

BOTHELL CITY COUNCIL

*****VIRTUAL MEETING*****

Minutes

June 2, 2020

6:00 PM

BOTHELL CITY HALL

18415 101st AVE NE

BOTHELL, WA 98011

MEMBERS OF THE CITY COUNCIL

Mayor Liam Olsen

Deputy Mayor Jeanne Zornes

Councilmember Davina Duerr

Councilmember James McNeal

Councilmember Tom Agnew

Councilmember Rosemary McAuliffe

Councilmember Mason Thompson

REGULAR SESSION

Call to Order, Roll Call and Pledge of Allegiance

Mayor Olsen called the meeting to order at 6:00 PM and read the meeting guidelines into the record.

City Clerk Laura Hathaway called roll – All Councilmembers present.

Mayor Olsen asked for a Point of Personal Privilege; He called for a moment of silence in honor of George Floyd.

Chief Seuberlich addressed this event that has created a national outcry including here in Bothell, and entertained Council questions.

1. Meeting Agenda Approval

There were no changes to the agenda.

2. Presentations, Reports, & Briefings

A. Public Engagement Opportunities

- None at this time.

B. Proclamations

- None at this time.

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C. Special Presentations

- None at this time.

D. Staff Briefings

- None at this time.

- E. City Manager Reports
 - Update of City's COVID-19 Response

City Manager Jennifer Phillips updated the Council on the City's Covid-19 response to date.

- F. Council Committee Reports

None.

3. Visitor Comment

1. Sarah Armitage – wrote regarding the lack of service and support from the unemployment office
2. Cherelle Ashby of Bothell Chiropractic– wrote regarding getting critical information to local businesses
3. Kyle Emerson – wrote regarding AB 20-070 – in favor of open streets
4. Leigh Henderson – wrote regarding AB 20-070 – allowing all businesses to benefit from open streets
5. Bonnie Plottner - wrote regarding AB 20-070 – in favor of open streets
6. Sarah Gustafson - wrote regarding AB 20-070 – pilot program for open streets
7. Tyson Kemper - wrote regarding AB 20-070 – in favor of open streets
8. Julie Westerbeck - wrote regarding AB 20-070 in favor of open streets
9. Donna Bardsley - wrote regarding AB 20-070 – in favor of open streets
10. Kevin Kiernan - wrote regarding AB 20-070 – in favor of open streets
11. Ayumi Shinjo - wrote regarding AB 20-070 – in favor of open streets
12. Coby Zeifman - wrote regarding AB 20-070 – in favor of open streets
13. Logan Hamel - wrote regarding AB 20-070 – in favor of open streets
14. Krissy Cates - wrote regarding AB 20-070 – in favor of open streets
15. Kat Franks - wrote regarding AB 20-070 – in favor of open streets
16. Carol LeBeck - wrote regarding AB 20-070 – in favor of open streets
17. Jen & Nick Barber - wrote regarding AB 20-070 – in favor of open streets
18. Lisa Rathbun – wrote regarding AB 20-070 – NOT in favor of open streets
19. Troy Kasper - wrote regarding AB 20-070 – in favor of open streets
20. Rosa Wampler – wrote regarding AB 20-070 – NOT in favor of open streets
21. SaraJane Hamel - wrote regarding AB 20-070 – in favor of open streets
22. Nerelys Ortiz - wrote regarding AB 20-070 – in favor of open streets
23. Laura Borner – - wrote regarding AB 20-070 – in favor of open streets and thank you to police for attending the local protests
24. Joe Schindler - wrote regarding AB 20-070 – in favor of open streets
25. Kelly Forbes Marshall - wrote regarding AB 20-070 – in favor of open streets
26. Guada Protacio-Karaszi - wrote regarding AB 20-070 – in favor of open streets
27. Jessica Campbell - wrote regarding AB 20-070 – in favor of open streets
28. Stephanie Adam - wrote regarding AB 20-070 – in favor of open streets

