

Street Vacation Stakeholder Group

SUMMARY OF MEETING HELD JUNE 2, 2017

City Hall, Room 370

Members Present: Alex Brennan, Theresa Doherty, Howard Greenwich, Michael Jenkins, Ellen Kissman, Michael Laslett, Abby Lawlor, Leslie Morishita, John Pehrson, John Savo, Ross Tilghman

Council: Susie Levy --representing Councilmember O'Brien

Staff: Jasmine Marwaha; **Facilitator:** John Howell (Cedar River Group)

Others Present: Beverly Barnett (SDOT), Rhonda Peterson (Cedar River Group)

WELCOME AND INTRODUCTIONS

John Howell welcomed the Stakeholder Group members and attendees, who then introduced themselves.

DISCUSSION AND APPROVAL OF DRAFT RECOMMENDATIONS

As the last scheduled meeting of the Stakeholder Group, this meeting necessarily focused on discussing and finalizing the Draft Recommendations. Three members who knew they would not be able to attend the meeting emailed their comments in advance: Mark Brands, Xochitl Maykovich, and Eric Oliner. Their comments were shared with the full group.

John Howell reminded the group that Councilmember O'Brien had asked the Stakeholder Group for their thoughts on the street vacation process. It is not necessary to come to consensus on everything. The Councilmember wants to know where the group does have consensus. Where there is no consensus, he wants to know what the various points of view were. John reminded the Stakeholder Group members of the ground rules they had adopted in February. These included that consensus is defined as *all* members can either agree with or live with a recommendation or decision.

The group reviewed the document entitled "Advisory Group Recommendations Regarding Changes to Street vacation policies or Practices, May 19, 2017." The recommendations consisted of three parts: Introduction on the problems the Stakeholder Group addressed, Recommended Principles, and Recommended Enhancements to Street Vacation Process. The following summarizes the suggested revisions to the language in the draft and the group's decisions.

INTRODUCTION ON PROBLEMS ADDRESSED

There was a suggestion to add that street vacation policy is aligned with the Comprehensive Plan displacement index.

RECOMMENDED PRINCIPLES

Page 1: 1. Public Benefit

Members made the following suggestions:

- 1st para., 2d line, "Expand" instead of "Clarify the definition of public benefits to include . . ."

- 1st para., 3d line, change “for the general public” to “for project stakeholders”
- 2d para., 1st line, change “public benefits provided may have a direct relationship” to “can have but don’t necessarily have a direct relationship”

Unanimous Consensus on these three changes.

Pages 1-2: 2. Transparency – There were no comments on this language.

Page 2: 3. Community Engagement

Several members had questions on how to define “those most impacted” and “low access to opportunity” and to ensure that both types of communities are involved. The following suggestions for changes were made:

- Leave the language as is since it’s stated as “and” and is at the level of principles.
- Move “particularly those communities with low access to opportunity (as defined by the city)” to the end of the sentence so it reads:
“Ensure that engagement includes diverse communities and those most impacted by the proposed vacation, particularly those communities with low access to opportunity (as defined by the city).”

Unanimous Consensus on these two changes.

Page 2: 4. Predictability

Some members had concerns that reducing “risk” would be understood as reducing risk in the *process*, not reducing risk in the *outcomes*. The ultimate outcome could still be “No.”

Unanimous Consensus to leave language as is.

Page 2: 5. Consideration for Mission-Driven Applicants

The draft provided three options for language: Option A to consider the applicant’s mission differently for major institutions and nonprofits versus for-profit applicants; Option B, that all applicants be treated the same; and Option C, that all applicants be treated the same, but that there be consideration as to whether the street vacation is mission-critical for nonprofit applicants (e.g., makes the applicant’s work more efficient or effective).

There were differences of opinion among members on the options. Design Commission members noted that Option B. is the current policy, and C. happens to a degree but it’s not explicitly part of the process.

No Consensus on one option. This means that the final report will include all three options.

RECOMMENDATIONS

Page 3: Public Benefit

Members made the following suggested changes:

- 1st para., 1st line: Change “clarify” to “expand” as in the changes to the principle for Public Benefit.

- 1st para., 2nd line: Change “general public” to “project stakeholders” as in the changes to the principle for Public Benefit.
- 1st para.: Add that programmatic public benefits need to be permanent. This is part of existing policy, but should be added here.
- 2nd para.: Add to the examples of public benefits: health care, education and transit.
- There was discussion about whether public benefits should be permanent.

Unanimous Consensus on the proposed changes.

