

**Transcription Excerpt: Re Discussion of Content for Public Participation
Communications & Notices**

City of Sultan's Feb. 22, 2007 Council Hearing (re Pub. Participation Policy)

(MP3 Audio of this hearing: [Access the "Audio" button on the left side of our main page](#))

Josie Fallgatter I certainly appreciate the attentiveness that you're giving to the public participation process. And please don't take my comments wrong, but a lot of what's on there is "busy work." The quality of what you communicate to the public is as much or more important as the number of times that you notify the public of what you're intending to do. For example, if you're intending to lower the level of service for the police department, simply saying, "Public hearing to review levels of service for police" is inadequate, no matter how many different ways and places you post that. You can put it...in the *Wall Street Journal*, and it won't be telling people what you're doing. So the content of what you're doing – and I don't think you can come up with a piece of legislation that will cover that. Um...I'm happy to see that you're proposing to put these in ordinances. I provided to the Planning Board a copy of an ordinance that Thom Graafstra had prepared for the City in, I believe it was 2000 or 2001, and the Planning Commission before I was on it, had approved that and sent it to council. I would urge you, if you have not been given a copy of that, to get a copy of it from the City. I did include it in my Planning Board's, um, public hearing. One of the other requirements regarding public participation is that you establish a program that tells people not just how you're doing things, but when you're doing it. And I'll give you an example on that. You have docketed items for your comprehensive plan changes. You documented them in 2005 to be done in the current year, and they still aren't done. One of them was Bart's [*Dalmasso*] proposal to rezone U. S. 2. That is a docketed item. How does the public ever know when that is going to come up? And as much as I appreciate that these are being split into two ordinances, that wasn't the recommendation of the Planning Board. And, you know, when there was all the contention on the Planning Commission a couple years ago, Councilman Flower made the suggestion that the Planning Commission prepare a summary of their action, or a report to the council what their recommendation was. And I encourage you to send that suggestion back again because you're going to slip back into this...thing where you have a Planning Board that does nothing; they hold meetings, they make recommendations to you, and their recommendations get changed before they come to you. And that's just not a really good way for – I mean, why have them if--If you're not going to listen to them and--and hear their suggestions? But all in all, I am, you know, I'm thrilled that you're looking at public participation, but please, make it meaningful. And, and I'll tell you one thing right now, you will never lose an appeal because you do not strictly adhere to every single little, "We're gonna post it here, we're post it there." So I wouldn't waste my time getting hung up on a whole lot of this stuff of, you know, how many different places we're gonna post it. What you tell people really is the key thing. And another thing, I also gave the Planning Board a copy of some RCWs pertaining to this. And also, I gave them some excerpts—excerpts from, uh, a Growth Management Hearings Board Case – I think it was **McVittie V** [*Jody McVittie is a citizen who, like Sultan's Josie Fallgatter, has had*

numerous successful appeals before the CPSGMHB, without any formal legal or land use training or education], and it really does a good job of outlining what you need to do. Thank you.

Champeaux: I think that our, uh, utility, new utility billing system with the information on the back, does a – has been a—a nice increase in the information getting out. Not only – uh – and we took information from the public – not only does it have dates of meetings coming up, but now it is also having a little bit of a synopsis of what the meeting is about. Now, yes, on the back of a card you can't get too much information, but there is [unintelligible] information on that card, not only the dates, but what the meeting's about. And it does really benefit [unintelligible]. And I think, like everyone was saying, maybe that flyers and mailings and mailings is—is—is a cost issue. And there's things that we're looking at then maybe we'll do some things without a major cost, that would be great. Josie? A question for you.... about—what about -- it's how you – or it's how you get the information out or how you....you've got the level of service? You're saying—if you're saying that the council's looking at the levels of service for police, can you give me how you would put that in the notice? [someone chuckles] How would you like to see that stated in the—in the notice so that people will know exactly what the council was up to?

