



# AGENDA

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## SHORELINE CITY COUNCIL SPECIAL MEETING

Monday, September 29, 2014  
5:45 p.m.

Conference Room 303·Shoreline City Hall  
17500 Midvale Avenue North

**TOPIC/GUESTS:** [Station Area Phased Zoning](#)

## SHORELINE CITY COUNCIL BUSINESS MEETING

Monday, September 29, 2014  
7:00 p.m.

Council Chamber · Shoreline City Hall  
17500 Midvale Avenue North

	<u>Page</u>	<u>Estimated Time</u>
<b>1. CALL TO ORDER</b>		7:00
<b>2. FLAG SALUTE/ROLL CALL</b>		
(a) <a href="#"><u>Proclamation of Safe Shoreline Month</u></a>	<a href="#"><u>2a-1</u></a>	
<b>3. REPORT OF THE CITY MANAGER</b>		
<b>4. COUNCIL REPORTS</b>		
<b>5. PUBLIC COMMENT</b>		
<i>Members of the public may address the City Council on agenda items or any other topic for three minutes or less, depending on the number of people wishing to speak. The total public comment period will be no more than 30 minutes. If more than 10 people are signed up to speak, each speaker will be allocated 2 minutes. Please be advised that each speaker's testimony is being recorded. When representing the official position of a State registered non-profit organization or agency or a City-recognized organization, a speaker will be given 5 minutes and it will be recorded as the official position of that organization. Each organization shall have only one, five-minute presentation. Speakers are asked to sign up prior to the start of the Public Comment period. Individuals wishing to speak to agenda items will be called to speak first, generally in the order in which they have signed. If time remains, the Presiding Officer will call individuals wishing to speak to topics not listed on the agenda generally in the order in which they have signed. If time is available, the Presiding Officer may call for additional unsigned speakers.</i>		
<b>6. APPROVAL OF THE AGENDA</b>		7:20
<b>7. CONSENT CALENDAR</b>		7:20
(a) <a href="#"><u>Minutes of September 15, 2014 Business Meeting</u></a>	<a href="#"><u>7a-1</u></a>	
<b>8. ACTION ITEMS</b>		
(a) <a href="#"><u>Motion to Select Three Zoning Alternatives for Consideration for the 145<sup>th</sup> St. Station Area Design Dialogue Workshop</u></a>	<a href="#"><u>8a-1</u></a>	7:20
<b>9. STUDY ITEMS</b>		
(a) <a href="#"><u>Discussion of Affordable Care Act Employer Mandate and Revisions to the Personnel Policies</u></a>	<a href="#"><u>9a-1</u></a>	8:00



**10. EXECUTIVE SESSION: Litigation – RCW 42.30.110(1)(i)**

8:40

*The Council may hold Executive Sessions from which the public may be excluded for those purposes set forth in RCW 42.30.110 and RCW 42.30.140. Before convening an Executive Session the presiding officer shall announce the purpose of the Session and the anticipated time when the Session will be concluded. Should the Session require more time a public announcement shall be made that the Session is being extended.*

**11. ADJOURNMENT**

9:10

*The Council meeting is wheelchair accessible. Any person requiring a disability accommodation should contact the City Clerk's Office at 801-2231 in advance for more information. For TTY service, call 546-0457. For up-to-date information on future agendas, call 801-2236 or see the web page at [www.shorelinewa.gov](http://www.shorelinewa.gov). Council meetings are shown on Comcast Cable Services Channel 21 and Verizon Cable Services Channel 37 on Tuesdays at 12 noon and 8 p.m., and Wednesday through Sunday at 6 a.m., 12 noon and 8 p.m. Online Council meetings can also be viewed on the City's Web site at <http://shorelinewa.gov>.*

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SEPTEMBER 29, 2014**

## **CITY COUNCIL AGENDA ITEM**

### **CITY OF SHORELINE, WASHINGTON**

<b>AGENDA TITLE:</b>	Safe Shoreline Month Proclamation
<b>DEPARTMENT:</b>	Shoreline Police Department, Shoreline Office of Emergency Management, and Shoreline Fire Department
<b>PRESENTED BY:</b>	Steve Perry, Community Outreach and Problem Solving (COPS) Officer, Shoreline Police Department Gail Harris, Emergency Management Coordinator, City of Shoreline Tim Dahl, Assistant Chief, Shoreline Fire Department
<b>ACTION:</b>	<input type="checkbox"/> Ordinance <input type="checkbox"/> Resolution <input type="checkbox"/> Motion <input type="checkbox"/> Discussion <input type="checkbox"/> Public Hearing <input checked="" type="checkbox"/> Proclamation

#### **PROBLEM/ISSUE STATEMENT:**

Every year disasters disrupt the lives of thousands throughout the United States. Being prepared for such emergencies can reduce fear, anxiety and losses that might otherwise occur. To highlight emergency preparedness, the month of October has been declared "Washington State Disaster Preparedness Month".

Crime and the fear of crime destroys our trust in others. The vitality of our City depends on how safe we keep our homes, neighborhoods, schools, and the community. To remind our citizens to stay vigilant about community safety and crime prevention, the month of October has also been declared "National Crime Prevention Month".

