

LYNNWOOD CITY COUNCIL
Business Meeting
City Hall Council Chambers

Date: Monday, October 26, 2020
Time: 6:00 PM

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- 10 CALL TO ORDER & FLAG SALUTE
 - 20 ROLL CALL
 - 30 APPROVAL OF MINUTES
 - A Minutes ~ September 21, 2020
 - B Minutes ~ September 28, 2020
 - C Minutes ~ October 5, 2020
 - 40 MESSAGES AND PAPERS FROM THE MAYOR
 - 50 CITIZEN COMMENTS AND COMMUNICATIONS
 - 60 PRESENTATIONS AND PROCLAMATIONS
 - A Presentation-Preliminary Budget for Parks, Recreation and Cultural Arts
 - B Presentation-Preliminary Budget for Police
 - C Presentation-Preliminary Budget for Municipal Court
 - 70 WRITTEN COMMUNICATIONS AND PETITIONS
 - 80 COUNCIL COMMENTS AND ANNOUNCEMENTS
 - 90 BUSINESS ITEMS AND OTHER MATTERS
 - 90 .1 UNANIMOUS CONSENT AGENDA
 - A Voucher Approval
 - 90 .2 PUBLIC HEARINGS OR MEETINGS
 - A Public Hearing: Ordinance Providing for the Granting of Land Use Extensions
 - 90 .3 OTHER BUSINESS ITEMS
 - 100 NEW BUSINESS
 - 110 ADJOURNMENT

THE PUBLIC IS INVITED TO ATTEND

Parking and meeting rooms are accessible for persons with disabilities. Individuals requiring reasonable accommodations may request written materials in alternate formats, sign language interpreters, language interpreters, physical accessibility accommodations, or other reasonable accommodations by contacting 425-670-5023 no later than 3pm on

Friday before the meeting. Persons who are deaf or hard of hearing may contact the event sponsor through the Washington Relay Service at 7-1-1.

"El estacionamiento y las salas de junta cuentan con acceso para personas con discapacidad. Las personas que requieran de adaptaciones razonables pueden solicitar materiales impresos en formatos alternativos como intérpretes de lenguaje de señas, intérpretes de idiomas, asistencia física para acceso, así como otros ajustes razonables. Pueden comunicarse al numero 425-670-5023 antes de las 3:00 pm del Viernes antes a la reunión. Las personas con discapacidad auditiva o con problemas de audición pueden comunicarse con el patrocinador del evento a través del Washington Relay Service al 7-1-1."

Regular Business Meetings are held on the second and fourth Mondays of the month. They are videotaped for broadcast on Comcast Channel 21 and FIOS - Frontier Channel 38 on Wednesdays at 7:30p.m. and Sundays at 7:00a.m. and 2:00p.m.

CITY COUNCIL ITEM 30-A

CITY OF LYNNWOOD City Council

TITLE: Minutes ~ September 21, 2020

DEPARTMENT CONTACT: Lisa Harrison, Executive Assistant

DOCUMENT ATTACHMENTS

Description:	Type:
Minutes ~ September 21, 2020	Backup Material

**MINUTES OF THE WORK SESSION OF THE LYNNWOOD CITY COUNCIL
HELD MONDAY, MAY 4, 2020 AT 6:00 p.m. VIA ZOOM**

Attendance:

Mayor Nicola Smith
Council President Christine Frizzell
Council Vice President Shannon Sessions
Councilmember Ian Cotton
Councilmember Ruth Ross
Councilmember George Hurst
Councilmember Jim Smith
Councilmember Julieta Altamirano-Crosby
Assistant City Administrator Art Ceniza
Interim City Clerk Karen Fitzthum

Guests:

Daniela Altamirano Crosby
Marcia Smith
Joshua Binda
Katie McKeown
Teodora Popescu
Nancy Neraas, Foster Pepper
Heather Buczek, MIG Consulting

Others:

Finance Director Sonja Springer
Public Works Director Bill Franz
Deputy PW Director Les Rubstello
Engineering Manager David Mach
Project Manager Amie Hanson
Interim Procurement Mgr. Cathy Robinson
Planning Manager Ashley Winchell
Senior Planner Kristen Holdsworth
Parks & Rec. Director Lynn Sordel
Comm. Programs Coord. Fred Wong
Devt. & Bus. Svcs. Dir. David Kleitsch
Deputy Police Chief Chuck Steichen
Building Official Robert Mathias
Human Resources Director Evan Chinn

Comments and Questions on Memo Items

Memorandums for Future Agenda Items:

- **M-1 Contract 3094, Amendment #2, S Lynnwood Park Final Design**
- **M-2 Public Hearing and Ordinance Adoption: Flood Hazard Area Regulations**
 - Mayor Smith solicited comments on these items. There were none.

Interview: Diversity, Equity and Inclusion Commission Candidates Daniela Altamirano-Crosby, Marcia Smith and Joshua Binda (6:23 p.m.)

- Human Resources Manager Chinn introduced each candidate who then introduced himself/herself. Comments and questions followed. Councilmember Altamirano Crosby recused herself for the interview of Daniela Altamirano Crosby.

