:38.400 --> 05:16:39.060

Rasham Nassar: The.

1361

05:16:41.010 --> 05:16:48.900

Rasham Nassar: My understanding is that dnr when they go out and inspect they just do visual inspections, but they're not actually taking soil samples or water samples are chemically testing.

1362

05:16:50.070 --> 05:17:00.690

Rasham Nassar: You know kind of the elements within on that property, which is where the problems lie right there subsurface Is it the case that the city could just take a heightened just impose sort of this heightened.

1363

05:17:03.300 --> 05:17:12.810

Rasham Nassar: overview, or you know here the concerns of the citizens and commit to following through and making sure that dnr is.

1364

05:17:13.290 --> 05:17:18.030

Rasham Nassar: You know, doing their job within the city is also doing more than what is expected of dnr.

1365

05:17:18.690 --> 05:17:31.680

Rasham Nassar: And I mean, in light of the water quality, concerns and I did submit that report, I think one of the residents submitted it through me I submitted it to the interim manager, but we are talking about contaminated water for some island residents, and that is really concerning.

1366

05:17:33.180 --> 05:17:40.800

Rasham Nassar: So I just want to you know i'll definitely keep myself involved and engage in this conversation I know some other Council members are really interested in this as well.

1367

05:17:41.310 --> 05:17:58.830

Rasham Nassar: But two years is a really long time and things haven't gone very well for that property in past and I just really want to see us change that and take a better approach and more observant and you know accountable approach to make sure that properties.

1368

05:18:00.450 --> 05:18:02.130

Rasham Nassar: reclaimed if that's the.

1369

05:18:02.610 --> 05:18:05.490

David Greetham: I appreciate that and I hope my meeting with dnr today was.

1370

05:18:05.520 --> 05:18:21.660

David Greetham: Was it was carrying out that that request I specifically started with the list we received over the weekend from a meeting today, but I hear what you're saying and I certainly am open to any further input by direct right or or drill the Van on that, but we've.

1371

05:18:22.680 --> 05:18:24.930

David Greetham: Again with the limits were given with the State Law.

1372

05:18:26.370 --> 05:18:35.160

David Greetham: it's a it's a little bit of a situation where we, we can only go so far, but we have not been shy about reaching out and communicating and you may have you may recall.

1373

05:18:35.640 --> 05:18:42.840

David Greetham: The prayer city manager in the inner city managers correspondence back and forth with dnr to answer some of the exact questions you're asking me tonight mayor.

1374

05:18:45.180 --> 05:18:50.490

David Greetham: So I do want to be sent to that and acknowledge exactly what you are directing us to do, and thank you for that.

1375

05:18:51.840 --> 05:18:53.220

Kirsten Hytopoulos: let's remember deets yeah.

1376

05:18:53.730 --> 05:18:54.180

Joe Deets: Thank you.

1377

05:18:55.350 --> 05:19:07.500

Joe Deets: David, thank you for the this late hour, giving a very informed presentation i'm just wondering hearing that dnr may not be taking samples and so much of the damage would be underground.

1378

05:19:09.570 --> 05:19:17.130

Joe Deets: With the city, be allowed, I mean would we be trespassing if we went there and started taking samples and then reporting out on that.

1379

05:19:17.970 --> 05:19:32.850

Joe Deets: It seems it isn't our property So is there is there access issues, because I think if we all agree, we want to make sure this reclamation goes right and we don't want to just trust dnr to do it because sure.

1380

05:19:33.690 --> 05:19:44.550

David Greetham: Well, the my experience with the operator, so far, Mr Sean Leiden he's been very amenable to city input and responsive, so I would venture, we would be.

1381

05:19:44.910 --> 05:19:49.650

David Greetham: He would be open to us asking him those with those questions he's been very accommodating so far.

1382

05:19:50.520 --> 05:20:00.150

David Greetham: But that's again where we get into state health and local health authority and expertise so we'd, certainly if if that circumstance arose or We took that next step.

1383

05:20:00.480 --> 05:20:10.770

David Greetham: we'd want to coordinate with the site operator and the and local health and state health if needed and state health has offered to assist in any way they can, in my prior conversation with them.

1384

05:20:13.080 --> 05:20:27.840

David Greetham: And again just to break down local health handles a smaller wells state health oversees the larger wells, there is a Community well to the Northeast I forget the number of feet, I apologize, but there is a Community well in the area and there, of course, multiple single wells in the area.

1385

05:20:29.520 --> 05:20:31.170

Rasham Nassar: Do you know how many parties are on that well.