Fires take more American lives than all other natural disasters combined, inflicting devastating tolls on families and communities. To make sure that community members do their part to prevent fire hazards, the month of October has also been declared "National Fire Prevention Month".

Given the confluence of these three awareness campaigns, the City is combining these months into one and proclaiming the month of October as Safe Shoreline Month. Accepting the proclamation on behalf of the City is Shoreline Police Officer Steve Perry, Emergency Management Coordinator Gail Harris, and Assistant Fire Chief Tim Dahl.

Community members and business are encouraged to implement preparedness and prevention measures as part of the overall safety for the Shoreline community. The City has resources to help our community to be better prepared and to prevent crime and fire hazards.

As well, the City's Police Department and Office of Emergency Management are partnering with the Shoreline Fire Department to host a Safety Fair on October 11, 2014. We encourage all community members to attend and become better informed on how to safely live, work, and play in Shoreline.

### **RECOMMENDATION**

Staff recommends that the Mayor accept the Safe Shoreline Month proclamation and present a copy of the proclamation to Officer Steve Perry, Emergency Management Coordinator Gail Harris, and Assistant Chief Tim Dahl.

Approved By:        City Manager ***DT***    City Attorney ***JA-T***



## **P R O C L A M A T I O N**

WHEREAS, every year disasters disrupt hundreds of thousands of lives, and being prepared for such emergencies can reduce fear, anxiety and losses that might otherwise occur; and

WHEREAS, crime and the fear of crime destroys our trust in others, and the vitality of our city depends on how safe we keep our homes, neighborhoods, schools, and community; and

WHEREAS, fires take more American lives than all other natural disasters combined, inflicting devastating tolls on families and communities; and

WHEREAS, the Shoreline Fire Department is observing its 75th year of service to Shoreline residents and businesses; and

WHEREAS, October has been declared "Washington State Disaster Preparedness Month"; "National Fire Prevention Month", and "National Crime Prevention Month"; and

WHEREAS, the City of Shoreline would like residences and businesses to join us in our "Get Ready Shoreline" campaign to learn how to prepare themselves for an emergency and in our "Shoreline Alert" Crime Prevention campaign to learn how to prevent crime in our community; and

WHEREAS, we invite the community to participate in the City of Shoreline Safety Fair on October 11, 2014 from 9:00 a.m. to 2:00 p.m. at Shoreline City Hall, which will emphasize Crime prevention, fire and injury prevention, life safety awareness and education, and disaster preparedness, which is at the heart of the non-emergency services we provide every day.

NOW, THEREFORE, I, Shari Winstead, Mayor of the City of Shoreline, on behalf of the Shoreline City Council, do hereby proclaim the month of October, 2014 as

## **SAFE SHORELINE MONTH**

in the City of Shoreline and urge all our citizens to implement emergency preparedness and prevention measures at home, at work, and in their vehicles as part of the overall prevention and preparedness programs of our community.

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Shari Winstead, Mayor

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

Monday, September 15, 2014  
7:00 p.m.

Council Chambers - Shoreline City Hall  
17500 Midvale Avenue North

PRESENT: Mayor Winstead, Deputy Mayor Eggen, Councilmembers McGlashan, Hall, McConnell, Salomon, and Roberts

ABSENT: None

1. CALL TO ORDER

At 7:00 p.m., the meeting was called to order by Mayor Winstead, who presided.

2. FLAG SALUTE/ROLL CALL

Mayor Winstead led the flag salute. Upon roll call by the City Clerk, all Councilmembers were present.

3. REPORT OF THE CITY MANAGER

John Norris, Assistant City Manager, provided reports and updates on various City meetings, projects and events.

4. COUNCIL REPORTS

Councilmember McConnell reported that she, along with Deputy Mayor Eggen, attended the Richmond Beach Community Association meeting, and heard a discussion on the consideration of tolling to mitigate traffic from the Point Wells Development.

Deputy Mayor Eggen reported attending three meetings: Sound Cities Association Public Issues Committee; Puget Sound Regional Council (PSRC) Transportation Policy Board; and King County Metropolitan Solid Waste Advisory Committee. He commented on the request by PSRC to cities to ensure that PSRC grant money has been committed to projects.

Mayor Winstead reported attending the North End Mayor's Luncheon.

5. PUBLIC COMMENT

John Kropf, Shoreline resident, expressed disappointment in Light Rail and the bus system. He commented on traffic congestion, congestion caused by parking lots, and inefficient transportation systems.

Liz Poitras, Shoreline resident - Ridgecrest Neighborhood, commented on supporting Maps C and E as two options to study in the 145th Station Area Draft Environmental Impact Statement (DEIS), and stated that she does not support Maps B and D.

Tom Poitras, Shoreline resident - Ridgecrest Neighborhood, commented on supporting Maps C and E, stated that he does not support Maps B and D, and shared that he has provided written comments, along with two maps, for Council to review.

Jeremiah Fulforz-Foster, Ridgecrest Neighborhood Association, read a letter submitted to Council by the Association regarding the Subarea Plan. He commented on the limited time provided to neighborhoods to review the new maps, and asked Council to delay the motion to select maps. He stated that the Association opposes MUR-85 anywhere in the area, and proposes a maximum zone height of 65 feet. He presented their zoning recommendations.