Interview: Parks and Recreation Board Applicant Katie McKeown (40:50)

- Director Sordel introduced Ms. McKeown who discussed her interest in the Parks and Recreation Board. Comments and questions followed.

Interview: Arts Commission Applicant Teodora Popescu (50:55)

- Community Programs Coordinator Wong introduced Ms. Popescu who discussed her interest in the Arts Commission. Comments and questions followed.

Appointment: Lynnwood Public Facilities District Board, Position #4: Rosario Reyes (1:09:00)

- Director Kleitsch explained that Ms. Reyes was being recommended for reappointment to the PFD Board. Comments and questions followed.

COVID-19 Update (1:14:50)

- Deputy Chief Steichen gave an update on Covid-19 statistics and other information including flu shots, lost wage assistance benefits, testing sites, vaccines, suicide prevention, and CARES Act funding allocations. He also gave an update around challenges with providing funding for the food bank to use towards a vehicle. Staff recommended putting the money back in the community fund or finding a different use for the money. Council comments and questions followed.

Refinance 2010 Utility Bonds (1:45:00)

- Finance Director Springer and Nancy Neraas of Foster Pepper discussed the opportunity to refinance 2010 utility bonds at a lower interest rate with potential savings of \$500,000 to \$700,000 over the life of the loan. Comments and questions followed. This item will come forward to the 9/28 Business Meeting for Council consideration and potential action.

Briefing: Lynnwood ADA Self-Evaluation and Transition Plan/Sidewalk Maintenance (2:00:00)

- Director Franz introduced this item. Engineering Manager Mach, Deputy Director Les Rubstello, and Heather Buczek of MIG Consulting discussed the City's ADA Transition Plan it relates to transportation. Council comments and questions followed. Councilmember Altamirano Crosby requested more information about the disabled residents who participated in the focus group and those who live in Lynnwood. Several councilmembers expressed interest in city maintenance of the sidewalks.

Motion made by Council President Frizzell, seconded by Council Vice President Sessions, to extend the meeting through the end of the agenda. Motion passed.

Update - Housing Action Plan (3:06:00)

- Director Kleitsch introduced this item. Planning Manager Winchell and Senior Planner Holdsworth presented an update on the Housing Needs Assessment, the next steps for the Housing Action Plans and opportunities for community involvement. Council Comments and questions followed.

LMC 2.92 Contract Threshold (3:43:00)

- Interim City Clerk Fitzthum and Procurement Manager Robinson made a presentation regarding contracting thresholds. Council comments and questions followed. Councilmember Smith requested that staff bring back a list of disbursements in the last 18 months between \$100,000 and \$250,000. There was consensus to bring an Ordinance to the Business Meeting for the \$100,000 level for Council consideration.

Mayor Comments and Questions

- None

Council President and Council Comments

- None

- 96 **Executive Session – if needed**
97 • None.
98
99 **Adjourn**
100 • Meeting adjourned at 10:15 p.m.

101
102
103
104
105

Nicola Smith, Mayor

CITY COUNCIL ITEM 30-B

**CITY OF LYNNWOOD
City Clerk**

TITLE: Minutes ~ September 28, 2020

DEPARTMENT CONTACT: Lisa Harrison, Executive Assistant, City Council

DOCUMENT ATTACHMENTS

Description:	Type:
<u>Minutes ~ September 28, 2020</u>	Backup Material

CITY OF LYNNWOOD
CITY COUNCIL BUSINESS MEETING MINUTES
September 28, 2020

10. CALL TO ORDER - The September 28, 2020 Business Meeting of the Lynnwood City Council, held via Zoom, was called to order by Mayor Smith at 6:00 p.m.

20. ROLL CALL

Mayor & Council:

Mayor Nicola Smith
Council President Christine Frizzell
Council Vice President Shannon Sessions
Councilmember Ruth Ross
Councilmember Ian Cotton
Councilmember George Hurst
Councilmember Julieta Altamirano-Crosby
Councilmember Jim Smith

Acting City Clerk Karen Fitzthum
City Attorney Larson

Others Attending:

Strategic Planner Corbitt Loch
Finance Director Sonja Springer
Communications Manager Julie Moore
Ops. & Maintenance Mgr. Jared Bond
Env. & Surface Water Supv. Derek Fada

Guests from the State Auditor's Office:

Audit Manager Wendy Choy
Asst. Audit Manager Clay Trushinky
Audit Lead Marlon Deppen

30. APPROVAL OF MINUTES (1:24)

Motion made by Council President Frizzell, seconded by Councilmember Cotton, to approve the minutes of:

- A. *Work Session ~ August 3, 2020*
 - B. *Business Meeting ~ August 10, 2020*
 - C. *Special Council Meeting ~ August 17, 2020*
- The minutes were approved as presented.*

40. MESSAGES AND PAPERS FROM THE MAYOR (2:30)

Mayor Smith commented on recent events around the City including the Amazon Catalyst Project in conjunction with Northwest Innovation Resource Center.