1386

05:20:32.790 --> 05:20:38.400

David Greetham: I apologize I don't know the number right now I did use to I had a long conversation with the state about it last year.

1387

05:20:39.420 --> 05:20:45.630

David Greetham: To get their their records and their evidence of whether there is any concern or issue at that time there was not at that time.

1388

05:20:48.090 --> 05:20:56.610

Kirsten Hytopoulos: Okay, good so you're gonna kill me, but I have something for this as well, so i'd like to take my turn i'm i'm remain concerned about an issue that I had asked the city manager that hopefully.

1389

05:20:57.030 --> 05:21:05.100

Kirsten Hytopoulos: have addressed today and, hopefully, someone can my concern is still the md MDS whatever mitigate determination so movements.

1390

05:21:05.850 --> 05:21:12.300

Kirsten Hytopoulos: From way back and whether or not so reclamation is one thing reclamation is resurfacing and regurgitating.

1391

05:21:12.660 --> 05:21:19.530

Kirsten Hytopoulos: My concern remains that and I don't have a copy of it and so maybe someone knows, but I thought that the the.

1392

05:21:20.010 --> 05:21:31.200

Kirsten Hytopoulos: vm DNS was aimed at the idea of in Part one of the requirements was not disturbing, you know that was the size of the disturbance, not just from a state mining perspective, but from a protection of the.

1393

05:21:31.770 --> 05:21:41.940

Kirsten Hytopoulos: Of the recharge area, and so I could be wrong, and I am a lay person here but i've always understood, for all these years, that there was some concern about this as a deep deep sand.

1394

05:21:42.240 --> 05:21:52.320

Kirsten Hytopoulos: recharge area they were allowed to replace sand with soils that would basically kept those areas within a certain amount of space and that they may have exceeded that.

1395

05:21:52.830 --> 05:22:05.250

Kirsten Hytopoulos: So my concern continues to be, I understand that we have no jurisdiction over reclamation which appears to be defined, I looked at with with the RC wpc what I thought it would be it's more like let's make it nice again.

1396

05:22:06.150 --> 05:22:22.080

Kirsten Hytopoulos: And that the water quality issues really important too, but what happened to our authority if i'm correct over some aware over a permit been exceeded, as far as how much of this of the of that permeable sand could have been removed and capped off potentially.

1397

05:22:23.310 --> 05:22:27.720

Kirsten Hytopoulos: And I just wanted to hear from staff, am I right did we did we have.

1398

05:22:28.800 --> 05:22:43.860

Kirsten Hytopoulos: parameter set for that did they exceed them and, if so, why would we not be able to now say before you reclaim the surface of this area, you need to replace X, you know square footage that you've kept you know pull it back out and put sand in there.

1399

05:22:44.040 --> 05:22:46.410

Kirsten Hytopoulos: Does that make sense, how are we got.

1400

05:22:47.070 --> 05:22:56.040

David Greetham: Two quick comments on that for context, the city, originally a required not not originally for a certain grading project related to what's now called pleasant beats village.

1401

05:22:57.450 --> 05:23:09.090

David Greetham: required a grading President oh seven and when we were in the early stages that grading from it, it was determined that it exceeded a certain size which triggered the state mining reclamation from it.

1402

05:23:10.020 --> 05:23:19.770

David Greetham: At that time, the city appear to give over the project, including the CP DNS to dnr as taking over the project because it it that three acre size.

1403

05:23:20.340 --> 05:23:30.210

David Greetham: Now to your specific questions about the sand there's a letter attached to your packet this evening there's a more detailed memo from the inner city manager and there's a letter from dnr.

1404

05:23:31.290 --> 05:23:35.790

David Greetham: That addresses some of those concerns, because that has been part of our discussion with dnr.

1405

05:23:36.390 --> 05:23:48.420

David Greetham: And, and it describes it refers back to 2009 aspect consulting report that describes the aquifers, the sea level aquifer and the higher Shylock refer in the relationship between those and why there isn't.

1406

05:23:49.230 --> 05:24:01.500

David Greetham: In the agency's view issue right now with regard to or apparently an issue at all right now that's not discounting what the mayor was just discussing regarding the report received from a citizen so.

1407

05:24:02.760 --> 05:24:12.150

David Greetham: Regarding the amount of sand dnr has inspected the what they call the floor there's a minimum separation between how deep that mind goes.

1408

05:24:12.870 --> 05:24:22.920

David Greetham: And the the top of the upper shallow Iraq for indiana has made those measurements and confirm for us in their inspections that they're within the parameters required for that.