3, Consent Agenda

- A. AB # 20-058 – Approve April 2020 Payroll and Benefit Transactions
Recommended Action: Approve payroll and benefit transactions for April 1 – 30, 2020.
- B. AB # 20-059 – Approval of Adopting the King County Regional Hazard Mitigation Plan Update and the City of Bothell Hazard Mitigation Plan Annex
Recommended Action: Adopt the King County Regional Hazard Mitigation Plan Update and the City of Bothell Hazard Mitigation Plan Annex.
- C. AB # 20-060 – Approval of Supplemental Agreement No. 6 with Jacob Engineering for the Non-Motorized Bridge at the Park at Bothell Landing
Recommended Action: Approve Contract Supplement No. 6, in substantially the same form as presented, with Jacobs Engineering, Inc. in the amount of \$24,268 for construction engineering services for the Non-Motorized Bridge at the Park at Bothell Landing project.
- D. AB # 20-061 – Approve an Ordinance Regarding a Wireline and Small Wireless Facility Franchise Agreement with Crown Castle Fiber LLC, c/o Crown Castle
Recommended Action: Adopt the proposed Ordinance granting a Small Wireless Facility Franchise to Crown Castle Fiber, LLC.
- E. AB # 20-062 – Approve an Ordinance Extending Comcast’s Cable Television Franchise Agreement until May 2025
Recommended Action: No action is requested at this time; however, this item is currently scheduled for Council action on the June 16, 2020 consent agenda.

MOTION: Councilmember moved approval of the Consent Agenda as presented. Councilmember Agnew second. The motion carried 6-0-1 (Deputy Mayor Zornes had technical difficulties and did not vote.)

4. Public Hearings

- A. AB # 20-063 – Public Hearing and Consideration of an Ordinance Amending the Bothell Municipal Code to Comply with Federal Emergency Management Administration Requirements for Special Flood Hazard Areas
Recommended Action: Approve the proposed Ordinance (Attachment 1), Amending Sections of Bothell Municipal Code Chapter 14.04, Critical Areas Regulations, pertaining to flood management.

Mayor Olsen opened the Public Hearing at 6:30 PM.

Senior Planner David Boyd presented and entertained Council questions.

One written comment was received from Ann Aagaard regarding the courtesy notice received on the item. This comment will be made part of the record.

MOTION: Councilmember Duerr moved approval of the recommended action. Councilmember Agnew second. The motion passed 6-0-1 (Councilmember Thompson was not on the meeting the time of the vote.)

- B. AB # 20-064 – Public Hearing and Consideration of an Ordinance Amending the Bothell Municipal Code to Align with State Exceptions for Annual Comprehensive Plan Amendments and to Clarify Procedures for Providing State Environmental Policy Act (SEPA) Documentation to Advisory Bodies
Recommended Action: Staff recommends that the Council adopt the attached Ordinance

amending BMC 11.18.060 and 14.02.220.

Mayor Olsen opened the Public Hearing at 6:43 PM.

Senior Planner Bruce Blackburn presented and entertained Council questions.

No public comments were received.

MOTION: Councilmember Duerr moved approval of the recommended action. Deputy Mayor Zornes second. The motion passed unanimously 7-0.

- C. AB # 20-065 – Public Hearing on Retaining Interim Ordinance Temporarily Suspending Development Application and Permit Timelines
Recommended Action: Staff recommends that the Council take no action at this time. The Interim Ordinance will remain in effect until October 7, 2020.

Mayor Olsen opened the Public Hearing at 6:50 PM.

Community Development Director Michael Kattermann presented and entertained Council questions.

No public comments were received.

No action was taken. The Interim Ordinance will remain in effect until October 7, 2020.

5. Ordinances & Resolutions

- A. AB # 20-066 - Consideration of an Ordinance Initiating Condemnation of Property Needed for the North Creek Trail Section 4 Project
Recommended Action: Approve an ordinance initiating condemnation of property for the North Creek Trail Section 4 project, and authorize the City Manager to acquire the necessary right-of-way for the project, subject to future Council approval of deeds and easements documenting the acquisitions.

Public Works Director Erin Leonhart and Engineer Ryan Roberts presented and entertained Council questions.

MOTION: Councilmember Duerr moved approval of the recommended action. Councilmember Agnew second. The motion passed unanimously 7-0.

- B. AB # 20-067 - Consideration of a Resolution Temporarily Suspending the Capital Facilities Plan Update Process and Adopting an Abbreviated Process that Satisfies the Requirements of the Growth Management Act
Recommended Action: Approve the Resolution temporarily suspending the Capital Facilities Plan Update process and adopting an abbreviated process that satisfies the requirements of the Growth Management Act.

