



MINUTES

Special Meeting

PLANNING POLICY COMMISSION
6:30 p.m. - Thursday, June 2, 2022

Alternate Meeting Format: On March 6, 2020, the Mayor declared a civil emergency due to the outbreak of novel coronavirus (COVID-19). On March 24, 2020, the Governor issued Proclamation 20-28 relating to the COVID-19 emergency and open public meetings. The proclamation has been extended. Due to these factors, the meeting was held using a remote meeting platform.

1. Call to Order

The meeting was called to order at 6:30 p.m. by CHAIR VOISS.

Commissioners Present: Chair Voiss, Vice-Chair Monahan, Commissioners Bader, Lewis, and Milligan

Staff Present: Tisha Gieser, City Clerk
Stephen Padua, Long Range Planning Manager
Ann Marie Soto, Madrona Law

2. Public Comments (00:01)

➤ Padua stated that there were no requests to speak.

3. Regular Business

a) Open Government Training Act and Other Essential Training, (I)

- Public Records
- Open Public Meetings
- Role of Members
- Effective Meetings
- Records/Notes
- Ethics Policy
- Public Hearings
- Quasi-Judicial Issues

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Presented by Tisha Gieser, City Clerk, and Ann Marie Soto, Madrona Law Group, PLLC

(00:05) Gieser began the presentation with Public Records, Open Public Meetings, and Records/Notes.

(00:15) Soto continued the presentation with Ethics Policy.

(00:17) Gieser presented Role of Members, Effective Meetings, and the return to in-person meetings July 14, 2022.

(00:21) Soto presented Public Hearings and Quasi-Judicial Issues.

CHAIR VOISS stated that there were no questions from Commissioners.

b) Adopt Rules & Regulations, (A)

Presented by Stephen Padua, Long Range Planning Manager

CHAIR VOISS asked for a Motion to adopt prior to the presentation.

MOTION by VICE-CHAIR MONAHAN to adopt the replacement Rules with minor changes.
MOTION seconded by COMMISSIONER MILLIGAN. Discussion began.

(00:35) Padua began the replacement Rules & Regulations Amendment process.

CHAIR VOISS asked the Commission to consider whether to keep or change the current meeting time of 6:30 p.m. and locations of either virtual or eventually Council Chambers. Upon hearing no comments, consent to keep current meeting time and locations was given.

CHAIR VOISS asked the Commission to consider Amendment One, whether to keep the current Public Comment speaking time to five minutes or to change to three minutes. Upon hearing no comments, consent to keep current Public Comment speaking time to five minutes was given.

CHAIR VOISS asked the Commission to consider Amendment Two, whether to keep General Public Comment at the end of agendas or to move General Public Comment to the beginning of agendas. COMMISSIONER LEWIS asked for clarification that the subject was separate and in addition to Public Comment specifically to agenda items. Padua replied that the question was if General Public Comment should be identified on agendas at the beginning or end, and the next Amendment would address if specific Public Comment should be held after each individual topic. Padua stated that staff had made the decision to break up the items for a cleaner discussion for the Commissioners. Upon hearing no comments, consent to keep General Public Comment at the end of agendas was given.