50. CITIZENS COMMENTS AND COMMUNICATIONS (6:25)

- Ted Hikel, Lynnwood

60. PRESENTATIONS AND PROCLAMATIONS

- A. 2019 Audit Exit Conference (12:30)

1 Finance Director Springer introduced this topic. State Auditors' Office staff members
2 Wendy Choy, Clay Trushinsky, and Marlon Deppen made the Exit Conference
3 presentation. Comments and questions followed.
4

5 B. COVID-19 Update (38:05)
6

7 Communications Manager Moore presented Covid-10 case numbers and related
8 information including the REcess program for kids and CARES Act Funding (Small
9 Business Relief Grant Program and Rental/Mortgage Relief Program). Comments and
10 questions followed. Councilmember Altamirano Crosby requested more information
11 from staff about capacity availability for the REcess program and a demographic
12 breakdown of participants. There was significant discussion about options for allocation
13 of CARES Act Funding to benefit the food bank or other community organizations.
14

15 C. Proclamation: Latino Heritage Month (1:15:40)
16

17 Councilmember Altamirano Crosby asked for Council consensus to change the name to
18 Hispanic Heritage Month to be in alignment with the nationally recognized holiday and
19 to reflect their heritage more accurately. She then read the Proclamation recognizing
20 September 15 – October 15, 2020 as National Hispanic Heritage Month in the City of
21 Lynnwood.
22

23 D. Proclamation: Honoring the 100th Anniversary of the 19th Amendment to the
24 Constitution (1:23:40)
25

26 Councilmember Ross read the Proclamation honoring the 100th Anniversary of the 19th
27 Amendment to the Constitution.
28

29 70. WRITTEN COMMUNICATIONS AND PETITIONS - None
30

31 80. COUNCIL COMMENTS AND ANNOUNCEMENTS (1:26:20)
32

33 Councilmembers commented on recent developments in the City.
34

35 90. BUSINESS ITEMS AND OTHER MATTERS
36

37 90.1 UNANIMOUS CONSENT AGENDA (1:34:45)
38

39 Items listed below were distributed to Councilmembers in advance for study and were
40 enacted with one motion.
41

42 *Councilmember Smith moved for unanimous consent of the following items:*
43

44 A. *Confirmation of Board of Ethics Candidate Ty Tufono-Chausee –*
45 *Confirm Ms. Ty Tufono-Chaussee for position 2 on the Board of Ethics for a term*
46 *expiring January 21, 2022.*
47

B. *Confirmation of Appointment; Diversity, Equity, and Inclusions*
Commission Candidate Daniela Altamirano-Crosby.

1 *Appoint Daniela Altamirano-Crosby to position #2 of the Diversity, Equity and*
2 *Inclusion Commission for a term expiring December 31, 2022.*

3
4 *C. Confirmation of Appointment: Diversity, Equity, and Inclusions*
5 *Commission Candidate Joshua Binda*
6 *Appoint Joshua Binda to position #3 of the Diversity, Equity and Inclusion*
7 *Commission for a term expiring December 31, 2022.*

8
9 *D. Confirmation of Appointment: Diversity, Equity, and Inclusions*
10 *Commission Candidate Marcia Smith*
11 *Appoint Marcia Smith to Position #7 of the Diversity, Equity and Inclusion*
12 *Commission for a term expiring December 31, 2022.*

13
14 *E. Confirmation of Appointment: Parks and Recreation Board Applicant*
15 *Katie McKeown.*
16 *Appoint Katie McKeown to position #3 of the Parks and Recreation Board for a*
17 *term expiring December 31, 2022.*

18
19 *F. Confirmation of Appointment: Arts Commission Applicant Teodora*
20 *Popescu.*
21 *Appoint Teodora Popescu to position #3 of the Arts Commission for a term*
22 *expiring December 31, 2022.*

23
24 *G. Reappointment: Lynnwood Public Facilities District Board, Position #4,*
25 *Rosario Reyes*
26 *Reappoint Board member Reyes, Position #4 to the Lynnwood Public Facilities*
27 *District Board of Directors for a term expiring October 18, 2024.*

28
29 *H. Contract 3094, Amendment #2, South Lynnwood Park Final Design*
30 *Authorize the Mayor to execute contract amendment #2 with MIG, Inc., for*
31 *expanded construction administration services in the amount of \$79,080 and*
32 *extend the contract term through 12/31/21.*

33
34 *I. Voucher Approval*
35 *Approve claims in the amount of \$1,410,112.38 for the period of 9/5/2020 to*
36 *9/18/2020.*
37 *Approve Payroll in the amount of \$1,097,664.58 dated 9/11/2020.*

38
39 *Motion passed unanimously.*

40
41 *Several of the candidates approved above were introduced to the community.*

42
43 **90.2 PUBLIC HEARINGS OR MEETINGS**

44
45 **A. Public Hearing: Priorities for 2021-2022 Budget (1:41:00)**

46
47 *Mayor Smith introduced this item, discussed the purpose of the hearing, and*
48 *solicited conflict of interest issues. There were none. Mayor Smith opened the*
49 *public hearing and reviewed hearing rules and procedures.*

Staff Presentation: Finance Director Springer and Strategic Planner Loch made the presentation including the process & schedule, utility rate process, 2021 property tax levy, general fund revenues and expenditures, proposed budget highlights, strategic plan priorities, community vision, summary of reductions and potential impacts. Council comments and clarification questions followed. The public testimony portion of the hearing was opened, and public comments were solicited.