1409

05:24:24.150 --> 05:24:27.810

Kirsten Hytopoulos: that's for water quality, but not not for quantity, not for return.

1410

05:24:28.050 --> 05:24:41.460

David Greetham: that's true so as far as your quantity question I don't have an answer to that right now we've focused on that that what I just mentioned, are we maintaining that floor where you can't go any deeper any closer to her shallow aquifer.

1411

05:24:42.240 --> 05:24:49.290

David Greetham: So I would need to do a little bit more research on your question about the overall quantity, I guess, I would say it is beyond and different.

1412

05:24:49.650 --> 05:24:56.070

David Greetham: than what we reviewed as a grading permit in 2008 that was primarily on the West side of sight on the fletcher.

1413

05:24:56.580 --> 05:25:05.280

David Greetham: A roadside the dnr permit expanded to a larger than three acre it's approximately 4.5 acres or at least one time wasn't maybe larger.

1414

05:25:06.180 --> 05:25:21.630

David Greetham: So that's where it falls under dnr permit and to your question about quantity and replacement materials they will have to replace the entire materials in replace the existing open all as part of the reclamation.

1415

05:25:22.800 --> 05:25:27.360

David Greetham: But I think your question all goes also goes to our the replacing with the correct materials great.

1416

05:25:29.460 --> 05:25:32.100

David Greetham: So it was a long winded and not a very good answer I apologize.

1417

05:25:32.100 --> 05:25:40.530

Kirsten Hytopoulos: Or is there more informational you get I just hate to see this site resurface and reclaimed and we didn't way no renewed to or exert any authority.

1418

05:25:40.530 --> 05:25:43.650

Kirsten Hytopoulos: About surface stuff so okay.

1419

05:25:43.980 --> 05:25:56.700

David Greetham: Can I clarify that you would like us to to really dig in on the on not only bit depth issue, but the quantity issue and have a met the requirements for how much they replace in the in the in the mind area.

1420

05:25:57.240 --> 05:26:04.770

Kirsten Hytopoulos: i'm that's what i'm asking counselor do you do you share any concerns about the fact that this was a sand pit that was that was filled with.

1421

05:26:05.700 --> 05:26:14.880

Kirsten Hytopoulos: whale tail or whatever it's been filled with and that not only what they put in now, but yeah when they fill the pit are they going to fill that with sand or are they going to fill that with more.

1422

05:26:15.540 --> 05:26:24.540

Kirsten Hytopoulos: Poor soils and so I if i'm the only councilmember this concerned about that I will drop this, but if we are concerned about it, I think we should ask some more questions.

1423

05:26:26.790 --> 05:26:29.310

Kirsten Hytopoulos: looks like it looks like there's agreement Okay, thank you counsel.

1424

05:26:30.660 --> 05:26:33.930

Kirsten Hytopoulos: Okay um and counsel our family Johnson.

1425

05:26:34.680 --> 05:26:36.630

Brenda Fantroy-Johnson: I just wanted to find out.

1426

05:26:37.650 --> 05:26:41.520

Brenda Fantroy-Johnson: Why we're not we don't have jurisdiction over the reclaiming.

1427

05:26:42.750 --> 05:26:54.450

Brenda Fantroy-Johnson: Do we have a will we be able to be in on the final you know final inspection, I guess, after they've you know they've said they were going to do.

1428

05:26:54.840 --> 05:27:01.950

David Greetham: Good question the State law that guys reclamation says that dnr also has authority over the inspections, although they can.

1429

05:27:02.490 --> 05:27:11.910

David Greetham: contract with a local jurisdiction for code compliance and possibly some inspections, I may be wrong, and just the general inspections there's clear language in the State Law about how this works.

1430

05:27:12.300 --> 05:27:18.060

David Greetham: And they would have to contract with us to do compliance, so there is that option in the law.

1431

05:27:19.320 --> 05:27:23.220

David Greetham: We don't have any water quality experts, well, I take that back.

1432

05:27:24.300 --> 05:27:32.940

David Greetham: I don't want to over commit to what our expertise would be on city staff but we've certainly always want to coordinate with our local health district on those issues.

1433

05:27:34.650 --> 05:27:45.870

Brenda Fantroy-Johnson: Just a distant follow up with that is there, you know, do we contact them, let them know that we're interested in doing that, I mean, how do we proactively make sure we're involved.

1434

05:27:47.100 --> 05:27:54.540

David Greetham: Well, we we have staff certainly will follow your direction and and and circle back as the team that I mentioned earlier, and.