Jennifer Muhm, Shoreline resident - Ridgecrest Neighborhood, shared she is supportive of any of the maps. She commented on moving to Shoreline for the schools and light rail, and stated she is looking forward to coffee shops. She expressed concern for her older neighbors who do not understand what is going on, and asked the City to reach out to them with information on the Subarea Plan.

Robin Lombard, Shoreline resident - Parkwood Neighborhood, commented on all scenarios showing an 85 foot height limit near the station, and shared that she does not recall a discussion during the Workshop meeting about something that tall. She requested that at least one zoning scenario be studied that is lower than MUR-85, and requested that the neighborhood be given more time to study the proposals.

Janet Way, Shoreline resident - Paramount Park Neighborhood, requested that Council delay taking action on the selection of the maps to study to allow for more neighborhood participation. She commented on Ambitions Group Home and patients possibly being neglected and abused. She stated she understands it is a State matter, but wants the City to be aware, and explained that she will send a photograph to Council regarding this matter.

Tom McCormick, Shoreline resident - Richmond Beach Neighborhood, commented on the two access roads for Point Wells being studied in the Snohomish County Environmental Impact Statement, and shared that the City Manager also agreed to include the second road in the Transportation Corridor Study. He talked about safety and liability issues, and asked for the City to send a letter to Snohomish County supporting a second road. He commented on sending an email to Council on tolling, requested that the email be added to the record, and asked the City to explore tolling alternatives with Edmonds and Woodway.

Tom Mailot, Save Richmond Beach, commented on the Transportation Benefit District's legal authority to place tolls on local road and requested that the City examine this potential revenue source. He talked about traffic impacts, mitigation for the Point Wells Development, and the creation of a joint Transportation Benefit District with Woodway.

John Norris, Assistant City Manager, asked Ms. Way to email the information on Ambitions Group Home so staff could follow up on the matter, and explained that Ms. Redinger would address notification, outreach, and scheduling options regarding the 145th Street Light Rail Station Subarea Plan during her presentation.

6. APPROVAL OF THE AGENDA

**The agenda was adopted by unanimous consent.**

7. CONSENT CALENDAR

**Upon motion by Councilmember Hall, seconded by Councilmember Roberts and carried 6-0, the following Consent Calendar items were approved:**

**(a) Minutes of Special Meeting of August 25, 2014; Minutes of Special Meeting of August 25, 2014 and Minutes of Business Meeting of August 25, 2014**

**(b) Authorize the City Manager to execute a contract with Watson Asphalt Paving Co., Inc. in the amount of \$580,447.50 for construction of the 2014 Pavement Repair Project**

8. ACTION ITEMS

(a) Motion to Select Zoning Scenarios to be Analyzed in 145th Street Light Rail Station Subarea Plan Draft Environmental Impact Statement

John Norris, Assistant City Manager, announced that, in addition to the five zoning scenario maps attached to the staff report, two new maps will be presented for review. He then introduced Miranda Redinger, Senior Planner, to provide the staff report.

Ms. Redinger provided an overview of the Design Workshops, and reviewed the proposed process for potential zoning scenarios, and scheduling timeline options. She presented the new zoning designations, images illustrating housing types, a critical areas map, a topography map, zoning scenario maps, and commented on the consideration of requiring minimum density dwelling units per acre.

**Councilmember Hall moved that Council select, for the purpose of releasing the zoning scenarios to the design workshop on October 9, 2014, Map A - No Action; Map D - 5th Avenue & 155th Street Emphasis; and Map G - Compact Alternative II. Councilmember Roberts seconded the motion.**

Councilmember Hall commented that he supports zoning that is not based on a corridor emphasis, has less impact to single family neighborhoods, places higher building heights closer to the station, and encourages transit oriented development.

Councilmember Roberts commented that his rationale when developing the footprint for Map G was based on the number of property owners being affected, traffic, topography, and potential

park areas. He talked about easing traffic impacts on 155<sup>th</sup> Street to the station area, having MUR-85 transitioning into the station, and a MUR-35 transition on 8<sup>th</sup> Avenue. He shared that he does not support the 5th Avenue and 155th Street Emphasis Map.

Councilmember Hall recommended three changes to Map G: providing a MUR-45 transition on the west side of I-5, first block in from 145<sup>th</sup>, to Twins Ponds Park; expanding MUR-85 between 12<sup>th</sup> through 15<sup>th</sup> Avenue along 145<sup>th</sup> Street; and studying MUR-35 in the area southwest of Paramount Open Space. He commented on data showing that the zone changes taking place in this area comprise less than two percent of the City of Shoreline.

Deputy Mayor Eggen questioned if placing density next to a natural area increases the potential for vandalism, or if it offers protection by putting more eyes on it. He commented that there should be a tree corridor to provide a migratory route for birds. He stated that these issues need to be addressed before he can offer support for increase density near the park. He also shared that he wants to slow down the process to allow an opportunity for more residents to be informed about the Subarea Plan. Mayor Winstead shared information obtained at an International Making City Livable Conference supporting that density makes neighborhood safe.

