



City of Bothell™

BOTHELL CITY COUNCIL

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

Minutes

February 2, 2021 – 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

Mayor Olsen called the meeting to order at 6:00 PM.

All Councilmembers were present with the exception of Councilmember McAuliffe who was having technical difficulties and joined at 6:06 PM.

Meeting Agenda Approval

There were no changes to the projected agenda.

1. Presentations, Reports, & Briefings

A. Public Engagement Opportunities

Mayor Olsen reviewed upcoming public engagement opportunities.

B. Proclamations/Recognitions

- Black History Month

Mayor Olsen read the proclamation into the record. Councilmember McNeal thanked Mayor Olsen for the proclamation and added some additional information regarding the history of how Black History Month was established.

C. Special Presentations

- None at this time.

D. Staff Briefings

- Citywide Bike Plan: Sherman Goong, Transportation Planner reviewed the plan and entertained Council questions.

- E. City Manager Reports
 - Legislative Update: Kellye Mazzoli, Assistant City Manager provided an updated on legislative activities to date and entertained Council questions.

- F. Council Committee Reports
 - Councilmember McNeal updated council on regional transportation committee activities.
 - Councilmember Agnew provided an update on WRIA 8 activities.

2. Visitor Comment

WRITTEN Comment submitted to Council:

1. Angela Maeda - DEI and Hummel BPD Investigation
2. Ajmer Singh – Mental Health Crisis
3. Lura Dunn – Mental Health Crisis/Cahoots
4. Tiffany Philipsen – Mental Health Crisis/Cahoots
5. Rosemary Sutton – DEI position status
6. Shawn Wheeler – Hummel Investigation
7. Tiffany Anderson – Mental Health Crisis/Cahoots
8. Shama Farag – DEI position status
9. Ellie Henry – Hummel Investigation
10. Sarah Gustafson - Officer’s Guild Bargaining Agreement
11. Kathryn Sharp – BLM & Hummel Investigation

Live visitor comments received by:

1. Manny Ocampo – 206-914-6136 – Bothell Parks & Recreation Board Update
2. Han Tran – 425-501-5066 – Hummel investigation and recent march
3. Andrew Nelson - 425-286-5351 – DEI position update
4. Hannah Mendro – 425-330-2851 – DEI and police accountability
5. Cameron Chapman – 206-948-1733 – Hummel investigation
6. Carston Curd – 425-791-5465 – Bike Master Plan
7. Stephanie Sarantos – 206-819-9714 – Public Safety
8. Jeremy Tadros – 586-482-0170 – Hummel Investigation
9. Rami Al-Kabra – 206-701-9272 – Police accountability
10. David Levitan – 626-768-0940 - Officer’s Guild Bargaining Agreement
11. Tamara Wood – 206-218-9143 - Officer’s Guild Bargaining Agreement
12. Jenne Alderks – 206-229-3030 – Hummel investigation and recent march
13. Jessica Drake – 407-242-1238 – requested to speak (no topic given) but not in attendance

City Manager Jennifer Phillips addressed comments regarding the DEI position/status.

Police Chief Ken Seuberlich addressed comments regarding the recent march/Hummel investigation and entertained Council questions.

Council recessed at 8:01 and reconvened at 8:11 PM.

3. Consent Agenda

A. Approval of January 2021 Meeting Minutes

Recommended Action: Approve the City Council Meeting Minutes of January 5, 12, 19 and 25, 2021 as presented.

MOTION: Councilmember Agnew moved approval of the Consent Agenda. Councilmember Duerr second the motion carried 7-0.

4. Public Hearings

A. AB # 21-007 – Public Hearing regarding Consideration of Phase 2 Amendment to Progressive Design-Build Agreement with BNBuilders and Miller Hull Partnership and Associated Funding for the Bothell Fire Station 42 and 45 Replacement Project.

