

From:Candace Pratt
Sent:Sun, 13 Oct 2019 13:44:27 -0700
To:Charisse Deschenes
Subject:FW:
Importance:Normal

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From: [Candace Pratt](#)
Sent: Wednesday, August 21, 2019 5:32 PM
To: [Linda Benson](#)
Subject: FW:

My explanation of moratorium and why I voted no...

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From: [Candace Pratt](#)
Sent: Wednesday, August 21, 2019 5:26 PM
To: [Candace Pratt](#)
Subject:

To answer your question about legal jeopardy, I will assume that you have not served on a city council, and I hope you will forgive a lengthy answer. Here's some of my relevant background info...

Around 2008 the League of Women Voters of Clallam County sponsored an educational forum about cities' implementation of moratoriums. All local elected officials were invited. Carol Morris was the expert speaker. I learned that moratoriums are to be very judiciously enacted. There must be an emergency.

In 2012, I took the highly recommended classes offered by the Association of Washington Cities (AWC) given expressly for newly elected officials. We were instructed of the importance of listening to our attorney's advice. By not following that advice, we councilors are personally financially liable for any court decision.

Late last year we did approve a 6 month moratorium. It was to allow time to clean up some very confusing material in our codes. It was perceived to be an emergency, because if left as is, unintended consequences were certainly possible. There was nothing "in the offing" that would be affected by this moratorium, nor by the cleaning up of the language in the code. We were not doing this to pre-empt someone's application. The moratorium was lifted within 4 or 5 months when council approved the new language.

Now to Ted's proposal: to implement a 3 month moratorium on all Economic Opportunity Areas (EOA) in the city. City staff has not received a proposal from the tribe. How can we justify a city-wide moratorium

to stop ALL development? Where is the emergency? The city attorney told us about court rulings against cities that improperly exercised moratoriums, thus resulting in judgements of millions of dollars. Our risk pool insurance will not cover these things, because we are supposed to know better than to get into such a mess!

Remember, staff have not seen any proposed plans from the tribe. We don't decide outcomes before a project has been vetted by staff and by the Planning Commission. With all the discussion about the proposed medically-assisted treatment center, the council knows some development will likely be proposed for that EOA. I cannot, in good conscience, agree to a moratorium for something that the Community Development Director tells us may well conform to our zoning regulations. I believe the court would rule that this proposed moratorium was (thinly disguised) targeted at the EOA behind Costco, given that there had been so much publicity about it leading up to Ted's proposal. I do not list pros and cons. As a Councilor, I am listening to both sides.

Any other questions you have will probably be answered on the city website
<https://www.sequimwa.gov/866/Medication-Assisted-Treatment-MAT-Center>



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