Fallgatter: I—I think for, for one thing, Bruce, I don't think people understand what a level of service is. So if you talked about staffing levels of the police, or give something to explain what that means, I—I can give you an example relate to transportation. What the Hearings Board ruled in one of the McVittie cases was that if you're changing the transportation level of service – and usually those are in some sort of, like Kristina was saying, acronyms, you know -- VOC-slash-whatever. And to tell the population, it may actually be technically more accurate to say we're dropping the Vehicle Occupancy Capacity from [sounds like, "forty thirty seven to forty (unintelligible word/number) oh-four"], that may be more technical, but simply telling—telling people, "You're going to have a longer commute time," is more accurate. So it—it's putting it in simple language that people understand. You.... Depending on what you guys intend to do with the police level of service, if you intend to change your concurrency management system ordinance at the same time, then what we need to do is tell people, "We're going to lower the police staffing levels such that police response time will be slower, or certain crimes may not be investigated, or people will be less safe" [i.e.] what—what is the impact of lowering your standard for police service. That's what you need to do because – And the other half of that, Bruce, too, is that you are doing this in order to allow more development to occur than would otherwise be allowed. And we need to simply say that: We're—we're reducing the number of police officers who plan to serve our population in order to allow more development to occur than would otherwise be allowed. Because under your code, you cannot allow development to continue until we meet a certain level of service. So in order to allow that growth to occur, that development to occur, you're gonna lower that standard.

[extended pause]

Champeaux: Ca—I—I can understand what you're saying about—about trying to explain it a little bit. Uh...and as a – on the lighter side, let's not hire Josie to write....

[assembly laughter] I—I – Josie, I would rather stick with the acronyms. And I'd rather not have a lynch mob in here every *[unintelligible]* meeting.

Fallgatter: Bruce, I understa--- Let me say it this way: The way the Hearings Board said—said it was, "What are your changing? By how much, and what does it mean? You know, what is the impact of that?" *[simultaneous comments]*

Champeaux: Well –

Fallgatter: That –

[Simultaneous comments]

Champeaux: -- You know, I mean, we just—we just outline the level of service as much as possible, there would—there would be no difference in response time because we're not at that level of service right now. It'd be the same response time as that you basically have now. *[unintelligible words]* So, yeah, there—there are different ways to word it –

Fallgatter: Ex—except, Bruce?

Champeaux: Yeah?

Fallgatter: Except that as you're adding more population and you're not raising your level of police officers, at some point they are not going to be able to respond –

Champeaux: *[talking over Fallgatter's comments]* There's a possibility it could be...

Fallgatter: *[continuing]* to certain ty—types of calls.

Champeaux: ...and *[unintelligible]* response *[unintelligible]*.

Fallgatter: You know, they may not be able to control for speeders, you know? People have come in here and said, "They speed down my street." They may not be able to deal with that. You know, whatever the impact is.

[pause]

Seehuus: The rub begins when you're debating the impacts. You may say it's going to be this way, and the city may say it's going to be a different way, um....

Fallgatter: Well –

Seehuus: Whose opinion do you *[unintelligible]*?

Fallgatter: John, I think those statistics that Chief Walser came in here with where you see the number of calls here are increasing.

Seehuus: Yeah, I'm looking at a—a larger picture, the notification process itself of, you know, taking a, basically a stand on everything and making a statement that's it's going to be this way or that. Sometimes those statements or those conclusions...can be interpreted differently by different people, you know?

Fallgatter: Let—let me ask it this way, John. Will your commute ever be faster on U. S. 2 because you're adding more houses here?

Seehuus Probably not.

Fallgatter Okay. So as far as arguing what the conclusion is, the conclusion is, "drive times will be increased as development increases."

Seehuus Well, for –

Champeaux For the immediate future. But because of the increased development, it may—it may help to alleviate that problem in –

[simultaneous comments]

Seehuus That's the whole point. You can't lay out the whole div---you can't take one side of one thing, a narrowly-defined issue and say, "This is the net effect of this sort of thing." And you're not pre—not resent the counterpoint of the other thinking. There are some people that believe that adding more rooftops will be an economic boon to the city.

Fallgatter I—I understand it. But you do know, as you add more cars, your drive times will increase. We've all seen that happen. We haven't seen the potential for the road to be improved because they're increased population. So that – yeah, you can't say it will get better. *[But]* You can say it will get worse.

Blair You know, but when we're coming to the levels of service here, I think the important thing is to identify that the levels of service that were adopted in the comprehensive plan were based on flawed...uh, a flawed premise. You know, we're—it all comes down to budgeting. Now when we add rooftops, we add revenue, that's true. Is it going to be commensurate with—uh—the current identified levels of service? No. We can't even meet that now. Therefore, both—the--the calculation that created the level of service that's in the comp plan that was adopted is flawed.

Tolson Exactly.

