

**CITY OF SHORELINE**  
**SHORELINE CITY COUNCIL**  
**SUMMARY MINUTES OF BUSINESS MEETING**

Monday, October 27, 2008 - 7:30 p.m.  
Shoreline Conference Center  
Mt. Rainier Room

**PRESENT:** Mayor Ryu, Deputy Mayor Scott, Councilmember Eggen, Councilmember Hansen, Councilmember McConnell, Councilmember McGlashan, and Councilmember Way.

**ABSENT:** None

**1. CALL TO ORDER**

At 7:36 p.m., the meeting was called to order by Mayor Ryu, who presided.

**2. FLAG SALUTE/ROLL CALL**

Mayor Ryu led the flag salute. Upon roll call by the City Clerk, all Councilmembers were present, with the exception of Councilmember Hansen, who arrived shortly thereafter.

**3. CITY MANAGER'S REPORT**

Bob Olander, City Manager, provided reports and updates on various City meetings, projects, and events. He noted that the next set of Visioning meetings all begin at 7:00 p.m. and are being held at the following locations:

- October 28, Fire Station #61, 175<sup>th</sup> & Aurora Avenue
- October 29, Fircrest School, Building 200
- October 30, Meridian Park Elementary School, Cafeteria

He highlighted other public meetings and events occurring in Shoreline, including:

- Off-leash area pilot site discussion, October 29, 7:00 – 9:00 p.m., Shoreline Historical Museum, 749 175<sup>th</sup> Street
- Halloween Costume Carnival, October 31, 9:30 – 12:00 p.m., Shoreline Recreation Center, \$2.00 fee, for children 1 to 4 years old
- Community Priorities/Long Range Finance Committee Meeting, October 30, 6:30 p.m., Shoreline Center, Arden Room
- Park Board Meeting, October 30, 7:00 p.m., Shoreline Conference Center

He announced that the City of Shoreline has received some funding for some flooding and stormwater projects through the King County Flood Control District in the amount of \$155,000.

**4. REPORTS OF BOARDS AND COMMISSIONS**

Mayor Ryu reported on the Sister City trip to Korea. She said she looks forward to economic opportunities for the City of Shoreline through the sister city relationship.

**5. GENERAL PUBLIC COMMENT**

a) Merlita Sansano, Shoreline, on behalf of the Shoreline/Lake Forest Park Senior Center, discussed the outreach and various senior center activities, computer classes, and fundraising events available. She said the services the Senior Center provides are valuable.

b) Beverly Kaye, Shoreline, also discussed the Shoreline/Lake Forest Park Senior Center. She outlined the volunteer activities and invited everyone to the annual bazaar held from October 31 to November 1.

c) Dale Wright, Shoreline, on behalf of Vision Aurora, commented that on October 6 the City received the 2008 Award of Excellence for best city project for the Aurora and Interurban Trail Bridges from the Washington State Department of Transportation (WSDOT). He said it is an exceptional project that serves as a model for the state. He noted that the primary parties that were involved were the Federal Highway Administration (FHWA), WSDOT, and the City of Shoreline. He outlined the public process involved in getting Aurora done, including the task force, public hearings, and the preferred design. He said the Shoreline business community and City Council had objections, lawsuits, delays, and attempts to make significant changes. He recognized City staff and Councilmembers who supported the project.

d) Les Nelson, Shoreline, discussed the issue of public hearings. He said that the public hearing at this meeting is listed on the website, however, if you click the Council meeting link it takes the user to the Council page, where they have to look at the agenda and scroll down through it to see the public hearing listed. He felt the City is meeting the bare minimum as far as noticing requirements. He said the City's website calendar shows a business meeting but not a public hearing. He noted that the City survey shows 25% of City residents learn about events from the website.

e) Bill Meyers, Shoreline, encouraged the adoption of Ordinance 522 to grant Verizon a cable franchise. However, he urged them to pass it without the double tax, adding that he is disappointed with the staff recommendation to include it.

**6. APPROVAL OF THE AGENDA**

**Councilmember Eggen requested that item 7(f) be removed from the Consent Calendar and placed as new item 9(b).**

Deputy Mayor Scott moved approval of the agenda as amended. Councilmember Way seconded the motion, which carried unanimously and the agenda was approved.