Written comments were read into the record from the following individuals:

- Caroline Judd
- Joshua Judd Herzfeldt
- Jared Bigelow
- Naz Lashgari
- Brian Rodebow
- John and Cami Keene
- Bruce and Helene Wiener
- Nora Chinn
- Terry and Elaine Solvang
- Phong Nguyen
- William Kandoll
- Dr. and Mrs. Nelson Smith
- Karen Tiede
- Joseph Vietor
- Char Blankenship (8/11/20)
- Courtney A. Ostrem
- Sandra and Walter Appel
- Mike Kobal
- Tyler Hall
- Char Blankenship (6/9/20)
- Arthur Levine

Motion made by Council President Frizzell, seconded by Councilmember Altamirano Crosby to extend the meeting to the end of the agenda. Motion passed unanimously.

Public Comments:

- Teo Popescu
- Nicholas Coelho
- Ted Hikel
- Kerri Lonergan-Dreke

Staff responded to some public comments. Councilmembers asked clarifying questions. Seeing no further comments, the public hearing was closed.

B. Public Hearing: Flood Hazard Area Regulations (3:21:00)

Mayor Smith introduced this item, discussed the purpose of the hearing, and solicited conflict of interest issues. There were none. Mayor Smith opened the public hearing and reviewed hearing rules and procedures.

Staff Presentation: Environmental and Surface Water Supervisor Fada and Operations and Maintenance Manager Bond made the staff presentation related to the 2020 Flood Hazard Area Regulations. Councilmembers had no comments or questions. Written materials were solicited. There were none. Citizen comments were solicited. There were none. Seeing no further comments, the public hearing was closed.

1 90.3 OTHER BUSINESS ITEMS

2
3 A. Ordinance: Flood Hazard Area Regulations (3:33:00)

4
5 *Motion made by Councilmember Cotton, seconded by Councilmember Ross, to*
6 *adopt Ordinance No. 3370, "AN ORDINANCE OF THE CITY COUNCIL OF*
7 *THE CITY OF LYNNWOOD, WASHINGTON, AMENDING LMC 16.46, FLOOD*
8 *HAZARD REGULATIONS; PROVIDING FOR SEVERABILITY; ESTABLISHING*
9 *AN EFFECTIVE DATE; AND PROVIDING FOR SUMMARY PUBLICATION".*
10 *Upon a roll call vote, the motion passed unanimously (7-0).*

11
12 B. Ordinance: Repeal LMC 3.100 (3:36:00)

13
14 *Motion made by Council President Frizzell, seconded by Councilmember Ross, to*
15 *adopt Ordinance No. 3371, "AN ORDINANCE OF THE CITY OF LYNNWOOD,*
16 *WASHINGTON, RELATING TO THE NARCOTICS ENFORCEMENT*
17 *REVOLVING ACCOUNT; REPEALING CHAPTER 3.100 LMC; AND*
18 *PROVIDING FOR AN EFFECTIVE DATE, SEVERABILITY AND SUMMARY*
19 *PUBLICATION" Upon a roll call vote, the motion passed unanimously (7-0).*
20

21 C. Ordinance: Refinance 2010 Utility Bonds (3:38:45)

22
23 *Motion made by Councilmember Cotton, seconded by Council President Frizzell,*
24 *to adopt Ordinance No. 3372, "AN ORDINANCE RELATING TO THE UTILITY*
25 *SYSTEM OF THE CITY OF LYNNWOOD, WASHINGTON, RELATING TO*
26 *CONTRACTING INDEBTEDNESS; PROVIDING FOR THE ISSUANCE, SALE*
27 *AND DELIVERY OF A NOT TO EXCEED \$6,100,000 AGGREGATE*
28 *PRINCIPAL AMOUNT UTILITY SYSTEM REVENUE REFUNDING BOND TO*
29 *PROVIDE FUNDS TO REFUND ALL OR A PORTION OF THE CITY'S*
30 *UTILITY SYSTEM REVENUE BONDS, 2010; FIXING OR SETTING*
31 *PARAMETERS WITH RESPECT TO CERTAIN TERMS AND COVENANTS OF*
32 *THE BOND; APPOINTING THE CITY'S DESIGNATED REPRESENTATIVE TO*
33 *APPROVE THE FINAL TERMS OF THE BOND; AND PROVIDING FOR*
34 *OTHER RELATED MATTERS." Upon a roll call vote, the motion passed*
35 *unanimously (7-0).*
36

37 D. Ordinance: Development Agreement and Binding Site Plan Code Amendments
38 (3:41:00)

39
40 *Motion made by Councilmember Hurst, seconded by Councilmember Ross, to*
41 *adopt Ordinance No. 3373, "AN ORDINANCE OF THE CITY OF LYNNWOOD,*
42 *WASHINGTON, RELATING TO REGULATION OF DEVELOPMENT*
43 *AGREEMENTS AND BINDING SITE PLANS; AMENDING CHAPTER 3.104;*
44 *AMENDING CHAPTER 19.75; AND AMENDING CHAPTER 21.29; AND*
45 *PROVIDING FOR SEVERABILITY, AN EFFECTIVE DATE AND SUMMARY*
46 *PUBLICATION."*
47