No Consensus on whether public benefits should be permanent.

Page 3: Community Engagement

Para. #2: Members made the following suggested change:

- Note that “community” in “community engagement” may include residential, business and industrial communities.

Para. #3: Members made the following suggested changes:

- Change “will be reviewed by SDOT staff” to “will be reviewed by relevant city staff”
- Add “negotiation” to the list of the ways engagement might occur.

Unanimous Consensus on the changes in paragraphs 2 and 3.

Para. #4: Members made the following suggested changes:

- Say that stakeholders will self-identify.
- Add future workers as a community.
- Racial equity toolkit is relevant here. The statement should call out communities with low access to opportunity and make sure the developer is engaging with the City, who should play a role in making that happen. The burden shouldn’t be solely on the applicant.
- Applicant submits the proposal, city reviews it and decides the communities for outreach.
- Delete “solely” in “Outreach to communities may be focused solely on the neighborhood in the immediate vicinity of the proposed project or on the broader community”
- Stakeholders should self-identify but the City should help figure out who’s impacted.
- Maybe suggest that the developer reach out to the broader community because it’s not clear which communities will be impacted.

In discussion, there was no consensus on where to focus outreach. So the question was reframed as: Who decides what communities to conduct outreach with—The applicant? Self-selection? Or the City?

Unanimous Consensus that outreach may be focused on neighborhoods in the immediate vicinity of the project, or on the broader community.

No Consensus on who decides where community engagement should be focused.

Para. #5 Members made the following suggested changes:

- Discussion on whether a CBA “should be incentivized” instead of “should be encouraged.”

- Reframe it as CBA could be one possible outcome based on listening to community feedback.
- Put it in the list of tools, but not require or encourage.
- Change “should be encouraged” to “could be a way”

The question was reframed as whether there was consensus on the 4th suggestion (change to “could be a way”).

No Consensus

Page 4, Community Engagement, cont.

Para. #6 Members made the following suggested changes:

- Use “guidance” rather than “advice” in “City departments that could provide advice to proponents”
- Reaching communities that don’t speak English should be a City role; developers don’t have the resources or knowledge.
- City needs to play a role in the outreach plan, especially for low-income communities.
- Difference of opinion on whether the developer should pay for this outreach.
- Project should come early to Council as a heads up, then DON should help develop an outreach plan and assist or provide guidance to the developer in implementing the plan.
- Could be challenging to the project’s timeline if the City doesn’t have the staff to do this.
- City should offer advice/guidance to communities with the least resources, not just to the project proponent.
- There needs to be a clearinghouse at the city to determine who will give the advice.

Unanimous Consensus on city staff providing guidance, and on adding reference to Office of Labor Standards, translation services, change “advice” to “guidance” and add that the City will support other stakeholders.

No Consensus on whether the City or developers should lead community engagement activities.

Para. #7 The draft provides four different points of view for the approach to take.

Unanimous Consensus: Just forward to Council as is with all four possible approaches.

Para. #8 Members made the following suggested changes:

- Make same change as in #3 to change “SDOT staff” to “relevant staff”
- Would like to see the City Council being the one to evaluate.

Unanimous Consensus: Make the first change to the same language change as in #3.

Para. #9 Members had some questions and made the following suggested changes:

- Question: Who will make it happen that Council will provide reactions and guidance early in the process?
- Questions about the format – public hearing? More general format?

- Keep language as is, since it leaves the format open, just says there should be an opportunity for members of the public to provide feedback early in the process.

No Consensus

Page 5, Role of the Design Commission

Para. #10 Members made the following comments and suggested changes:

- The Commission already has an adopted equity policy. Some concern about aligning with City RSJI initiative, when other policies may supercede the RSJI.
- Like aligning with RSJI because there is good content there and it makes the point about addressing communities with low access to opportunity.
- Use “equal opportunity and social inclusion” language.

☞ **Conclusion:** Members agreed to do further discussion through email. *NOTE: Unanimous agreement was reached after circulation of revised language.*

Paras. #11 and 12 Members made the following suggested changes:

- In #11, emphasize that it’s important for the Commission to include sessions at times and places where the general public can attend, not just daytime downtown.
- In #12, the idea of adding technical experts or community reps to Commission meetings is in #7 already. Suggest deleting #12.
- Translation and interpretation have budget implications. State that the City will put this in its budget.

Unanimous Consensus

CLOSING

John Howell and Jasmine Marwaha will work together to revise the draft recommendations document, and will circulate it in “track change” format to the Stakeholder Group members for approval.