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(00:42) Padua introduced Amendment Three regarding Public Comment after each topic. Gieser clarified that Public Comment will always be taken in Public Hearings and that the Amendment is an opportunity to clarify when specific Public Comment will occur so that agendas will be consistent at every meeting. COMMISSIONER LEWIS stated that the public should not have to prepare comments on large packets for presentation during a compressed period, and that opportunities for pauses are beneficial. Providing more venues for Public Comment is important. COMMISSIONER MILLIGAN asked three questions; for clarification regarding the use of the word *allow* rather than *require*, if no action on the Amendment will result in the public having the opportunity to speak after every topic, and at what time a topic is broken up into sub-topics. COMMISSIONER MILLIGAN stated agreement with COMMISSIONER LEWIS that Public Comment after each topic helps in deliberations and manages the complexity of topics for the Public. Padua replied that the word *allow* is the same as *require* in the context of Public Comment, and that the intent of the Amendment is only to be recognized in Rules & Regulations. Regarding topics, staff make recommendations based on the topics being brought on agendas to Commission Chairs, and sub-topics are created based on possible policy questions as well as the context of topics. Gieser replied that current Rules do not provide for Public Comment after each agenda item and the Amendment is to add if the Commissioners desire. Regarding the word *allow*, consistency is being considered. VICE-CHAIR MONAHAN stated that agendas should remain as is currently, one Public Hearing for all items at the end, due to operational concerns. Staying in line with the procedures of the City Council as well as most Boards and Commissions is a cleaner process and having a different process can be considered questionable. Allowing more Public Comment during Title 18 topics has made sense but one General Public Comment period and one specific topic Public Comment period should subsequently allowed only. COMMISSIONER BADER stated that Public Comment after every topic is helpful, but in practice, the public having to wait until each topic is presented during a long meeting is detrimental and stated agreement with VICE-CHAIR MONAHAN. COMMISSIONER MILLIGAN stated appreciating the comments of VICE-CHAIR MONAHAN regarding legality and consistency, and stated that other than Title 18 topics, there is usually only one topic on an agenda. COMMISSIONER LEWIS stated appreciating the comments of VICE-CHAIR MONAHAN regarding not crossing any legal boundaries and that it is important that the public knows exactly when Public Comment will be taken.

MOTION by COMMISSIONER LEWIS for an Amendment of option two as presented.

MOTION seconded by COMMISSIONER MILLIGAN. Discussion began.

Padua clarified that the amendment would be to dissect topics as recommended by staff and Chairs and allowing multiple Public Comment as a part of the Public Hearing. What was in Commissioner materials at the meeting was that topics would be consolidated and not split up, with clarifying questions following, then consolidated Public Comments and lastly deliberations. COMMISSIONER MILLIGAN asked if, hypothetically, two different topics on an agenda would result in a separate Public Hearing for both, and if this is what will occur unless there is an amendment. Padua replied correct. COMMISSIONER MILLIGAN asked what would occur when there are sub-topics so that the public can contribute in a meaningful way to a packet that is digestible for everyone. Padua replied that if there is a separate Public Hearing,

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there will be only one separate Public Comment opportunity allowed. CHAIR VOISS stated that topics would be consolidated for presentation by Chairs and staff, and comments after every sub-topic would not be allowed. Padua replied yes, the intention of staff is to make all topics as simple as possible in terms of consolidation. Gieser asked Soto, a Land Use expert, for any thoughts on separating Public Hearings into topics. Soto replied that there is flexibility to separate topics, but Law requires a Public Hearing on the overall item. In certain circumstances, an advance announcement that a particular Public Hearing will take testimony on specific topics separate from the overall topic can be made if desired and without adding to Rules. The announcement would then need to be repeated at the beginning of the Public Hearing. VICE-CHAIR MONAHAN asked for clarification regarding when comments are given. Soto replied that the public must have an opportunity to comment on all topics. VICE-CHAIR MONAHAN restated the position that one opportunity during meetings with flexibility after proper notice by Commissioners to add more opportunities depending on the topics. CHAIR VOISS stated agreement with VICE-CHAIR MONAHAN and COMMISSIONER BADER for a more efficient meeting process. COMMISSIONER LEWIS asked if, instead, a line item could be added in section seven to allow for discretion for flexibility when needed. Padua replied that there is already a line item that gives the Chair discretion for Public Comment. COMMISSIONER LEWIS asked if there is a reason staff believes how the Commission has operated historically is in contrast. Gieser replied that having a statement in Rules explaining the option would be helpful, providing more transparency and clarity.

Padua stated that there was a MOTION which had been seconded for option two. Gieser suggested that COMMISSIONER LEWIS could offer a substitute amendment and there were no objections.

