



**Public Safety/Legal Committee
City Hall – 200 NE Moe Street
3rd Floor Conference Room**

Subject	Regular Meeting Minutes	Date	March 20, 2019
Recorder	Amy Knutsen	Start Time	4:00 PM
Committee Chair	CM Jeff McGinty	End Time	5:00 PM
Committee Members	CM Gary Nystul; CM Abby Garland		
Staff present	Mayor Becky Erickson; BC Jeff Russell (PFD); CA Amy Knutsen; PA Alexis Foster; Judge Jeff Tolman; Chief Dan Schoonmaker; Planning Director Karla Boughton		

Agenda		
No.	Topic	Action/Recommendation/Discussion
1.	Administrative:	
	a. Approval of Jan & Feb minutes	Move to approve as amended.
2.	Questions & Concerns of the Committee:	
	a. Suspended License discussion	Judge Tolman gave input about the importance to prosecute drivers with a suspended license.
	b. Sex Offender Housing Regulations	Refer to memo submitted by Planning Director Boughton regarding Residential Housing Regulations.
3.	Municipal Court:	
	a.	New Public Defender will be under new contract effective 4/1/19. Pros Foster stated that there are some significant impacts on her office by the new public defender office requesting BodyCam videos on all cases.
4.	Police:	
	a.	Personnel update <ul style="list-style-type: none"> • Detective Shurick will retire effective 4/1/19 • Officer Jason Kennedy graduates from the academy on 3/27/19 • Reserve Officer Krebs has made partner in his law firm and has submitted his resignation. • Two officers in background
	b.	UAS update (Unmanned Aircraft System) Three officers have completed FAA training and the UAS program is fully operational.
	c.	Accreditation update – Officers are currently reviewing 160 updated policies with a June 1, 2019 deadline.
	d.	Chief stated PPD officers will be traveling to Kittitas for the funeral for the fallen officer in Ellensburg.
5.	City Prosecutor:	
	a.	No report

Agenda

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6.	Fire Department:	
	a.	Marine 6 went out for a suspected water rescue on Liberty Bay this morning.
7.	Risk Manager:	
	a. Outstanding Claims/Litigation Report	New lawsuit was filed against the City for the crosswalk incident
	b.	There are currently 2 outstanding claims for sewer backups from Feb.



Reviewed by Mayor Erickson

The committee may add and discuss other items not listed on the agenda. To request an alternative format of the printed agenda, contact the City Clerk's office at 360.394.9880. Para solicitar un formato alternativo de la agenda impresa, comuníquese con la oficina del City Clerk al 360.394.9880.



PLANNING AND ECONOMIC DEVELOPMENT

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MEMO

To: Public Safety/Legal Committee
From: Karla Boughton, Director
Subject: Residential Housing protected under Federal Fair Housing Act and/or Washington Housing Policy Act
Date: March 19, 2019

It was requested the Planning and Economic Development Department provide information regarding the residential housing that is protected either by the Federal Fair Housing Act or the Washington Housing Policy Act that preempts local jurisdiction's land use or other regulations.

The Group Home (and variations) and Adult Family Home are the two types of housing that the City has no regulations over. Below outlines the federal or state statute and the definition of the residential type from the City's zoning ordinance.

1. No [city/county] may enact or maintain an ordinance, development regulation, zoning regulation or official control, policy, or administrative practice which treats a residential structure occupied by persons with handicaps differently than a similar residential structure occupied by a family or other unrelated individuals. As used in this section, "handicaps" are as defined in the federal fair housing amendments act of 1988 (42 U.S.C. Sec. 3602).

Group Home (GH) means a place of residence for the handicapped, physically or mentally disabled, developmentally disabled, homeless, or otherwise dependent persons. Group homes are intended to provide residential facilities in a home-like environment. Such homes range from licensed establishments operated with twenty-four-hour supervision to nonlicensed facilities offering only shelter. They shall not include correctional facilities (except as authorized by Chapters 137-56 and 137-57 WAC for work/training release programs), nursing homes, Type III group care facilities, foster family homes, or adult family homes as defined by the Washington State Department of Social and Health Services or its successor agency. Group homes include but are not limited to the following:

A. "Home for the disabled" means a home or other facility which provides board and domiciliary care to individuals who, by reason of infirmity, require such care. An infirmity may be based on conditions including, but not limited to, physical handicap, mental illness, and other developmental disabilities. These group homes are a type of boarding home, as

defined and regulated in Chapter 18.20 RCW. However, boarding homes serving the aged infirm are not included in this definition.

B. “Group home for youth” means any home maintained and operated for the care of children on a twenty-four-hour basis as defined and regulated in Chapter 388-73 WAC and Chapter 74.15 RCW.

C. “Group home for offenders” means a home or other facility operated for housing and supervision of work/training release residents during their stay in a work/training release program as defined and regulated in Chapters 237-56 and 137-57 WAC.

Group residential home (GRH) means a residential home in which a person or persons provide personal care, special care, room, and board to more than one but not more than six children and/or adults who are not related by blood or marriage to the person or persons providing the services; provided, however, any limitation on the number of residents resulting from this definition shall not be applied if it prohibits the city from making reasonable accommodations to disabled persons in order to afford such persons equal opportunity to use and enjoy a dwelling as required by the Fair Housing Amendments Act of 1988, 42 U.S.C. Section 3604(f)(3)(b).

2. An adult family home must be considered a residential use of property for zoning and public and private utility rate purposes. Adult family homes are a permitted use in all areas zoned for residential or commercial purposes, including areas zoned for single-family dwellings. RCW 70.128.140(2).

Adult family home (AFH) means a residential home in which a person or persons provide personal care, special care, room and board to more than one but not more than six adults who are not related by blood or marriage to the person providing the services.