Recommended Action: Authorize the City Manager to:

1. Amend the Progressive Design Build Agreement with BNBuilders/Miller Hall Partnership, per Phase 2 Amendment in the amount not to exceed \$28,185,289.64.00 plus applicable Washington State Sales Tax (estimated to be \$2,887,140.48.00)
2. Approve inclusion of the Emergency Coordination Center as part of the Phase 2 Amendment and GMP as listed above.

and

3. Approve additional project funding in the amount of \$2,483,697.00 by adopting:
 - a) Ordinance amending the Adopted 2021-2022 Budget;
 - b) Resolution amending the 2021 User Fee Schedule;
 - c) Resolution amending the Adopted Capital Facilities Plan and,
 - d) Resolution establishing a loan from the General Fund.

Mayor Olsen opened the public hearing at 8:15 PM.

The meeting was paused due to technical difficulties with the live feed.

Facilities Manager Jeff Sperry presented and he along with Finance Director Chris Bothwell, Fire Chief Bruce Kroon, and other staff members as well as outside consultants entertained Council questions.

City Attorney asked Mayor Olsen to officially reopen the Public Hearing due to the technical difficulties experienced earlier.

Mayor Olsen reopened the Public Hearing at 9:16 PM

Public Comment was received from Beca Nistrand who asked about going back out for another levy.

City Manager Jennifer Phillips addressed Ms. Nistrand's comments.

MOTION: Councilmember Agnew moved to authorize the City Manager to Amend the Progressive Design Build Agreement with BNBuilders/Miller Hall Partnership, per Phase 2 Amendment in the amount not to exceed \$28,185,289.64.00 plus applicable Washington State Sales Tax (estimated to be \$2,887,140.48.00). Deputy Mayor Zornes second. The motion carried 7-0.

MOTION: Councilmember Agnew moved to approve inclusion of the Emergency Coordination Center as part of the Phase 2 Amendment and GMP as listed above. Councilmember Duerr second. The motion carried 7-0.

AMENDMENT: Councilmember Agnew moved to increase the fire impact fee increase from the proposed 50% to 75% and to increase the loan from the general fund and decreased the unreimbursed general fund contribution.

Councilmember Duerr second. Discussion ensued. The motion carried 7-0.

MOTION: Councilmember Duerr moved to approve additional project funding in the amount of \$2,483,697.00 by adopting the following and to include the amendment above:

- a) Ordinance amending the Adopted 2021-2022 Budget;
- b) Resolution amending the 2021 User Fee Schedule;
- c) Resolution amending the Adopted Capital Facilities Plan and,
- d) Resolution No. establishing a loan from the General Fund.

Councilmember McNeal second. The motion passed 6-1; Councilmember McAuliffe dissenting.

5. Ordinances & Resolutions

- None at this time.

6. Executive Session/Closed Session

At 9:55 PM, Council adjourned to Closed Session pursuant to Labor Negotiations pursuant to RCW 42.30.140(4)(a) anticipated to last 30 minutes with action expected.

Council reconvened to open session at 10:25 PM.

7. Contracts and Agreements

- A. AB # 21-008 - Consideration of Collective Bargaining Agreement (CBA) with Bothell Police Officer's Guild (BPOG) for 2021-2023
Recommended Action: Allow the City Manager to execute the 2021-2023 Collective Bargaining Agreement with the Bothell Police Officer's Guild.

Human Resources Director Mathew Pruitt presented and entertained Council questions.

MOTION: Councilmember Agnew moved the recommended action. Deputy Mayor Zornes second. The motion carried 7-0.

8. Other Items

- None at this time

9. Study Session/Update/Discussion Items

- None at this time

10. Council Conversations

Deputy Mayor Zornes addressed comments that were made during visitor comment this evening.

11. Adjourn

Mayor Olsen adjourned the meeting at 10:25 PM.

Submitted for approval on 4/20/21

Approved as submitted on 4/20/2021

[EXTERNAL] Online Form Submittal: Public Comment Sign-Up (Verbal or Written)

noreply@civicplus.com <noreply@civicplus.com>

Sun 1/31/2021 1:13 PM

To: City Clerk <CityClerk@bothellwa.gov>

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I would like to: Submit Written Comment (below)

If requesting to speak, please list what Agenda Bill #'s you wish to speak on, or if it is comment on a topic not related to the agenda.