Councilmember Salomon stated his support for Councilmember Hall's suggested amendment to Map G from MUR-35 to MUR-45 west of I-5. He asked about density affecting clean water goals and the effectiveness of sound barriers east of I-5 adjacent to freeway. He commented on his interest in minimum density, and expressed concern over ruling out MUR-85 in the Ridgecrest area. He stated support for postponing the main motion until September 29, and asked for input from the neighborhoods to help form Council's decision. Ms. Redinger responded that the affect of density on clean water goals will be studied as part of the City's Draft EIS, and that noise impacts and sound barriers are being studied in Sound Transit's EIS.

Councilmember McConnell agreed that the process feels rushed, and stated she wants to give the community more time to catch up with the process, and then hear from them before making any zoning decisions.

Councilmember McGlashan commented on the merits of studying both Map A - No Action and Map D - High Density. He offered support for Map G with the exception of MUR-85 in the areas between 145<sup>th</sup> and 152<sup>nd</sup>, and 5<sup>th</sup> and 8<sup>th</sup> Avenues. He commented on taller buildings acting as sound barriers, and recommended studying MUR-45 on 145<sup>th</sup> east of I-5 and MUR-35 east of Paramount Park to up 155<sup>th</sup> Street.

Mayor Winstead said she supports the Map G-Compact Alternative, explaining that it makes more sense to put density near the station. She expressed the need to be thoughtful on where people are located and their ability to walk to the station. She stated she agrees with Councilmember Hall's recommendations, and added that she supports MUR-35 east of Paramount Park to 155<sup>th</sup> Street and MUR-45 on 14<sup>th</sup> Avenue East of I-5. She explained that Council is listening to the public but also has a legal mandate to support transit and a responsibility to the community.



Deputy Mayor Eggen commented on the need to be sensitive to impacts to single-family neighborhoods and recommended a study regarding density in park areas. He stated that he agrees with Councilmember McGlashan that the two strips of MUR-85 between 145<sup>th</sup> and 152<sup>nd</sup>, and 5<sup>th</sup> and 8<sup>th</sup> Avenues should be lower density.

Councilmember Roberts appreciates concerns over the topography of the area and commented that some of the blocks are adjacent to station. He shared providing an opportunity for people to live near the station is important, and urged the Council not to focus their concerns solely on height. Mayor Winstead agreed that the area adjacent to the station should be a very dense area.

Councilmember Hall commented on keeping the area adjacent to the station dense, and that new construction could mitigate the impact of freeway and light rail track noise. He supports minimum density to protect single-family neighborhoods, and thinks 12-units per acre should be minimum density for MUR-35. He spoke about adhering to the Light Right Station Area Planning Framework Policies adopted in May 2012, and stated he wants to hear from the public after the DEIS is released. He commented on past developments and the lack of storm water, flow control, and water treatment requirements, and explained that new buildings will mitigate existing issues because the City now has storm water standards that were not in place when the subarea first developed. He commented on the positive global and regional environmental impacts of allowing people to live near light rail.

Ms. Redinger clarified that Maps F & G would be combined to include Council's recommendations, and Council confirmed elimination of Maps B, C and E.

**Councilmember Hall moved to postpone consideration of the main motion until the meeting of Monday, September 29, 2014. The motion was seconded by Councilmember McGlashan and passed unanimously.**

At 9:00 p.m., Mayor Winstead called for a five minute recess. The meeting reconvened at 9:05 p.m.

## 9. STUDY ITEMS

- (a) Discussion of Ordinance No. 694 - Amendment to Chapter 3.27 of the Shoreline Municipal Code for Technical Corrections to the Property Tax Exemption Program (PTE)

Julie Ainsworth-Taylor, Interim City Attorney, provided history of the Property Tax exemption legislation adopted by the Shoreline City Council, and explained that there was a discrepancy in codification of the PTE areas. She explained that there is no reference to North City or Ridgecrest, and that the amendment clarifies the PTE program, codifies the maps, and ensures all seven areas are shown in the Shoreline Municipal Code.

Councilmembers asked about the codification process and capturing the terms unique to each property tax ordinance, and questioned if this will be part of Planning Commission's discussion on providing development incentives in these areas. They agreed with the amendment and asked that the item be placed on the Consent Calendar for adoption. Ms. Ainsworth-Taylor commented

that the terms are unique to each ordinance and that she will recheck to make sure. She explained that the authority to expand the PTE program lies with the Council and not the Planning Commission. Mr. Norris added that the City can look at expanding the program after the Final Environmental Impact Statement is complete and the zoning is amended.

(b) Discussion of the Second Quarter Financial Report

Robert Hartwig, Administrative Services Director, provided data on revenue and expenditures, and fund summary comparisons for the second quarter. He detailed General Fund Revenues and Expenditures, and highlighted the significant differences in the funds. He concluded by sharing that the City is financially secure.

Councilmembers recalled ending last year with a positive variance in the Road Fund and asked if the City will fully expend the road maintenance budget. Mr. Hartwig responded that he will report back to Council regarding the road maintenance budget.

10. ADJOURNMENT

At 9:25 p.m., Mayor Winsted declared the meeting adjourned.