## 7. CONSENT CALENDAR

Deputy Mayor Scott moved approval of the Consent Calendar. Councilmember Hansen seconded the motion, which carried unanimously and the following items were approved:

- (a) Minutes of Workshop Dinner Meeting of May 12, 2008  
Minutes of Special Meeting of May 16, 2008  
Minutes of Workshop Dinner Meeting of May 27, 2008  
Minutes of Workshop Dinner Meeting of July 14, 2008  
Minutes of Study Session of September 2, 2008  
Minutes of Business Meeting of September 8, 2008  
Minutes of Workshop Dinner Meeting of October 13, 2008

- (b) Approval of expenses and payroll as of October 15, 2008 in the amount of \$1,702,760.88 as specified in the following detail:

**\*Payroll and Benefits:**

Payroll	Period	Payment Date	EFT Numbers (EF)	Payroll Checks (PR)	Benefit Checks (AP)	Amount Paid
	9/7/08-9/20/08	9/26/2008	25960-26142	8115-8149	37866-37877	\$507,065.74
	9/21/08-10/4/08	10/10/2008	26143-26327	8150-8189	37976-37984	\$401,472.00
						<u>\$908,537.74</u>

**\*Accounts Payable Claims:**

Expense Register Dated	Check Number (Begin)	Check Number (End)	Amount Paid
10/2/2008	37837	37864	\$155,144.14
10/2/2008	37865		\$13,200.00
10/3/2008	37878		\$12,400.31
10/6/2008	37879		\$2,140.25
10/6/2008	37880		\$3,750.00
10/8/2008	37881		\$290.54
10/8/2008	37882	37915	\$179,922.08
10/9/2008	37916	37917	\$230,300.65
10/10/2008	37918	37939	\$123,677.64
10/13/2008	37519		(\$150.00)
10/13/2008	32519		(\$150.00)
10/13/2008	37940		\$150.00
10/13/2008	37941	37975	\$73,547.53
			<u>\$794,223.14</u>

- (c) Motion to Authorize the City Manager to Execute a Multi-Family Housing Limited Property Tax Exemption Agreement with Ridgecrest Equities, LLC

**(d) Motion to Authorize the City Manager to Execute an Easement Agreement with King County for Cromwell Park**

**(e) Adoption of the Regional Jail Siting Environmental Impacts Agreement**

**8. ACTION ITEM: PUBLIC HEARING**

**(a) 2009 Budget Discussion and Public Hearing**

Debbie Tarry, Finance Director, provided a brief presentation on the 2009 Proposed Budget and outlined the guiding principles in developing the proposed budget which reflect the Council's strategic objectives. She said the City's financial position is sound, maintains adequate reserves, supports Council goals, maintains human service funding levels, and does not add new services or personnel positions. She pointed out that 60% of the \$104 million budget is for capital projects. She then outlined the proposed expenditures and revenue sources, including the property tax levy. She highlighted that the tax levy rate continues to go down over the years due to the 1% limit. She announced that the City staff is made up of 2.6 FTE per 1,000 residents. She reviewed the Capital Improvement Program (CIP) and the projects for 2009. She concluded that the 2009 Budget supports the City's Vision and the Council Goals.

Mr. Olander noted that departmental budgets will be reviewed following public comments. He reiterated that in today's difficult economic times, it is outstanding that this City has presented a balanced budget to the Council, with no service or budget cuts. He noted that the credit goes to past Councils and Finance staff.