48 Councilmembers discussed the motion.
49

1 *Upon a roll call vote, the motion passed (6-1) with Councilmembers Cotton,*
2 *Frizzell, Hurst, Ross, Sessions, and Altamirano-Crosby voting in favor and*
3 *Councilmember Smith voting against the motion.*

4
5 E. Ordinance: LMC Chapter 2.92 Contract Threshold (3:44:00)

6
7 *Motion made by Council Vice President Sessions, seconded by Council President*
8 *Frizzell, to adopt Ordinance No. 3374, "AN ORDINANCE OF THE CITY*
9 *COUNCIL OF THE CITY OF LYNNWOOD, WASHINGTON, AMENDING LMC*
10 *2.92.020 A, 2.92.080 D (2) and 2.92.100 H, UPDATING THE PROCUREMENT*
11 *AND CONTRACT AWARD PROVISIONS; PROVIDING FOR SEVERABILITY;*
12 *ESTABLISHING AN EFFECTIVE DATE; AND PROVIDING FOR SUMMARY*
13 *PUBLICATION."*

14
15 Staff presented clarifying information on this item. Council comments followed.

16
17 *Upon a roll call vote, the motion passed unanimously (7-0).*

18
19 100. NEW BUSINESS (3:52:00)

20
21 There was consensus to move this item before Executive Session to adjourn immediately
22 following the Executive Session.

23
24 *Motion made by Councilmember Smith, seconded by Council Vice President Sessions, to*
25 *allocate \$50,000 out of the CARES Act Funding to the Lynnwood Food Bank for*
26 *operations.*

27
28 Councilmembers spoke to the motion.

29
30 *Upon a roll call vote the motion passed (5-2) with Councilmembers Ross, Sessions,*
31 *Smith, Hurst, and Altamirano-Crosby voting in favor and Councilmembers Cotton and*
32 *Frizzell voting against the motion.*

33
34 90.3 OTHER BUSINESS ITEMS (continued)

35
36 F. Executive Session: Personnel Interview

37
38 Council moved into an Executive Session at 10:01 p.m. to conduct a personnel
39 interview for 30 minutes. There was no action taken following the Executive
40 Session, and Council immediately adjourned.

41
42 110. ADJOURNMENT

43
44 The meeting was adjourned at 10:44 p.m.

45
46
47
48
49 _____
 Nicola Smith, Mayor

CITY COUNCIL ITEM 30-C

CITY OF LYNNWOOD City Clerk

TITLE: Minutes ~ October 5, 2020

DEPARTMENT CONTACT: Lisa Harrison, Executive Assistant

DOCUMENT ATTACHMENTS

Description:

[Minutes ~ October 5, 2020](#)

Type:

Backup Material

**MINUTES OF THE WORK SESSION OF THE LYNNWOOD CITY COUNCIL
HELD MONDAY, OCTOBER 5, 2020 AT 6:00 p.m. VIA ZOOM**

Attendance:

Mayor Nicola Smith
Council President Christine Frizzell
Council Vice President Shannon Sessions
Councilmember George Hurst
Councilmember Jim Smith
Councilmember Julieta Altamirano-Crosby

Others:

Finance Director Sonja Springer
Op. & Maint. Manager Jared Bond
Public Works Staff Ehsan Shirkhani
Communications Mgr. Julie Moore
Human Resources Director Evan Chinn

Assistant City Administrator Art Ceniza
Interim City Clerk Karen Fitzthum
Executive Assistant Leah Jensen
Executive Assistant Lisa Harrison

Guests:

Janet Pope, TAC applicant
Gustavo Balderas, Supt. Edmonds School District
Debora Kilgore, Edmonds School District
Katie Curtis, Snohomish County Health District

Comments and Questions on Memo Items

Memorandums for Future Agenda Items:

- FYI-1 City Center: Update on 194th Street SW Extension & City Center
- Mayor Smith solicited comments on Memorandum items. There was no discussion on these items.

Interview: Janet Pope for the Tourism Advisory Committee

- Mayor Smith introduced Janet Pope, who applied to be a member of the Tourism Committee.
- Councilmembers asked questions and made comments, thanked her for her interest.

Introduction to Edmonds School District Superintendent Gustavo Balderas (12:00)

- Mayor Smith introduced the new Superintendent Gustavo Balderas. He and school district board President Debra Kilgore made a presentation regarding the school district's response to Covid-19.
- Comments and questions followed.

Update from Snohomish County Health District Acting Prevention Services

Director Katie Curtis (1:00:00)

- Mayor Smith introduced Katie Curtis, who gave a presentation about their response to Covid-19 and resources available on their website.
- Comments and questions followed.

COVID-19 Update (1:25:31)

- Communications Manager Julie Moore presented the COVID-19 update.
- Comments and questions followed.