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Jessica Simulcik Smith, City Clerk

**CITY COUNCIL AGENDA ITEM**  
CITY OF SHORELINE, WASHINGTON

<b>AGENDA TITLE:</b>	Motion to Select Zoning Scenarios to be Presented to the Public at October 9 Design Workshop, Part II for the 145 <sup>th</sup> Street Station Subarea Plan
<b>DEPARTMENT:</b>	Planning & Community Development
<b>PRESENTED BY:</b>	Miranda Redinger, Senior Planner Rachael Markle, AICP, Director, P&CD
<b>ACTION:</b>	<input type="checkbox"/> Ordinance <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Motion <input type="checkbox"/> Discussion <input type="checkbox"/> Public Hearing

**PROBLEM/ISSUE STATEMENT:**

On September 15, 2014, staff presented seven potential zoning scenarios for Council consideration, listed below in the order they were attached to the staff report. These evolved from design concepts developed by the community and the 145<sup>th</sup> Street Station Citizen Committee (145SCC) at the first series of Design Workshops in June 2014, and from staff or Council discussion since that time.

Potential Zoning Scenarios:

- A- No Action
- B- 5<sup>th</sup> Avenue Emphasis
- C- 155<sup>th</sup> Street Emphasis
- D- 5<sup>th</sup> Avenue and 155<sup>th</sup> Street Emphasis
- E- No Corridor Emphasis
- F- Compact Alternative
- G- Compact Alternative II

Materials from the September 15 Council presentation, including the staff report and Attachments A-E (maps above) are available at the following link:

<http://cosweb.ci.shoreline.wa.us/uploads/attachments/cck/council/staffreports/2014/staffreport091514-8a.pdf>.

Because Attachments (maps) F and G were introduced at the meeting and provided in the Council desk packet, they are available at the following links:

Attachment F: <http://shorelinewa.gov/Home/ShowDocument?id=18210>

Attachment G: <http://shorelinewa.gov/Home/ShowDocument?id=18212>

The agenda item listed for the September 15 meeting called for a motion to determine not only which maps would be displayed at the October 9 Design Workshop, but also would be studied in the Draft Environmental Impact Statement (EIS) for the 145<sup>th</sup> Street

Station Subarea Plan (145SSSP). The main motion to open Council discussion is included below.

**Main Motion:**

Councilmember Hall moved that Council select, for the purpose of releasing the zoning scenarios to the Design Workshop on October 9, 2014, Map A - No Action; Map D - 5th Avenue & 155th Street Emphasis; and Map G - Compact Alternative II. Councilmember Roberts seconded the motion.

Based on public comments received in writing and at the meeting, and on staff recommendations for how to revise the process from that of the 185<sup>th</sup> Street Station Subarea Plan (185SSSP), Council elected to continue the decision until September 29. The motion for this postponement is included below.

**Motion to Postpone:**

Councilmember Hall moved to postpone consideration of the main motion until the meeting of Monday, September 29, 2014. The motion was seconded by Councilmember McGlashan and passed unanimously.

It is worth noting that the main motion calls to select options to present at the October 9 Design Workshop, but not for analysis through the Draft EIS process. Options for this selection process will be discussed in the body of this staff report.

**RESOURCE/FINANCIAL IMPACT:**

No direct financial or resource impacts are anticipated as a result of this motion. If Council were to choose more than three zoning scenarios to analyze in the Draft Environmental Impact Statement (EIS), the project budget and perhaps timeline would need to be adjusted.

**RECOMMENDATION**

Staff recommends that Council discuss, modify if necessary, and move to select three zoning scenarios to be presented at the Design Workshop, Part II on October 9, 2014 for the 145<sup>th</sup> Street Station Subarea Plan. Staff also requests direction for when to bring this item back to Council for selection of zoning scenarios to be analyzed in the Draft EIS.

Approved By:            City Manager **DT**    City Attorney **JA-T**

## **BACKGROUND**

On June 12, 2014, the City hosted a community meeting that constituted Part I of a two part Design Workshop series for the 145SSSP. Over 100 people attended the meeting, learned about the process, brainstormed, and sketched ideas. Staff also hosted similar workshops at the May and June meetings of the 145<sup>th</sup> Station Citizen Committee (145SCC), and with a small focus group of professionals in the design and development industry.

On August 18, 2014, City staff and light rail project consultants from OTAK and Leland Consulting Group presented information to the Council about the June Design Workshops, including design concepts that arose from community input, and the Market Assessment performed for the subarea. All comments received during the June workshops are available in the Design Workshop Summary Report, which was included as Attachment A in the August 18 Council packet, available at this link: <http://cosweb.ci.shoreline.wa.us/uploads/attachments/cck/council/staffreports/2014/staffreport081814-9a.pdf>.

On September 15, Council discussed potential zoning scenarios to be presented at the second series of Design Workshops in October, and narrowed down the seven scenarios presented to three for further consideration this evening. These maps are included as Attachments A, B, and C.

## **DISCUSSION**

In addition to the "No Action" scenario (Attachment A), which is required to be analyzed in the Draft EIS, Council should choose two other zoning scenarios to be presented to the public at the October 9 Design Workshop. Attachments B and C represent two alternatives, "Connecting Corridors" and "Complete Community", respectively. Each of these alternatives offer specific choices, and both are open to additional Council revision. However, in order to finalize these maps for community input, it is important for Council to decide on a total of three potential zoning scenarios this evening.