Mayor Ryu opened the public hearing.

a) Morgan Moore, on behalf of the Ballinger Family Support Center (a division of Community Health Services), works to facilitate the voice of the youth. She introduced four teens, who explained what the City funding for their program has provided. They noted that the City should continue to support Ballinger Homes and that they were a part of the Ballinger Action Team which keeps the community safe and makes the City a better place. They commented on the Homework Factory program, adding that it teaches them leadership skills, instruction in fourteen different languages, summer camp, and role modeling.

b) Beratta Gomillion, on behalf of the Center for Human Services (CHS), thanked Deputy Mayor Scott and Councilmember Way for comments at the King County budget meeting. She thanked the Council for its past support and asked that as the Council to consider human services funding for 2009. She reminded everyone of the importance of CHS work, which aligns with the City's goals and strategies. She stated that she is concerned about ongoing funding for Family Centers. She highlighted that for every dollar spent on human services, many more dollars are saved in criminal justice. She noted that their substance abuse department won a state award and CHS was a finalist for the NWSource best place to work. She said CHS would be very good stewards of any funds received from the City.

c) Bruce Titcolt, Board President, Center for Human Services (CHS), said he has recognized the importance of the CHS Back to School Event and After School Programs which provide a safe environment. He said they need the continued financial support of the broader community and this Council.

d) Jerry Evergreen, Director of Counseling Services, Center for Human Services (CHS), thanked Shoreline and the people who really care about strong families. He said it takes courage to admit mental health problems and come to counseling, and this service is important. He informed the Council that CHS has a small dedicated staff that can provide mental health services in Shoreline. He noted that there are five therapists who serve over 100 families and the City of Shoreline has stood by and supported CHS along the way.

e) Tanya Schaffer, on behalf of the Shoreline Family Support Center and Tabara Pevin, communicated that both programs have been operating with a deficit of over \$91,000. She said they are both worried about their out-of-school programs. They communicated that although their needs continue to grow, their funding does not. She asked if there was any way to designate additional funds to these after-school programs.

f) Jeff Sackett, Shoreline, on behalf of the Coalition for the Preservation of Cedarbrook, noted that the Shoreline School District has surplused the Cedarbrook property. He presented the Council with a petition of over 700 signatures asking that it be kept as a City park, adding that there aren't many parks on the east side. He noted that they are working on a grant and private funding; however, it takes some seed money to accomplish this acquisition. He said he realizes that there are some constraints but asked for this to be considered in the budget process.

Mr. Olander asked Mr. Sackett if he have approached the City of Lake Forest Park, since it is adjacent to the park. Mr. Sackett replied that they have and Lake Forest Park is attempting to figure out annexation and maintenance issues.

Mr. Olander commented that the sheet passed out shows the recommended allocations to CHS.

**Councilmember Hansen moved to close the public hearing. Councilmember Way seconded the motion.**

Councilmember Way noted that people can still submit comments. Mr. Olander commented that it is helpful to close the public hearing. Councilmember Way clarified that comments that come in after the public hearing is closed are kept as part of the record and are accessible and collated.

Councilmember McGlashan left the meeting.

**A vote was taken on the motion to close the public hearing, which carried 6-0.**

Ms. Tarry provided information addressing issues raised in previous public comments. She reviewed the budgets of the Planning and Development Services (PDS) and Public Works (PW) departments and highlighted the City's capital improvement plan projects. She communicated

that the PDS budget totaled \$2.9 million and they have experienced an FTE drop of .5 from 2008 - 2009. There has been some slowing in permit revenues and financing has become an issue for those developers attempting to build. She reminded the Council that one of their policies makes it possible for them to establish a reserve for economically sensitive revenues.

Councilmember Way asked for data showing what the cost of certain types of development might bear on services and the actual cost to administer those services for certain levels of development.

Mr. Olander replied that it is a very complicated question because it depends on specific development. He noted that revenues and the service mix varies by development and can only be determined on a case-by-case basis.

Councilmember Way said she received an e-mail about a workshop that explains this kind of accounting to measure those kinds of factors and felt it would be useful to have at some point.

Ms. Tarry continued and noted that the PW budget is on pages 253-276 and consists of the General Fund, the City Street Fund, and the Stormwater Utility fund. She said they are recommending some reclassifications on some positions, but with no additional personnel proposed.

Ms. Tarry highlighted the 2009 CIP projects which totaled \$65 million. She reviewed the Stormwater Utility fund, flood protection projects, and the Thornton Creek Basin Plan. She also reviewed budgeted contingencies.

Councilmember McGlashan inquired about the 2009 major capital projects; specifically, the Aurora Corridor Project between 165-185<sup>th</sup> Avenue.