Mental health issues

If submitting written comments, please type them here (limited to 500 characters) or upload below.

I think Great idea! If 911 will have:
Police
Fire
Ambulance
Mental Health

OR upload your comment document here: *Field not completed.*

First and Last Name: Ajmer Singh

Address: 16212 Bothell Everett Hwy

Phone Number: 4253815602

Email Address: Ajmerbhat@live.com

PLEASE NOTE:

Verbal comments will be limited to 3 minutes. The Mayor may interrupt comments that continue too long, relate negatively to other individuals, or are otherwise inappropriate. No speaker may convey or donate their time for speaking to another

speaker. The Mayor has the authority to preserve order at all meetings of the Council, and to cause the removal of any person from any meeting for disorderly conduct. Per RCW 42.56.010, all sign up sheets are considered public records and subject to disclosure.

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Thu 1/28/2021 6:12 PM

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OR upload your comment document here:

First and Last Name

Address

Phone Number

Email Address

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I would like to: Submit Written Comment (below)

If requesting to speak, please list what Agenda Bill #'s you wish to speak on, or if it is comment on a topic not related to the agenda. DEI and Hummel BPD Investigation

If submitting written comments, please type them here (limited to 500 characters) or upload below. *Field not completed.*

OR upload your comment document here: [21.pages](#)

First and Last Name Angela Maeda

Address 1438 241st PL SE

Phone Number 2068772141

Email Address angela.maeda@gmail.com

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Re: FW: [EXTERNAL] Online Form Submittal: Written Comment - Angela Maeda

Angela Maeda <angela.maeda@gmail.com>

Fri 1/29/2021 4:12 PM

To: Robin Schaefer <Robin.Schaefer@bothellwa.gov>

Cc: Laura Hathaway <Laura.Hathaway@bothellwa.gov>; Aimee Rosse <aimee.rosse@bothellwa.gov>

Yes, of course. Thank you!

Good evening Councilmembers,

I was heartened to hear that Chief Seuberlich called for a release of video footage and investigation into the Hummel shooting from the summer of last year. However, I would like to hear more about the process by which there is assurance of unbiased oversight for police investigations in the city of Bothell. We know that the objectives of SMART is for impartial oversight, but how can we as members of the community be confident that a task force led by the Snohomish County Sheriff and a group that is a part of law enforcement can truly be independent investigators? As well, I understand that though, one of the police officers is still under investigation, he has been returned to duty as usual. Please understand that this is psychologically distressing and a potential physical danger to residents of our city, especially for BIPOCs who may live here or are visiting our town. As a concerned BIPOC resident of Bothell, I urge and request your attention and direction on this very troublesome and important matter.

I would also like to hear some updates on the DEI position that was promised. Can more information be provided for us to have an idea on what has been mapped out and what we can expect? The more information shared and discussed with the public, the better we are residents can better trust the process, the Council, the city and all decisions going forward.

Thank you,

Angela Maeda

Angela Maeda (she/her), MAC, LMHC
(206) 877-2141

This E-mail message is for the sole use of the intended recipient(s) and may contain confidential and privileged information including Personal Health Information. Any unauthorized review, use, disclosure or distribution is strictly prohibited and could be a violation of Federal Law as per the Health Insurance Portability and Accountability Act (HIPAA). If you are not the intended recipient, please contact the sender by reply e-mail, and destroy all copies of the original message. For Clients: When you choose to communicate Client Identifiable Information by responding to this email, you are consenting to the

associated email risks. Please note email is not secure, and I cannot guarantee that information transmitted by email will remain confidential.

On Jan 29, 2021, 10:34 AM -0800, Robin Schaefer <Robin.Schaefer@bothellwa.gov>, wrote:

Hello Angela,

Our website form module is not able to open a .pages document. Is it possible for you to please reply to this email and either put your comment text in the body, or attach it as a Word or PDF doc?