Proposed Board and Commission Lynnwood Municipal Code Revisions (1:35:00)

- Communications Manager Julie Moore, Human Resources Director Chinn and Executive Assistant Jensen presented their recommendations for updated wording and other changes to several municipal codes.
- Questions and answers followed. Discussion was had regarding the desire of council members to have more time to review the changes. They agreed to bring up this topic again at a future work session.
- *Motion made by Council President Frizzell, seconded by Council Vice President Sessions, to extend the meeting to the end of the agenda. Motion passed unanimously.*

Break (2:59:00)

Introduction of Executive Assistant to the Council, Lisa Harrison (3:05:00)

- Vice President Sessions introduced Lisa Harrison, who started as Executive Assistant on 10/5.

Briefing: Surface Water Management 2020 Comprehensive Plan (2020-2025), Pre-Public Hearing (3:05:00)

- Ehsan Shirkhani and Jared Bond presented an overview of the public hearing presentation to be given at the 10/12 business meeting. Comments and questions followed.

Mayor Comments and Questions

- No further comments

Council President and Council Comments

- No further comments

Executive Session: Litigation and Real Estate started at 9:15 p.m. (3:15:00)

Adjourn

- Meeting adjourned at 10:16 p.m.

Nicola Smith, Mayor

CITY COUNCIL ITEM 60-A

CITY OF LYNNWOOD Administrative Services

TITLE: Presentation-Preliminary Budget for Parks, Recreation and Cultural Arts

DEPARTMENT CONTACT: Sonja Springer

SUMMARY:

Director Lynn Sordel will present the 2021-2022 Preliminary Budget for the Parks, Recreation and Cultural Arts Department (PRCA).

POLICY QUESTION(S) FOR COUNCIL CONSIDERATION:

Does the Preliminary Budget support the adopted Community Vision and Strategic Plan?

ACTION:

None at this time.

BACKGROUND:

The PRCA Department is within the General Fund. The Department's budget begins on page 139. The Preliminary Budget is available for review on the City's website.

The PowerPoint presentation will be posted on the City's website. www.Lynnwoodwa.gov

PREVIOUS COUNCIL ACTIONS:

NA.

FUNDING:

NA.

KEY FEATURES AND VISION ALIGNMENT:

To be provided during presentation.

ADMINISTRATION RECOMMENDATION:

None at this time.

DOCUMENT ATTACHMENTS

Description:

Type:

No Attachments Available

CITY COUNCIL ITEM 60-B

CITY OF LYNNWOOD Administrative Services

TITLE: Presentation-Preliminary Budget for Police

DEPARTMENT CONTACT: Sonja Springer

SUMMARY:

Chief Jim Nelson will present the 2021-2022 Preliminary Budget for the Police Department.

POLICY QUESTION(S) FOR COUNCIL CONSIDERATION:

Does the Preliminary Budget support the adopted Community Vision and Strategic Plan?

ACTION:

None at this time.

BACKGROUND:

The Police Department is within the General Fund. The Department's budget is begins on page 161. The Preliminary Budget is available for review on the City's website.

The PowerPoint presentation will be posted on the City's website. www.Lynnwoodwa.gov

PREVIOUS COUNCIL ACTIONS:

NA.

FUNDING:

NA.

KEY FEATURES AND VISION ALIGNMENT:

To be provided during presentation.

ADMINISTRATION RECOMMENDATION:

None at this time.

DOCUMENT ATTACHMENTS

Description:

Type:

No Attachments Available

CITY COUNCIL ITEM 60-C

CITY OF LYNNWOOD Administrative Services

TITLE: Presentation-Preliminary Budget for Municipal Court

DEPARTMENT CONTACT: Sonja Springer

SUMMARY:

Judge Stephen Moore will present the 2021-2022 Preliminary Budget for the Municipal Court.

POLICY QUESTION(S) FOR COUNCIL CONSIDERATION:

Does the Preliminary Budget support the adopted Community Vision and Strategic Plan?

ACTION:

None at this time.

BACKGROUND:

The Municipal Court is within the General Fund. The Court's budget is begins on page 129. The Preliminary Budget is available for review on the City's website.

The PowerPoint presentation will be posted on the City's website. www.Lynnwoodwa.gov

PREVIOUS COUNCIL ACTIONS:

NA.

FUNDING:

NA.

KEY FEATURES AND VISION ALIGNMENT:

To be provided during presentation.

ADMINISTRATION RECOMMENDATION:

None at this time.

DOCUMENT ATTACHMENTS

Description:

Type:

No Attachments Available

CITY COUNCIL ITEM 90.1-A

CITY OF LYNNWOOD Administrative Services

TITLE: Voucher Approval

DEPARTMENT CONTACT: Sonja Springer, Finance Director

SUMMARY:

Approve claims in the amount of \$1,605,436.15 for the period 9/19/2020 - 10/2/2020.

Approve payroll in the amount of \$1,290,446.74 dated 9/25/2020.

Approve payroll in the amount of \$16,258.14 dated 9/29/2020.