Councilmember Eggen stated that the total PW budget shows a peak in 2008 because of large capital projects, yet staffing is constant. He asked if the City hires contractors to do the extra work. He inquired about the stormwater utility taxes and asked if they were collected by King County the same way they collect property taxes.

Ms. Tarry replied that it is a utility fee and King County agreed to collect that as part of the property tax bill.

Councilmember Eggen asked if these taxes were computed by the value of the property.

Ms. Tarry replied that they are based on the utility rate and the impacts on the system. She said there is a flat rate for single family residential and in 2008 it was \$124, which is increasing to \$130 in 2009.

Councilmember Eggen pointed out that the relationship of the tax rate in the initial presentation shows that the downward trend occurs because we have a 1% limit per year on the tax increase. Therefore, as the assessments go up, the rate goes down.

Ms. Tarry noted that on page 257 there is a breakdown of the stormwater fees and how they're charged to properties.

Councilmember Way discussed the Aurora project and said people are probably wondering why the trees didn't survive the rigors of summer. She asked if the trees were covered under the contract.

Mr. Olander replied that the City contracted with the grower to pre-grow the trees, and the problem was with the planting by the contractor. In the next phases the City will clarify who is responsible for the trees and have the contractor supply them outright.

Mayor Ryu questioned if there is a way to guarantee that next set will survive more than a few years.

Mr. Olander replied that a warranty can provide some guarantee that the trees will survive for a certain number of years. He noted that disease, not the species, was the issue in this case.

#### RECESS

**At 9:06 p.m., Mayor Ryu called for an eight-minute break. Mayor Ryu reconvened the meeting at 9:18 p.m.**

#### 9. UNFINISHED BUSINESS

(a) Ordinance No. 507, amending the Comprehensive Plan to rename the Single Family Land Use Designation as Institution/Campus; establish that a Master Plan Area is created as an Amendment to the Development Code; and amending development regulations to implement these Comprehensive Plan changes by creating a Master Planned Area zoning designation and adopting a Master Planned Area Permit Process

Rachael Markle, Assistant PDS Director, provided a brief presentation on this item. She explained that the Council instructed the City staff to come back with two versions of this ordinance. She noted that the first version eliminates the ability of master plan new uses and version two does the same and removes Fircrest and the Health Lab from the master plan. She noted that the City cannot preclude expansion of essential public facilities and that the City staff does not advise implementing the second version. She concluded that the City staff recommends adoption of version one.

Mayor Ryu called for public comment.

a) Bill Bear, Shoreline, commented that citizen input is assurance that the Council listens. He stated that Ordinance No. 507 is flawed because it puts the decision-making for planning of major pieces of Shoreline land into a quasi-judicial process that limits citizen input. He said that the master plan is a comprehensive planning process that needs lots of citizen involvement.

b) Jim Hardman, on behalf of Friends of Fircrest, felt that neither version of Ordinance No. 507 provides for a quasi-judicial process. He communicated that there hasn't been any meaningful input or study done to protect the residents and neighbors. The Growth Management Act (GMA) doesn't mandate a quasi-judicial course, but it encourages citizen involvement. He stated that the City Attorney letter doesn't say why quasi-judicial is mandated. He suggested a two week delay and stated that no one at the visioning meetings has said anything in favor of the DSHS hybrid plan. He felt DSHS is not going to protect the residents, and said it's up to the City to protect them. He added that these issues are too critical to rush into and the Council shouldn't make premature decisions.

c) Saskia Davis, on behalf of her sister at Fircrest, urged the Council not to vote on Ordinance No. 507. She said both options rob the Council of their authority and power. This, she explained, is a matter which will affect the future of Shoreline. She recommended that the Council defer its vote tonight so more consideration and review can occur. She suggested that the Council reconsider just going with the Comprehensive Plan of 2005 that allows for the public participation that is needed.

d) Terry Anderson, on behalf of her son at Fircrest, said she has seen what the DSHS vision of Fircrest is and she has more questions than answers. She commented that if the DSHS Lands and Building Department admits there are questions out there, then the residents and the Council should take the opportunity to meet with them to get answers.