I will make sure it gets forwarded to Council and will cc you in the email to them.

Thank you,



Robin Schaefer (she/her)

Deputy City Clerk

Direct: 425-806-6152

18415 101st Ave NE

Bothell, WA 98011



As we follow COVID-19 Public Health directives, City Hall is still closed to the public and I am currently working remotely. I will be checking email during normal business hours at robin.schaefer@bothellwa.gov. Please note, furloughs are no longer in place and we are providing services Monday – Friday, excluding holidays. If you need immediate assistance during these hours please call 425-806-6100.

Please note: Email exchanges may be public records and subject to disclosure, per RCW 42.56.010

From: noreply@civicplus.com <noreply@civicplus.com>
Sent: Thursday, January 28, 2021 8:16 PM
To: City Clerk <CityClerk@bothellwa.gov>
Subject: [EXTERNAL] Online Form Submittal: Written Comment - Angela Maeda

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If requesting to speak, DEI and Hummel BPD Investigation
please list what Agenda
Bill #'s you wish to speak
on, or if it is comment on
a topic not related to the
agenda.

If submitting written *Field not completed.*
comments, please type
them here (limited to 500
characters) or upload
below.

OR upload your [21 pages](#)
comment document
here:

First and Last Name Angela Maeda

Address 1438 241st PL SE

Phone Number 2068772141

Email Address angela.maeda@gmail.com

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If submitting written comments, please type them here (limited to 500 characters) or upload below.

OR upload your comment document here:

First and Last Name

Address

Phone Number

Email Address

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I would like to:	Speak at the Meeting (directions will be emailed to you)
If requesting to speak, please list what Agenda Bill #'s you wish to speak on, or if it is comment on a topic not related to the agenda.	Comment not related to the agenda - Bike Master Plan
If submitting written comments, please type them here (limited to 500 characters) or upload below.	<p>I'm planning to speak, but have included written comments for accessibility:</p> <p>Bike Plan progress should be evaluated on 3 metrics - Safety, Outreach, and Equity:</p> <p>Safety - Paint isn't protection. If you wouldn't let kids ride it, it's not safe for all ages and abilities.</p> <p>Outreach - There hasn't been a sufficient comment period for the plan.</p> <p>Equity - Bike infrastructure radically transforms neighborhoods. View projects through an equity lens to ensure disadvantaged communities aren't left behind.</p>
OR upload your comment document here:	<i>Field not completed.</i>
First and Last Name	Carston Curd
Address	<i>Field not completed.</i>
Phone Number	4257915465

Email Address carston.curd@gmail.com

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Tue 2/2/2021 11:54 AM

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OR upload your comment document here:

First and Last Name

Address

Phone Number

Email Address

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Tue 2/2/2021 10:46 AM

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I would like to:	Submit Written Comment (below)
If requesting to speak, please list what Agenda Bill #'s you wish to speak on, or if it is comment on a topic not related to the agenda.	agenda comment
If submitting written comments, please type them here (limited to 500 characters) or upload below.	The Hummel family and the community need answers. What is the status of Juan Rene's investigation? How are we allowing a woman who drove into a crowd of peaceful protesters to be free? There must be an investigation without conflict of interest. The Bothell community as a whole needs answers.
OR upload your comment document here:	<i>Field not completed.</i>
First and Last Name	ellie henry
Address	18716 95th ave ne Bothell WA
Phone Number	4259858178
Email Address	ellieh1413@gmail.com

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Tue 2/2/2021 2:15 PM

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If submitting written comments, please type them here (limited to 500 characters) or upload below.

OR upload your comment document here:

First and Last Name

Address

Phone Number

Email Address

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I would like to: Submit Written Comment (below)

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I am not requesting to speak.

If submitting written comments, please type them here (limited to 500 characters) or upload below.

Field not completed.