Each scenario will be analyzed in terms of likely build-out over the 20-year planning horizon of the Draft EIS and at full build-out. The latter includes an estimate of how long it could take to reach full development potential, which could be many decades or possibly generations. For both the 20-year and full build-out timeframes, the Draft EIS will describe impacts to systems such as transportation, utilities, and schools, and make recommendations for mitigations such as infrastructure improvements.

### **ZONING SCENARIOS**

The zoning scenarios attached to this staff report and described below have been amended slightly from the versions presented on September 15, based on Council direction at that meeting and public comment.

#### **Attachment A: No Action**

This scenario is required to be analyzed in the Draft EIS. Note that No Action does not mean "no change". Even if the City retained current zoning, property owners would still be able to maximize existing development capacity, including 35 foot heights in single-

family zones, adding Accessory Dwelling Units, etc. Since limited redevelopment would be allowed, it is unlikely that improvements represented as the “Greenway Corridor” in the Connecting Corridors and Compact Community scenarios would be implemented.

#### Attachment B: Connecting Corridors

This scenario showcases both 5<sup>th</sup> Avenue and 155<sup>th</sup> Street as connecting corridors between station subareas; commercial districts at 165<sup>th</sup> Street, 15<sup>th</sup> Avenue, and Aurora Avenue N; and potential redevelopment areas at Fircrest and Aurora Square. It is a combination of previous versions of maps that emphasized the 5<sup>th</sup> Avenue and 155<sup>th</sup> Street corridors individually. Because potential development in this scenario is more spread out, lower density zoning is analyzed in several locations compared to the Compact Community scenario. Staff believes that even though this scenario illustrates potential growth as more spread out than what may be appropriate to adopt as final zoning, studying this alternative with regard to potential impacts and mitigations would provide for a variety of options for future consideration.

#### Attachment C: Compact Community

This scenario does not emphasize corridors and focuses potential growth solely on the area within roughly a ½ mile radius of the future light rail station. It is a hybrid of the “No Corridor Emphasis” zoning scenario presented on September 15 and two maps proposed by Councilmembers Hall (Compact Alternative) and Roberts (Compact Alternative II), respectively at that meeting. Because potential development in this scenario is concentrated, higher density zoning is analyzed in several locations compared to the Connecting Corridors scenario. This scenario illustrates potential growth as possibly more intensive than what may be appropriate to adopt as final zoning, but analyzing higher intensity in the Draft EIS allows for a variety of options for future discussion because Council may not consider potential designations beyond what was analyzed, but may consider something less intensive.

Based on Council discussion at the September 15 meeting, staff has provided two options for parcels between 5<sup>th</sup> and 8<sup>th</sup> Avenues and 145<sup>th</sup> and 152<sup>nd</sup> Streets. One option is included in the main map with contiguous MUR-85 zoning, and another option is shown in a call-out box, with the northern blocks represented with MUR-45 zoning and the southern blocks represented with MUR-85. Staff believes that the second option captures Council discussion about appropriate heights for this area based on topography and proximity to the station.

### **CHOOSING ZONING SCENARIOS TO BE ANALYZED IN THE DRAFT EIS**

Following the October 9 Design Workshop and scoping period for public comment, Council will need to select three zoning scenarios for analysis in the Draft EIS. At the Design Workshop and throughout the scoping process, the public will be invited to comment on alternative zoning scenarios and various elements of the natural and built environments to be analyzed in the Draft EIS.

According to State law, the scoping period for a Draft EIS must be a minimum of 21 days. It is also a requirement that dates for the scoping period are noticed through issuance of a Determination of Significance, published in a local newspaper. Staff proposes three options for Council decision-making with regard to potential zoning scenarios to be analyzed through the EIS process. Staff are currently waiting on a

proposed timeline for development, review, and publication of the Draft EIS from the lead project consultant, OTAK, and will discuss how each of the three options below may impact the overall timeline for the 145SSSP during this evening's presentation. According to the current timeline for completion of the 145SSSP, adoption is slated for June 2015.

Option 1- If staff were to publish the Determination of Significance on October 1 and leave the comment period open through October 31, the public should have ample time to comment on elements and zoning scenarios to be analyzed in the Draft EIS. This should hold true even if members of the public first become aware of the scoping process at the October 9 Design Workshop, which will be advertised through flyers, distribution list and Alert Shoreline emails, articles in Currents and the Shoreline Area News, and a postcard mailing to carrier routes beyond the half-mile radius of the station subarea.

If the scoping comment period were to remain open through the end of October, staff anticipates that the earliest date by which they could organize comments received for Council review would be for the November 10 Council meeting.

Option 2- If staff were to publish the Determination of Significance on October 1 (or earlier) and leave the comment period through October 21 (or the minimum 21 day comment period), those who first become aware of the process through the Design Workshop may be pressed to inform themselves about options and submit comments in time to be considered for this stage. However, an important difference in the process from what occurred during the 185SSSP scoping period and that proposed for the 145SSSP process could offer additional opportunities for staff, 145SCC, Ridgecrest and Parkwood Neighborhood Associations, and others to spread the word.