MOTION by COMMISSIONER LEWIS to substitute the previous MOTION, to add language into section seven, rather than to the agenda piece; at Chair and staff discretion, additional Public Comments may be included in the published agenda topics. COMMISSIONER MILLIGAN who had seconded the previous MOTION agreed. The Commissioners had no objection to the MOTION substitution. MOTION seconded by VICE-CHAIR MONAHAN. The MOTION passed unanimously.

(01:19) Padua continued to Amendment Four regarding the selection of Alternates.

MOTION by COMMISSIONER LEWIS to adopt the Amendment with option two. MOTION seconded by COMMISSIONER MILLIGAN. Discussion began.

COMMISSIONER LEWIS stated that selecting the Alternate who arrives first to the meeting addresses issues of equity and transparency where all members feel welcome as opposed to a hierarchy of tenure. There do not tend to be long-serving Alternate members.

COMMISSIONER MILLIGAN stated being in support regarding organization of a meeting and the visibility of which Commissioners will be voting.

VICE-CHAIR MONAHAN stated agreement with the MOTION of COMMISSIONER LEWIS.

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Gieser stated that to the comment of COMMISSIONER MILLIGAN, there is language in the proposed new section that an alternate member can be selected in advance when an absence is anticipated ahead of time, where seniority is used. Padua stated that notification of Alternates would be addressed next.

The MOTION passed unanimously.

(01:27) Padua presented Amendment Five, to make notifications to Alternates as early as possible so that Alternates can prepare in advance for the meeting in the event of being selected to serve as a regular member. Option one was for no change and option two was to add the edit.

MOTION by COMMISSIONER LEWIS to adopt the language regarding notification of Alternates. The MOTION was not seconded, and the MOTION failed. Option one, no change, was chosen.

Padua presented the last Amendment that discussion by members should be *relevant* to business pending in an open dialogue, eliminating the words *concise, to the point*. Option one was for no action and option two was to adopt the edit.

COMMISSIONER LEWIS asked if the Equity Board could review Planning Policy Bylaws as inclusive language to all members of the community is missing, in example for people using English as a second language, the neuro-divergent and the elderly.

COMMISSIONER MILLIGAN asked if *concise, to the point* is a quote from Roberts Rules of Order and Gieser replied that Roberts Rules are used to run an efficient meeting while ensuring equal participation by all members. Members can speak up to 10 minutes on each topic twice on large Boards, but on Boards with 12 members or less, Roberts Rules does not prescribe a time frame and only states that the attempt must be made to provide an opportunity for everyone to speak once before anyone speaks a second time. The word *relevant* speaks to the efficiency of the meeting.

No MOTION was made and Amendment Six option one, no change, was adopted.

COMMISSIONER LEWIS asked Padua about the status of Section 13-3, Limiting the Use of Technology. Padua replied that the edit was regarding accessing materials via digital devices. The intent was that while Commissioners should access materials through digital devices, a limit to communications between Commissioners and members of the public was desired to maintain transparency of conversations for meetings. A discussion with the Commission was not necessary to clean the language.

MOTION by VICE-CHAIR MONAHAN to adopt the Replacement Rules considering the discussed Amendments. MOTION seconded by COMMISSIONER MILLIGAN. The MOTION passed unanimously.

4. Reports

a) **Council Update (01:38)**

Presented by Stephen Padua, Long Range Planning Manager

Padua stated that council will be considering bucket three from Title 18 at the next meeting.

5. Other Business/Announcements

a) **Upcoming Schedule (01:39)**

Padua stated that a resignation letter had been received from the newest Commission Member, Kelly Kim, due to a job offer that will require a considerable time commitment. The Commission will operate with five members and a special recruitment process is being discussed for Fall 2022.

CHAIR VOISS stated that as much advance notice of absences as possible will be appreciated to maintain quorums through the summer.

6. Adjournment

With no further business to conduct, CHAIR VOISS adjourned the meeting at 8:11 p.m.

Respectfully submitted,

Carolyn Garza, LLC
Recording Secretary