Finance Director Chris Bothwell presented and entertained Council questions.

MOTION: Councilmember McNeal moved approval of the recommended action. Councilmember Agnew second.

Councilmember McNeal spoke to his motion.

VOTE: The motion passed 6-0-1 (Councilmember McAuliffe out of the meeting).

6. Contracts and Agreements

- A. AB # 20-068 - Consideration of an Interlocal Agreement for a North King County Mobile Integrated Healthcare Program

Recommended Action: Authorize the City Manager to execute an Interlocal Agreement for a Mobile Integrated Healthcare Program with the City of Bothell, Northshore Fire Department, Woodinville Fire & Rescue, and the Shoreline Fire Department in substantially the same form as presented.

Fire Chief Bruce Kroon presented and entertained Council questions.

MOTION: Councilmember Duerr moved approval of the recommended action. Councilmember Agnew second. The motion passed 6-0-1 (Councilmember McAuliffe away from the meeting.)

7. Other Items

- A. AB # 20-069 - Consideration of Dedicating State-Shared CARES Act Funding to the City for COVID-19 Related Expenses and to the Community for COVID-19 Related Assistance

Recommended Action: Direct staff to proportion potential reimbursements to City cost recovery (\$500,000) and Community response efforts (\$500,000), and to bring the remaining funds (\$400,000) back to Council by August 4, 2020 for allocation.

Assistant City Manager Kellye Mazzoli presented and entertained Council questions. She stated the City of Bothell's allocation is \$1.4 million and entertained Council questions.

MOTION: Councilmember Duerr moved approval of the recommended action. Councilmember Agnew second. The motion carried 7-0.

- B. AB # 20-070 – Consideration of options for public street and private property uses in response to COVID-19

Recommended Action: Provide direction to the City Manager to:

1. Either, close Main Street or implement flex zones between 101st and 102nd Avenues NE at no cost to businesses. To open all flex zones without cost to businesses, Council will need to pass a motion to waive the 2020 flexible zone permit fees and monthly charge;
2. Return on June 9 with an interim ordinance to amend the Bothell Municipal Code allowing restaurants to use private property/parking lots for outdoor dining;
3. Return by mid-July with information and cost estimates to close residential streets to support outdoor activities and safe social distancing.

City Manager Jennifer Phillips review each of the 3 items she is seeking policy direction from Council on and entertained Council questions.

Discussion ensued.

MOTION: Councilmember Duerr moved approval of Option 2. Councilmember McAuliffe second.

Amendment: Councilmember Thompson moved that no permit would be needed. Councilmember Duerr second for discussion.

Discussion ensued.

Amendment withdrawn by maker and second.

VOTE on MAIN MOTION: The motion carried 7-0.

ITEM # 1 – Consensus was to waive the 2020 to waive the flexible zone permit fees.

ITEM # 3 - Come back in mid-July with information and costs to close residential streets to support outdoor activities and safe social distancing.

Discussion ensued.

MOTION: Councilmember Thompson moved to have staff study this and bring it back for Council consideration. Councilmember Duerr second.

Councilmember Thompson spoke to his motion.

The motion failed 5-2: Councilmembers Agnew, McNeal, McAuliffe, Deputy Mayor Zornes and Mayor Olsen voted no. Councilmembers Thompson and Duerr yes.

- C. AB # 20-071 -Consideration of the King County Council’s Economic Development Relief Funds for Phase 2 Reopening Kits
Recommended Action: Provide direction to Staff regarding the expenditure of King County Council’s 2020 Emergency Fund for Businesses Impacted by COVID-19.

Economic Development Manager Jeanie Ashe presented and entertained Council questions.

Council consensus was to ask businesses what they need.

8. Study Session/Update/Discussion Items

- None at this time.

9. Council Conversations

The conversation focused on recent events in the country in the wake of the George Floyd incident and how the City of Bothell has responded to the community.

Councilmember McNeal thanked Chief Seuberlich for his letter to the community.

10. Executive Session/Closed Session

- None at this time

12. Adjourn

Mayor Olsen adjourned the meeting at 9:45 PM

Submitted for approval on 9/1/2020

Approved as submitted on 9/1/2020