e) Kyle Roche said he oversees building management for Crista Ministries and is patiently watching this process. He supported what the City staff has done on the major issues that impact Crista. He communicated that he wants the Council to help Crista get back on track with its own plans. He stated that there is a good public process within the Planning Commission and requested that the Council adopt Ordinance No. 507.

f) Dennis Lee, Shoreline, said that the planning for these large parcels is frustrating, and that having a permit that allows compliance in a certain zoning code with a quasi-judicial process without the planning steps is backwards. He felt the claim that this would involve "no change" is incorrect because it increases density. He stated that that this process needs to remain as a legislative, comprehensive plan process. He concluded that the Council was never comfortable with this as a quasi-judicial item.

g) Maria Walsh, Mountlake Terrace, on behalf of her son at Fircrest, said that the City Council is accountable to the public and its decisions will impact its residents for years to come. She felt that if the decisions are based on profits only, then a second look needs to be taken. She said the people at the Fircrest School will suffer the most when these decisions are made. She said it is wrong to put 360 houses for 720 people next to a disabled community, and DSHS has not done its job. She said she doesn't oppose using the additional excess land, but wanted to remind the Council who lives there.

h) Dwight Gibb, Shoreline, wanted the City Manager's Office to pay more attention to the website because the last two meetings were incorrectly listed as being in the Highlander Room. He said he is concerned about the inattention to the Comprehensive Plan and that there



are other projects that should have been involved in a CP amendment. He felt the master plan idea has been marred by twists and turns. He felt the City should do a thorough legislative process with public participation on the CP instead of having master planning.

i) Les Nelson, Shoreline, said the last CP has been referred to as old and outdated, but the GMA states that the CP is the place to identify land use densities. He said that revisions need to be reflected in CP amendments. He said to take large portions of land out of the CP seems contrary to GMA law. He noted that the two areas of confusion that the Council should answer are whether Institutional Campus (IC) is a land use or a zoning designation. Additionally, what is the associated density and height restrictions for IC? He said it seems as though the City is mixing negotiations among the different entities. He felt the City is confusing issues at Fircrest and Crista. He concluded that it seems the 2005 CP should be used.

Mr. Olander commented that the MP is not something the City staff made up and brought to the Council and residents. He stated that this was included in the original CP. He pointed out that the speakers correctly note that the City doesn't have a process or criteria, which is precisely why this meeting is being held. He said the CP sets general decision criteria and parameters on how you decide on project applications. Because the CP is silent on this, that's the whole reason these topics are on the agenda -- to provide the guidelines and process for particular project applications. He highlighted that the mitigations aren't on hand until the application is in hand to see what these entities are proposing. He noted that the PC and Council don't have to accept the hybrid plan just because it is proposed by the DSHS. He said it is critically important that the Council draws the parameters around the decision criteria. He added that it is possible to go back to the CP amendment and get rid of MP and just go to zoning designations. He suggested that if the Council wants to continue with the MP process they should concentrate on the decision criteria.

Mr. Tovar added that Goal #8 is where this all came from, not from the City staff. He said if the City wants to investigate what can be done on a specific property, then an applicant has to pursue a permit. He noted that the Council has decision-making discretion all along the way. The proposal concerning what can and can't happen on that property came from the Council.

**Councilmember Eggen moved to adopt Ordinance No. 507, Version 1. Councilmember Hansen seconded the motion.**

#### MEETING EXTENSION

**At 9:58 p.m., Councilmember Hansen moved to extend the meeting to 10:30 p.m. Councilmember Way seconded the motion, which carried 7-0.**

There was Council consensus to address item 9(b) concerning the Verizon Northwest, Inc. franchise agreement.

(b) Ordinance No. 522, Granting a Franchise to Verizon Northwest, Inc. to Operate a Cable System in the Public Rights-Of-Way to provide Cable Services in the City Shoreline for a Twelve Year Term

Mr. Olander introduced John Norris, Management Analyst, who reviewed this item. Mr. Norris stated that there are two versions of the cable franchise agreement. The first version includes fees that would be included in the gross revenue definition. He noted that the City staff has provided alternate language, which excludes that. He noted that Attachment C of the staff report has three alternate pages.