The second Design Workshop series for the 185SSSP was the first chance that the public was able to view potential zoning scenarios and SketchUp (computer graphic) models of how their ideas from the first series of Design Workshops could materialize. Because the evolution from design concepts to zoning scenarios for the 145SSSP has been the subject of regular Council meetings in August and September, versions of maps under consideration have been part of the public record earlier in the planning process. Staff anticipates launching a sub-page from the City's main light rail webpage ([www.shorelinewa.gov/lightrail](http://www.shorelinewa.gov/lightrail)) with information about the scoping process, including a comment box that allows people to submit comments directly. If this sub-page was publicized aggressively, perhaps the public could become aware of this opportunity to provide input earlier. It is important to note that staff intends to launch the sub-page, ideally by October 1, regardless of which timeline is selected by Council for choosing zoning scenarios for Draft EIS analysis.

If the scoping comment period were to remain open through October 21, staff anticipates that the earliest date by which they could organize comments received for Council review would be for the November 3 Council meeting.

Option 3- Another option would be to publish the Determination of Significance and launch the scoping sub-page on October 1, but close the comment period at the October 27 Council meeting. This would mean that Council would see all comments

submitted before the October 20 publication of the packet for that meeting, including those from the Design Workshop, but would have limited time to review comments that came in just prior to the October 27 Council meeting.

### **NEXT STEPS**

Zoning scenarios selected by Council this evening will be presented at the second series of Design Workshops, including a community meeting on October 9, from 6:00-8:00 p.m. in the Council Chambers, which will also serve as an opportunity to solicit scoping comments for the 145SSSP Draft EIS. Staff is seeking direction for when Council would like to select zoning scenario alternatives for analysis in the Draft EIS, based on the discussion above.

Upon publication of the Draft EIS, the City will host another community meeting and open a new public comment period. Following the public comment period, the Planning Commission will hold a public hearing, and make a recommendation for a Preferred Alternative zoning scenario to be analyzed in the Final EIS. Council will then decide on the Preferred Alternative, and OTAK will begin developing the Final EIS.

### **COUNCIL GOAL ADDRESSED**

This agenda item addresses Council Goal #3, Prepare for two Shoreline Light Rail Stations.

### **RESOURCE/FINANCIAL IMPACT**

No direct financial or resource impacts are anticipated as a result of this motion. If Council were to choose more than three zoning scenarios to analyze in the Draft Environmental Impact Statement (EIS), the project budget and perhaps timeline would need to be adjusted.

### **RECOMMENDATION**

Staff recommends that Council discuss, modify if necessary, and move to select three zoning scenarios to be presented at the Design Workshop, Part II on October 9, 2014 for the 145<sup>th</sup> Street Station Subarea Plan. Staff also requests direction for when to bring this item back to Council for selection of zoning scenarios to be analyzed in the Draft EIS.

### **ATTACHMENTS**

Attachment A - "No Action" Potential Zoning Scenario  
Attachment B - "Connecting Corridors" Potential Zoning Scenario  
Attachment C - "Compact Community" Potential Zoning Scenario



# ATTACHMENT A: NO ACTION

## 145TH STATION SUBAREA POTENTIAL ZONING SCENARIO





**ATTACHMENT B: CONNECTING CORRIDORS**  
**145<sup>TH</sup> STATION SUBAREA POTENTIAL ZONING SCENARIO**

- Park
- Parcel
- TC-1 to TC-4; Town Center
- R-6; 6 units/acre
- R-8; 8 units/acre
- R-12; 12 units/acre
- R-18; 18 units/acre
- MUR-35 (Mixed Use Res. - 35' height)
- R-24; 24 units/acre
- R-48; 48 units/acre
- MUR-45 (Mixed Use Res. - 45' height)
- CB; Community Business
- MB; Mixed Business
- MUR-65 (Mixed Use Res - 65' height)
- MUR-85 (Mixed Use Res - 85' height)
- Light Rail Alignment
- Study Area Boundary





# ATTACHMENT C: COMPACT COMMUNITY

## 145<sup>TH</sup> STATION SUBAREA POTENTIAL ZONING SCENARIO

- Park
- Parcel
- TC-1 to TC-4; Town Center
- R-6; 6 units/acre
- R-8; 8 units/acre
- R-12; 12 units/acre
- R-18; 18 units/acre
- MUR-35 (Mixed Use Res. - 35' height)
- R-24; 24 units/acre
- R-48; 48 units/acre
- MUR-45 (Mixed Use Res. - 45' height)
- CB; Community Business
- MB; Mixed Business
- MUR-85 (Mixed Use Res - 85' height)
- Light Rail Alignment
- Study Area Boundary





**CITY COUNCIL AGENDA ITEM**  
CITY OF SHORELINE, WASHINGTON

<b>AGENDA TITLE:</b>	Discussion of the Affordable Care Act and Revisions to the Personnel Policies		
<b>DEPARTMENT:</b>	Human Resources		
<b>PRESENTED BY:</b>	Paula Itaoka		
<b>ACTION:</b>	<input type="checkbox"/> Ordinance	<input type="checkbox"/> Resolution	<input type="checkbox"/> Motion
	<input checked="" type="checkbox"/> Discussion	<input type="checkbox"/> Public Hearing	

**PROBLEM/ISSUE STATEMENT:**

The Affordable Care Act Employer Mandate requires that in 2015, under certain circumstances, employees who average 30 or more hours a week become eligible for health coverage. This mandate impacts the City's current policy regarding extra help. This staff report provides an overview of how the current policy is impacted and recommends changes to the Employee Handbook to prevent those impacts.