Blair It didn't –

Fallgatter You have my permission to tell the public that, Kristina.

Tolson And that's – yeah. And that's what we need to do.

Blair That's exactly – and that's how I would post it. To say, "We have identified that the consultant that we hired created this on a flawed premise" or whatever. We passed it as the – not necessarily "we" but –

Tolson Yeah, we – Well, we did. *[laughs]*

Blair Yeah. The council passed --

Tolson We adopted it.

Blair – passed it, and this is something that is a problem that's identified. Furthermore, we do need to identify a workable plan of how we can—how we can accommodate that in the future. But I, you know... And let's get back to the issue at hand, which is our public process here. I...staff, uh, with the direction that they've gotten lately, and here all this process, I mean, you know, you fought for the public process as well, uh. The quality of output in the last several months has increased exponentially, and I don't expect it—that to change. In fact, I expect it to get better, um, as—as, uh, direction is given and all—all departments have been doing a fantastic job of changing, uh, to our

city administrator style of professionalism, professionalism *[unintelligible]*. And this is part of that process. And I agree that clear communication is necessary. If I saw "LOS" I'd – if I weren't sitting here, I'd have no idea what that meant, uh, with the acronyms. But... you know, within reason we need to—to post, not possible outcomes maybe on our meeting announcement, but certainly what it's about and trying to restate that idea.

Fallgatter Mr. Mayor?

Tolson Yes?

Fallgatter We may be getting a little off-track here on the discussion of levels of service at this time in light of the subject before us. But as far as the practice of notifying the public *[unintelligible]* that the date for the item at hand to the hearing that we are telling them about. I agree with getting rid of acronyms; instead of saying, "We're having an LOS hearing," *[we'll say]* "We're having a level of service hearing concerning the police," or some such thing. Spell it out, but do not give an opinion. I think that's a mistake. Then you would be accused of spinning an issue.

Seehuus That's the point I was trying to make.

Fallgatter There—that is not the point for spin, it's the point for public notification: "Please come to this meeting. We are hav---we're discussing the subject blah-blah-blah. It will be at 6:30. Keep it clear and to the point. Other than that, I think we're opening up a can of worms.

Tolson Okay.

Champeaux That's a valid good point. And that's what (sic) I got lost going the--around with Josie there, but that's—that's—that's—that's—that's exactly the reaction it would be, like that, you know. If we were having a preconceived notion out there of what's going to happen, then not only are we spinning it, but we could be looked at upon (sic) as, um, all *[of us]* meeting around the corner and making decisions where *[unintelligible]*. So, um, yeah. You may want—*[unintelligible]*.

Tolson All right. Any further input from Staff?

City Plnr. Rick Cisar Uh, just one comment. We did provide you with a notice of our open house. And for council's information, we're going to send that notice to everybody in the zip code. And that cost is right around a thousand dollars.

Storm Everybody in the zip code, or everybody in the City?

Tolson The zip code.

City Plnr. Rick Cisar Zip code.

City Admin. Deborah Knight Well, I'm sorry. I--I probably need to make an apology to Loretta, because I had misstated that we were just sending it inside the City. So, Rick, I appreciate your efforts in making sure that that got outside and, and [to] most of the zip.

Storm *[humorously]* Well, I renege on my offer, then. *[chuckles]*

[G.R.I.T. note: Previous discussions between City Admin. Knight and Loretta Storm prior to the 2/22/07 hearing involved Storm's argument that the notice for the April 2007 Comp Plan Open House (because it would address GMA-mandated revisions), needed

to be mailed not only to Sultan's in-city residents, but also to residents living outside the city limits (within Sultan's UGA), and to residents living within the entire Sultan zip code area. That discussion culminated in Storm's serious-as-a-heart-attack offer to the city administrator prior to the hearing, that she and her husband would either contribute labor to help with the mailing to those living outside the city limits, or to pay for the cost of postage to insure that the broader distribution be made.]

Tolson Well, you were going to pay for all the extra postage?

[simultaneous comments]

Tolson All right. With that, then, we will request a motion to close the public portion of this hearing.

Seehuus So moved.

Fallgatter Second.

Tolson All in favor, please say "aye." *[ayes]*

Tolson Any opposed?

Champeaux Nay.

Tolson Just because...

Champeaux Just because.

Tolson All right. Council will begin at 7 o'clock.

[end of transcription]