Mr. Olander highlighted that the financial impact of this would be \$32,000 that would not be collected.

Mayor Ryu commented that the issue involves truth is taxing. She inquired if there is a way to own up to the charging of the fee and a way to clarify the language for the consumer.

Mr. Norris replied that the issue is that the City receives 5% from cable provider and what is more than 5% is on the subscriber's bill. He said we wouldn't be able to request that Verizon put an explanation on their bill. The City has control over the amount of franchise collected and what the definition of gross revenues is, he explained.

**Councilmember Eggen moved to adopt Ordinance No. 522. Councilmember Hansen seconded the motion.**

Mayor Ryu called for public comment. There was no one wishing to provide public comment on this item.

Councilmember Eggen commented that he sent an e-mail posing three questions. He asked if the language is the same in the Comcast contract, including the right-of-way fee in the list of revenues, then does this result in a fee on a fee? He felt that the Council doesn't know the full effect of this language. He suggested asking Verizon or Comcast if they have the answer. He added that he doesn't want to remove that item from the revenue list and have the result be that the City gets a 4.75% fee. The other question is whether we have collected a fee on a fee it seems that changing this on everything done would result in sizable loss of revenue. He asked how much revenue the City would be forfeiting. Third, he suggested posting both the City's fee and what the utility tax structure is on the website.

Mr. Norris replied that doing this is up to the Council because it is the City's franchise. He said they can choose to act when they want to and doesn't know how much more information we'll get if we don't act tonight.

Councilmember Hansen felt that it is unreasonable to limit discussion because the Council has a tough situation. He compared this to the Truth in Lending Act and didn't care whether it is a franchise fee. He said it is important for the City to be honest. However, he warned that by eliminating item T, Verizon will have a competitive advantage. He said he could be satisfied if the City states that there is a nominal rate of 5% and an actual effective rate of 5.26%, just like regulation Z of the Truth in Lending Act. He supported the ordinance but wanted to make sure the effective rate of 5.26% is clear.

Councilmember Way asked that disclosures regarding Councilmember Hansen's suggestion be included on the website and wherever it is appropriate.

Mayor Ryu commented that if the residents are willing to pay taxes the City owes them honesty and full disclosure.

Councilmember Eggen suggested that when the Council reviews the budget and revenues in the future, things like this should be thought about more clearly. He said the Council should consider the effect of this and other statements and address them in more comprehensive way.

Councilmember Hansen commented that his preferred solution is to state the rate as 5.26% and remove the reference to regulation T, but the City Attorney says that isn't legal according to federal regulations.

**A vote was taken on the motion to adopt Ordinance No. 522, Granting a Franchise to Verizon Northwest, Inc. to Operate a Cable System in the Public Rights-Of-Way to provide Cable Services in the City Shoreline for a Twelve Year Term, which carried 7-0.**

(a) **CONTINUED:** Ordinance No. 507, amending the Comprehensive Plan to rename the Single Family Land Use Designation as Institution/Campus; establish that a Master Plan Area is created as an Amendment to the Development Code; and amending development regulations to implement these Comprehensive Plan changes by creating a Master Planned Area zoning designation and adopting a Master Plan Area Permit Process

Councilmember Way noted that there are a few technical items that need to be corrected on the CP maps and that the City should have a version that accurately reflects South Woods, the Hamlin Park extension, and Kruckeberg Garden.

Mr. Tovar said the City could have a recital in the Ordinance that would include these, but it can't be changed outside of the process.

Councilmember Way said she talked to the Municipal Research Services Center (MRSC) and she was told it makes sense for cities to make updates that reflect new parks as part of the annual CP process.

Mr. Tovar reiterated that it could be a recital and acknowledged that there are other things that need addressing.

Councilmember Way stated that another issue is determining whether applications are compatible with Fircrest and if there are true opportunities for public input. Additionally, she is concerned about measuring cumulative impacts and the expansion of excess property.