1435

05:27:55.620 --> 05:28:04.770

David Greetham: If I certainly am noting this request and and we'll look back at that language in the State law, it might, it can be tied to just enforcement.

1436

05:28:05.100 --> 05:28:21.960

David Greetham: And we did actually issue a stop record on the site, about a year ago that I mentioned, but in the reclamation phase, it is pretty clear, we only are invited to do that if the state contracts with us so i'm certainly taking your comment as something for us to look into.

1437

05:28:23.400 --> 05:28:23.790

Brenda Fantroy-Johnson: Thank you.

1438

05:28:24.450 --> 05:28:24.840

David Greetham: Thank you.

1439

05:28:25.050 --> 05:28:26.970

Kirsten Hytopoulos: I director right did you want to add something.

1440

05:28:28.440 --> 05:28:36.720

Heather Wright: I guess Thank you deputy now, I just wanted to offer potentially to share the reclamation plan to address your concerns about the.

1441

05:28:37.110 --> 05:28:48.450

Heather Wright: quantity and the quality of the materials going in there, so I was wondering Dave is that something we could make available for the Council to view the reclamation plan okay.

1442

05:28:48.720 --> 05:28:49.620

Heather Wright: we're done.

1443

05:28:49.980 --> 05:28:55.290

David Greetham: Okay that's exactly what the city requested when we stop work, the project last year show us your ecology permits.

1444

05:28:55.290 --> 05:28:58.500

David Greetham: and your reclamation plan we're happy to provide that information.

1445

05:28:59.160 --> 05:29:00.480

Kirsten Hytopoulos: Thank you and mayor.

1446

05:29:01.530 --> 05:29:10.350

Rasham Nassar: I definitely want to move us along just given the hour, but this is really important, it was important to the Community we've punted this discussion, a number of months waiting for dnr.

1447

05:29:11.130 --> 05:29:23.760

Rasham Nassar: to join us at the meeting so My final point is is is that are we still intending that wasn't an appropriate next touch be to have this conversation again with the in our present maybe that's when we see the reclamation plan.

1448

05:29:26.820 --> 05:29:36.690

David Greetham: And I can weigh in what well you're if you're asking your fellow cast members, the question I can weigh in that we have invited ecology and dnr to attend a meeting and they both indicated their availability to do so.

1449

05:29:37.020 --> 05:29:37.800

David Greetham: I can request.

1450

05:29:38.490 --> 05:29:43.830

Rasham Nassar: Okay, great so just for Councils benefit That was our original plan for tonight, they couldn't attend tonight.

1451

05:29:44.580 --> 05:29:53.340

Rasham Nassar: But we decided to hold this meeting slot because it had been punted at least three times we initially intended to schedule this discussion back in February, I believe.

1452

05:29:54.150 --> 05:30:00.840

Rasham Nassar: or March, so if Councils okay with that, then I can just work with Deputy Mayor and interim city manager and collect.

1453

05:30:01.470 --> 05:30:06.060

Rasham Nassar: Some of the discussion we've had tonight and schedule that study session with ecology and dnr.

1454

05:30:06.360 --> 05:30:15.000

Rasham Nassar: sometime in the future, and if it would also be okay with counsel, I would like to invite one or two of the triangle property citizens that have been very proactive and involved and engaged.

1455

05:30:15.420 --> 05:30:24.390

Rasham Nassar: And this debate, they are a well source of information and knowledge and can really help to kind of clarify in layman's terms what it is we're talking about here in terms of.

1456

05:30:24.870 --> 05:30:31.830

Rasham Nassar: history of the crop that of the property and where we're going and what the city what the Community is really advocating for.

1457

05:30:33.390 --> 05:30:37.740

Rasham Nassar: That sound okay okay Thank you so much, great.

1458

05:30:38.010 --> 05:30:43.350

Kirsten Hytopoulos: Okay Thank you everyone, we are at for the good of the order item seven.

1459

05:30:44.850 --> 05:30:45.870

Kirsten Hytopoulos: mayor, do you have your hand up.

1460

05:30:47.430 --> 05:30:47.730

know.

1461

05:30:48.900 --> 05:30:50.910

Kirsten Hytopoulos: What Joe don't you have anything.

1462

05:30:53.610 --> 05:30:55.080

Kirsten Hytopoulos: You don't know when does.

1463

05:30:57.150 --> 05:31:00.720

Kirsten Hytopoulos: Okay, it looks like we are adjourned everyone good night.