DOCUMENT ATTACHMENTS

Description:

Type:

No Attachments Available

CITY COUNCIL ITEM 90.2-A

CITY OF LYNNWOOD Community Development

TITLE: Public Hearing: Ordinance Providing for the Granting of Land Use Extensions

DEPARTMENT CONTACT: Kirk Rappe, Planner

SUMMARY:

The proposed code changes will temporarily extend the expiration date for land use approvals and permits in Title 19 and 21 of the Lynnwood Municipal Code. Currently, land use approvals have a 2- or 3-year deadline to accomplish conditions of approval and required improvements. Most have an optional 1-year extension approvable by the Mayor or Community Development Director. Per Lynnwood Code, Accessory Dwelling Units must be recorded within 10 days of approval. Recording has also been affected by the closure of county offices. The proposed changes will temporarily add an additional year for property owners and developers to complete conditions of approval and improvements and extend the Accessory Dwelling Unit recording deadline to 30 days.

POLICY QUESTION(S) FOR COUNCIL CONSIDERATION:

Should deadlines be temporarily extended to complete conditions of approval and improvements required by land use approvals and subdivisions?

Should the deadline for recording Accessory Dwelling Units be temporarily extended beyond 10 days?

ACTION:

Conduct a public hearing on the proposed ordinance. Consider testimony, review and discuss proposed changes to LMC Titles 19 and 20 land use approval deadlines.

BACKGROUND:

The current economic downturn and uncertainty over when the Covid-19 pandemic will end has highlighted some city-mandated land use deadlines that currently may be difficult for property owners and developers to meet.

Depending on land use application type, the LMC provides 2 to 3 years for applicants to complete infrastructure improvements or complete permitted work. Some land use approvals include an optional 1-year extension if approved by the Mayor or Community Development Director. Despite having up to 3 or 4 years to complete projects, construction material supply chain disruptions, financing challenges, and contractors struggling with workforce challenges means projects have been slowed.

Accessory Dwelling Unit (ADU) recording deadlines in the LMC are also more difficult to meet with county offices closed. Recording documents with the county requires mailing hard copies to Snohomish County records and awaiting processing.

Snohomish County, Lake Stevens, and Bothell are just a few governments that have passed similar extensions.

The ordinance proposes that land use extensions that have already received an approved extension by the Mayor or Director will automatically be extend an additional 1-year (365 days). It will also extend the ADU recording deadline from 10 to 30 days. This ordinance is proposed to be in effect for one year. Extensions to the ordinance may be considered at that time.

PREVIOUS COUNCIL ACTIONS:

On July 15, 2020 the Lynnwood City Council reviewed the proposed ordinance at the Council Work Session. The Planning Commission reviewed the proposed ordinance at the meeting on August 13, 2020 and requested the proposed 6-month extension to be changed to one year. On August 27, 2020 the Planning Commission held a public hearing. No public comments were received and the Planning Commission unanimously approved a motion to recommend the proposed ordinance (with one-year land use approval extension) to the City Council.

FUNDING:

N/A

KEY FEATURES AND VISION ALIGNMENT:

The proposed ordinance relates to the following vision statement: "To be a city that is responsive to the wants and needs of our citizens," and "Encourage economic development."

ADMINISTRATION RECOMMENDATION:

Conduct a public hearing on the proposed ordinance. Consider testimony, review and discuss proposed changes to LMC Titles 19 and 20 land use approval deadlines.

DOCUMENT ATTACHMENTS

Description:	Type:
Draft Land Use Extension Ordinance	Ordinance
Land Use Extension Ordinance Presentation	Presentation



ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LYNNWOOD, WASHINGTON, IN RESPONSE TO THE COVID-19 PANDEMIC; TEMPORARILY EXTENDING THE EXPIRATION DATE FOR LAND USE PERMITS AND APPROVALS; TEMPORARILY EXTENDING DEADLINES FOR RECORDING ACCESSORY DWELLING UNITS WITH SNOHOMISH COUNTY; AND PROVIDING FOR SEVERABILITY, AN EFFECTIVE DATE, AND SUMMARY PUBLICATION.

WHEREAS, the World Health Organization has determined that a pandemic exists due to the global spread of the highly contagious virus commonly known as Covid-19; and

WHEREAS, a state of emergency has been declared by federal, state, county and municipal governments in response to the Covid-19 pandemic, including by Washington's Governor and by the City of Lynnwood Mayor; and

WHEREAS, on May 4, 2020 Governor Jay Inslee ("governor") released a 4-phase, county-by-county "Safe Start" reopening plan; and

WHEREAS, on June 6, 2020 Snohomish County progressed to Phase 2 but has not yet been approved to move to Phase 3; and

WHEREAS, as of October 17th, 2020 cases of Covid-19 in Snohomish County have resumed increasing to a high of 101 cases per 100,000 after a decline after the 4th of July and Snohomish County Executive Dave Somers recently stated that the virus may well be with us for another year or more (*Snohomish County Covid-19 Briefing*, My Edmonds News, published 10/13/20); and

WHEREAS, land development and construction activities, though exempted from the Governor's Stay Home – Stay Healthy Order, are experiencing disruption in the construction material supply chain and difficulties in completing work with required social distancing rules; and

WHEREAS, Snohomish County recording offices are closed for walk-up service requiring mailing of documents for processing, delaying recording; and

1 WHEREAS, Lynnwood Municipal Code Titles 19 and 21 impose certain time limitations
2 on completion of infrastructure improvements, submittal of final applications to the City of
3 Lynnwood ("City"), and recording of documents with Snohomish County; and
4