OR upload your comment document here:

[Written Statement to Bothell City Councilmembers Hummel.docx](#)

First and Last Name

Address

Phone Number

Email Address

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Written Statement to Bothell City Councilmembers, 2/2/2021, from Kathy Sharp, Bothell citizen

I will be attending the City Council meeting this evening. My particular concern is the lack of substantive reporting from the City regarding the killing of Juan Rene Hummel, a Black man, by a City of Bothell police officer last summer.

For background about me, my husband was an FBI Agent for 25 years, serving many of those in the Greater Puget Sound area. He carried a weapon every day, wherever he went, all 25 years. This week, two FBI agents were killed during an arrest, and five more wounded. I have deep respect and empathy for law enforcement.

But the fatal shooting of Juan Rene Hummel seems both suspicious and unnecessary. The officer came to a suburban neighborhood because a resident “suspected” car prowling. No evidence. No threats of violence. The officer shows up, without back up, sees a Black suspect, and—in what was a non-violent incident, the suspect is killed. Officers are called to protect the peace, not become executioners. The officer had several choices: 1) go to the scene with another officer 2) request back-up, if indicated 3) walk the confrontation back to do further investigation. No one’s life was immediately in danger, requiring lethal use of force.

I remember last May attending my first entirely peaceful Black Lives Matter, family-friendly walk/march, attended graciously by several friendly Bothell police and some supportive elective officials. I felt no fear or suspicion of the Bothell Police then or ever. But then, last summer we had two, close-in-time incidents of Bothell Police firing on Black men suspected of non-violent crimes. Neither crime warranted any guns drawn, just because suspects resisted arrest. In the first incident, a Bothell policeman unintentionally fatally shot another Bothell policeman during the chase. Attorneys believed they could charge the Black suspect with murder, because the policeman would not have shot the other policeman if he had not resisted. Such a scapegoating would be ludicrous if it were not being taken seriously.

As a citizen of Bothell, I want to hear the details of the investigation—or at least a progress report on the investigation, including an explanation of why it is taking so long—and I want to know what kind of training and review is happening within the Bothell Police Department in the meantime. These tragic deaths could have been avoided. We need to learn from them and take responsibility for them—including being honest, transparent and caring with the Hummel family.

Please respond with substantive details. Thank you!

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I would like to:	Submit Written Comment (below)
If requesting to speak, please list what Agenda Bill #'s you wish to speak on, or if it is comment on a topic not related to the agenda.	Mental Health Crisis intervention
If submitting written comments, please type them here (limited to 500 characters) or upload below.	I am writing in support of adding a mental health team to address crisis situations rather than have no law enforcement involved. I have read about the Eugene program CAHOOTS and would support a similar program. I have a family member that has a mental illness. If that person had a mental health crisis I would feel so much better about having people trained in crisis de-escalation skills deal with the situation than having law enforcement deal with the situation.
OR upload your comment document here:	<i>Field not completed.</i>
First and Last Name	Lura Dunn
Address	<i>Field not completed.</i>
Phone Number	206-310-9199
Email Address	turalura@comcast.net

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I would like to:	Speak at the Meeting (directions will be emailed to you)
If requesting to speak, please list what Agenda Bill #'s you wish to speak on, or if it is comment on a topic not related to the agenda.	Update by the Chair of the City of Bothell Parks and Recreation Board regarding Board 2021 actions and plans to date.
If submitting written comments, please type them here (limited to 500 characters) or upload below.	<i>Field not completed.</i>
OR upload your comment document here:	<i>Field not completed.</i>
First and Last Name	Manny Ocampo
Address	3231 208th Place SE, Bothell, WA 98021
Phone Number	206-914-6136
Email Address	mannyocampo47@gmail.com

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OR upload your comment document here:

First and Last Name

Address

Phone Number

Email Address

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I would like to:	Submit Written Comment (below)
If requesting to speak, please list what Agenda Bill #'s you wish to speak on, or if it is comment on a topic not related to the agenda.	comment
If submitting written comments, please type them here (limited to 500 characters) or upload below.	<p>I was delighted that Council approved a DEI position last year. This is a crucial position as inequities, systemic in American life, have been exacerbated under COVID.</p> <p>I would like to know the status of the DEI position. I do realize that Bothell council staff are challenged in a variety of ways in these times, but measures to address social justice are urgent and cannot be delayed.</p> <p>Thank you.</p> <p>Rosemary Sutton</p>
OR upload your comment document here:	<i>Field not completed.</i>
First and Last Name	Rosemary Sutton
Address	10804 NE 182nd Ct
Phone Number	2163855330

Email Address rosemaryesutton@gmail.com

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I would like to:	Submit Written Comment (below)
If requesting to speak, please list what Agenda Bill #'s you wish to speak on, or if it is comment on a topic not related to the agenda.	n/a
If submitting written comments, please type them here (limited to 500 characters) or upload below.	<p>I appreciate your efforts to engage with your constituents in the New Year. However, we need greater transparency, especially re: the Police Contract:</p> <ol style="list-style-type: none"> 1. Why is the Contract item at the end of tonight's agenda, making it hard for Bothellites to comment? 2. Why has there been no open discussion of the Police Contract, which appears to include provisions to expunge personnel records -- as well as the 3% dept budget increase during this fiscal crisis? <p>The public deserves to know. Thank you.</p>
OR upload your comment document here:	<i>Field not completed.</i>
First and Last Name	Sarah Gustafson
Address	<i>Field not completed.</i>
Phone Number	332-691-4509
Email Address	sarah.c.gustafson@gmail.com

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I would like to:

Submit Written Comment (below)

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What is the status of the DEI position?

If submitting written comments, please type them here (limited to 500 characters) or upload below.

What is the status of the DEI position?

OR upload your comment document here:

Field not completed.

First and Last Name

Shama Farag

Address

Field not completed.

Phone Number

00000000000

Email Address

Shama.omran@hotmail.com

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I would like to:	Submit Written Comment (below)
If requesting to speak, please list what Agenda Bill #'s you wish to speak on, or if it is comment on a topic not related to the agenda.	Not related to the agenda
If submitting written comments, please type them here (limited to 500 characters) or upload below.	<p>Violence has hit our community hard in the last year.</p> <p>What is the status of the investigation into Bothell PD for the homicide of Juan Rene Hummel Jr?</p> <p>What is city council doing to ensure justice?</p> <p>Will Bothell continue to employ the cop who killed our neighbor?</p> <p>A vigil for Juan Rene on Saturday was attacked by a driver who attempted to hit his family and community members who were marching to city hall to call for justice. What is being done about this?</p>
OR upload your comment document here:	<i>Field not completed.</i>
First and Last Name	Shawn Wheeler
Address	<i>Field not completed.</i>
Phone Number	425-591-9566

Email Address

Shawn.wheeler@hotmail.com

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I would like to:	Submit Written Comment (below)
If requesting to speak, please list what Agenda Bill #'s you wish to speak on, or if it is comment on a topic not related to the agenda.	We need CAHOOTS for our community as a resource for people in mental health crises.
If submitting written comments, please type them here (limited to 500 characters) or upload below.	Dear Council Members, I believe our community would greatly benefit from a program like CAHOOTS (Crisis Assistance Helping Out On The Streets) to help meet the needs of residents in times of a mental health crisis. This particular program in Eugene, Oregon has reported that in 31 years of CAHOOTS existing, they have had zero violent incidents and zero fatalities. We need to the correct response to the mental health needs in our community (also help the police by answering these calls.)
OR upload your comment document here:	<i>Field not completed.</i>
First and Last Name	Tiffany Anderson
Address	17603 30th Drive SE
Phone Number	425.287.0040
Email Address	tiff.anderson.66@gmail.com

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If submitting written comments, please type them here (limited to 500 characters) or upload below.	I would like to see a program like CAHOOTS put in place here.
OR upload your comment document here:	<i>Field not completed.</i>
First and Last Name	Tiffany Philipson
Address	2636 242nd Pl SE 98021
Phone Number	2066176667
Email Address	Tiffany.mackay1989@gmail.com

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