

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 100<sup>th</sup> Anniversary of the 19<sup>th</sup>  
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

48 B. *Confirmation of Appointment; Diversity, Equity, and Inclusions*  
49 *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

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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          *Nicola Smith*

48          Nicola Smith (Oct 27, 2020 16:20 PDT)

49          Nicola Smith, Mayor