5 WHEREAS, the expiration of approved land use permits can have a significant financial
6 impact to property owners and developers, and also adversely affect financial institutions and
7 investors that have provided financing; and
8

9 WHEREAS, the Lynnwood Municipal Code allows one-time extensions to the expiration
10 of land use approvals, but the existing time extensions may be insufficient due to the unknown
11 rate at which the phased reopening will continue and prolonged economic downturn; and
12

13 WHEREAS, the City Council wishes to encourage a continuation of property
14 development activity delayed by the emergency restrictions and the uncertain timeline of the
15 phased reopening plan through postponement of the deadlines and expiration dates for land
16 use permits and approvals and certain recordings; and
17

18 WHEREAS, pursuant to WAC 197-11-880 and LSMC Chapter 16.04, the adoption of this
19 ordinance is exempt from the requirements of a threshold determination under the State
20 Environmental Policy Act (SEPA); and
21

22 WHEREAS, the proposed official control will promote the public health, safety, morals,
23 or general welfare, and it is consistent with the goals and policies of the Comprehensive Plan;
24

25 NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LYNNWOOD, WASHINGTON, DO
26 ORDAIN AS FOLLOWS:
27

28 Section 1: Findings. Upon consideration of the provisions of this Ordinance, the City Council
29 finds that the amendments contained herein are: a) consistent with the comprehensive plan;
30 and b) substantially related to the public health, safety, or welfare; and c) not contrary to the
31 best interest of the citizens and property owners of the city of Lynnwood.
32

33 Section 2: Purpose. The purpose of this Ordinance is to temporarily extend the land use
34 approval expiration deadlines and certain recording deadlines in Titles 19 and 21 of the
35 Lynnwood Municipal Code.
36

37 Section 3: Extension of Land Use Approval Deadlines.
38

- 39 A. This Section 3 applies to all land use permits and approvals with City-mandated
40 expiration deadlines stated in Title 19 – Subdivisions and Title 21 – Zoning of the
41 Lynnwood Municipal Code.
42 B. Any land use permit or development approval (1) that is active and in effect on the
43 effective date of this Ordinance, and (2) that is eligible for and received a one-time

extension or is provided no applicable extension in the Lynnwood Municipal Code, has its expiration deadline extended for 365 days (1 year) from the current expiration date, unless the specific time period is required by State law and cannot be waived.

- C. Any land use permit or development approval (1) that is active and in effect on the effective date of this Ordinance, and (2) that is eligible for a one-time extension but has not yet applied for the one-time extension, must apply for and receive approval of the one-time extension before being automatically extended under Section 3.B, above.

Section 4: Extension of Accessory Dwelling Unit Recording Deadline.

- A. This Section 4 applies to all Accessory Dwelling Unit approvals issued pursuant to LMC 21.42.100.G.
- B. The 10-day recording deadline in LMC 21.42.100.G.e. is hereby extended to 30 calendar days from notice of approval.

Section 6. Effective Date: This Ordinance or an approved summary thereof consisting of its title shall be published in the City's official newspaper of record and shall take effect and be in full force five days following its publication.

Section 7: Expiration/No Codification. The temporary controls adopted in this Ordinance shall be in effect for a period of twelve (12) months from the effective date of this Ordinance and shall automatically expire after a period of twelve (12) months, unless otherwise terminated, repealed or superseded by action of City Council before expiration. Because the provisions of this Ordinance are temporary regulations they shall not be codified.

Section 8. Severability. If any section, sentence, clause or phrase of this Ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase or word of this Ordinance.

PASSED BY THE CITY COUNCIL THIS XX day of XXXXXXXX 2020.

APPROVED:

Nicola Smith, Mayor

ATTEST/AUTHENTICATED:

APPROVED AS TO FORM:

Karen Fitzthum, Acting City Clerk

Rosemary Larson, City Attorney

1 PASSED BY THE CITY COUNCIL:
2 PUBLISHED:
3 EFFECTIVE DATE:
4 ORDINANCE NUMBER:

DRAFT

Land Use Approval Extension Ordinance Public Hearing

Lynnwood City Council
Monday, October 26, 2020

Covid-19 Impacts to Development Projects

Construction across Washington was halted in March, resumed in late April.

By late summer:

- Washington State construction activity dropped but improving.
- U.S. Construction business indicators were improving but slipped in September. With declines most pronounced in the West and California.
- Supply shortages and spring Covid-related economic disruption has reduced national single family housing supply.
- Improvement but continued uncertainty into 2021.

Approved Land Use Applications

City code requires certain development projects to show progress within 2-3 years of preliminary approval.

Subdivision approvals:

- Short Subdivisions
- Fee Simple Subdivisions
- Binding Site Plans
- Long Subdivision

Land Use approvals:

- Conditional Use Permits
- Project Design Review
- Planned Unit Development

Most have a one-year optional extension granted by the Mayor or Director.

Land Use Application Extensions

The ordinance before you:

1. Extends completion deadlines by one additional year.
2. Land use approvals with mayor/director extensions must use that option first.
3. Extends Accessory Dwelling Unit recording deadline to 30 days.
4. Ordinance will not be codified.
5. Sunsets in one year.