#### MEETING EXTENSION

**At 10:30 p.m., Councilmember Hansen moved to extend the meeting until 11:00 p.m. Councilmember Eggen. seconded the motion, which carried 7-0.**

Mr. Olander replied that the criteria talks about compatibility and cumulative impacts.

Ms. Markle commented that the two options before the Council don't allow for new uses and is not intended to be and not interpreted that way. She said the intent is for the Council to use the criteria to decide if something is compatible or not. She explained that the purpose of the criteria is to make compatibility decisions such as those that relate to design, density, and environment. She clarified that Councilmember Eggen added an amendment on page 194 which combines items #7 and #9.

Mr. Olander stated that Mayor Ryu's comments were about intent, and versions 1 and 2 won't allow new uses.

Mayor Ryu felt that the City needs to tighten up page 187 and is uncomfortable moving this from a legislative process. She added that if the definition of non-significant is in the language, she can't support it. She felt this was taken from a planning process to a permitting process.

Mr. Tovar inquired what the Council imagined that an applicant would submit.

Mayor Ryu responded that she liked the Ridgecrest process and pointed out that it was done legislatively.

Mr. Tovar explained that a legislative process is not just the CP, and Ridgecrest didn't involve a CP amendment. He added that if the Council expects a higher degree of certainty about the details, it can't be done with a CP, but it could be done with a code amendment like Ridgecrest. Additionally, if the Council wants something in between, the City staff can write regulations for Council approval. He felt the solution could be a legislative code amendment. Ms. Markle reminded the Council that doing this legislatively would be very expensive and affect the budget. She noted that it would be a huge financial commitment.

Mr. Olander suggested doing detailed development regulations for these sites, which are different from MP applications. However, doing it this way would be very time consuming, he warned.

Mr. Tovar added that most of the focus and Council comment was on a 2.5 acre piece of Ridgecrest. He noted that Fircrest is 92 acres, which is much bigger and more complicated.

Councilmember Hansen commented that it is a shame that this issue has gotten so politicized over Fircrest. He said the Council is holding up SCC and Crista because there isn't any agreement on Fircrest. He said he can support either version because it supports the Council goal. He said the Council has a duty to move this on for the other entities. People should be talking to the state, he said, and it is great that the state invited them to talk about their concerns.

Councilmember McGlashan agreed with Councilmember Hansen. He said SCC was told they would not get any more permits until they go through the master planning process.

Mr. Sievers said it was imposed as a condition, and this ordinance reiterates that.

Mr. Olander stated that the neighbors are concerned about incremental approvals.

Councilmember McGlashan stated that this doesn't approve anything and only starts the process. He expressed support for either version.

Councilmember Eggen expressed concern about the quasi-judicial process for new applications. He noted that the Council purposely separated out existing and new uses. He also communicated that there are some issues he identified through the criteria. He stated that without strengthening the criteria he cannot support this item at this time.

Mayor Ryu noted that she will not go to the National League of Cities (NLC) conference for budgetary reasons. She suggested working on this item in about three weeks.

Mr. Olander said he was thinking about the same timeline. He suggested forming a three person committee with Mayor Ryu, Councilmember Eggen, and Councilmember McGlashan.

Councilmember McConnell supported version 1 or version 2, adding that the discussion has been very frustrating.

Deputy Mayor Scott noted that there was discussion last week about separating Fircrest and the Health Lab out of the master planning process. He noted that after tonight's discussion the Council isn't there yet. He stated that he thought the Council had come to some resolution by separating the two entities but said he has heard that Council is not comfortable taking this from a legislative to a quasi-judicial process. He added that he liked Councilmember Eggen's earlier e-mail in which existing uses for Crista and Fircrest are fine, as long as the criteria are clearly and narrowly defined.

Councilmember Hansen noted that there may be four votes to separate Fircrest and Crista under version 2.

Deputy Mayor Scott felt there needs to be more discussion on this issue and doesn't want to vote on this issue tonight.

#### 10. ADJOURNMENT

**At 11:00 p.m., upon motion by Councilmember Hansen, seconded by Councilmember McGlashan, and carried 5-2, with Mayor Ryu and Councilmember Way dissenting, the meeting was adjourned.**

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Scott Passey, City Clerk

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