**RESOURCE/FINANCIAL IMPACT:**

The recommended changes to the Employee Handbook have no financial impact. However, a decision to decline the recommendations may have a financial impact equal to the cost of providing health coverage to extra help employees who average more than 30 hours a week in certain circumstances. Using 2014 rates, the cost to cover an extra help employee under the rules of the mandate is estimated at \$652 a month.

**RECOMMENDATION**

No action is required at this time as this is a discussion item only. However, when a resolution is brought back to Council on October 13 that amends Chapter 3 of the Employee Handbook to create Employment Status Definitions for extra help employees, staff recommends that Council adopt this resolution.

Approved By: City Manager **DT** City Attorney **JA-T**

## **INTRODUCTION**

The federal Affordable Care Act Employer Mandate (the mandate) requires that the City identify employees who average 30+ hours a week during an “initial” and “standard” “measurement period” and provide health coverage in a subsequent initial and standard “stability period”. Initial measurement periods for newly hired extra help are the first three months of employment and the first 12 months of employment. The standard measurement period for existing extra help employees is a 12 month measurement period aligning with the City’s benefit open enrollment periods. If an employee averages 30+ hours a week during any measurement period, they are eligible for health coverage in a subsequent and equal stability period. This staff report recommends a change to the Employee Manual in response to the mandate.

## **BACKGROUND**

The City’s current policy and practice permits extra help employees to work as many hours as needed up to an annual limit of 1,040; sometimes averaging 30 or more hours per week. Although the City’s current policy does not provide health coverage for extra help employees, the mandate could require the City to do so in 2015 in the following circumstances:

1. Non-Seasonal Extra Help who average 30 or more hours a week during an initial or standard measurement period will be eligible for health benefits in the following initial or standard stability period. Simply said, there are two periods of time that must be actively measured to determine health coverage eligibility for extra help in an equal subsequent stability period:
  - a. the first three (3) months of employment, and
  - b. 12 months of employment.
2. Seasonal Extra Help employees are exempt from the mandate unless they also perform non-seasonal work in a measurement period. Simply said, if a Seasonal employee does any non-seasonal work, the exemption is lost and all hours are considered non-seasonal in a measurement period.

This discussion assumes the continuation of the policy that extra help employees are not eligible for health coverage. Therefore, staff is providing a recommended framework for managing extra help hours below the threshold of the mandate. This equates to an average of no more than 29 hours per week, with an annual total of less than 1,040 hours.

## **DISCUSSION**

Staff analyzed the first 28 weeks of 2014 to identify how many extra help employees averaged enough hours to suggest they would qualify for health coverage in 2015 and found two extra help employees. However, with the limit of 1,040 hours of work in a calendar year, the employees will have a break in service before 2015.

Although seasonal work is exempt from the provisions of the mandate, a mix of seasonal and non-seasonal hours is not exempt, as mentioned above. This presents a unique challenge for City managers and Human Resources staff in scheduling and tracking not only how many hours are worked but what kind.

Responsibility for managing extra help hours under the mandate is shared between management and Human Resources. Management is responsible for selecting and appropriately using the correct category of extra help and scheduling hours to avoid exceeding the threshold. Human Resources is responsible for monitoring hours worked and supporting management by advising when an employee's average hours approach 30 per week.

### **Employee Handbook Amendment**

Given how extra help hours must be managed starting in 2015, three Employment Status Definitions of extra help are needed in the City's Employee Handbook. These definitions need to be placed into Chapter 3 of the Handbook, along with the unchanged definitions for Full Time Regular and Part Time Regular employees. Also, staff recommends that Chapter 3 include a definition of the term "Break in Service", as it is referenced in the new extra help definitions. These new definitions are below. Please see Attachment A to this staff report for a complete strike out/underline version of Chapter 3:

#### **New Definition - Break in Service**

The period of time between the date an employee separates from service and the date the employee is rehired.

#### **New Definition - Extra Help**

Extra Help: A position that is employed in activities related to seasonal programs, variable intermittent workloads, or ongoing work of less than 20 hours a week, further defined below.

Seasonal: Work that is seasonal beginning approximately the same season of each calendar year, customarily less than six months in duration.

Maximum Hours:

- 1,040 hours a year with no limit on weekly hours if all work is seasonal.
- If some of the work is not seasonal then all hours worked count toward a maximum average of 29 per week in the first 3 months of employment and during 12 months of employment.

Break in Service Requirement before Rehire:

- 13 weeks, or
- Longer than the employee was employed, or
- With approval from Human Resources based on an evaluation of employment status including measurement period implications.

Variable-hour: Work that is not seasonal but is intermittent and/or hours that are unpredictable from week to week.

Maximum Hours:

- 1,040 a year and

- an average of 29 per week during the first 3 months of employment and during 12 months of employment.

Break in Service Requirement before Rehire:

- 13 weeks, or
- Longer than the employee was employed, or
- With approval from Human Resources based on an evaluation of employment status including measurement period implications.

Less than 20 Ongoing: Work that is ongoing and consistent with few hours but regularly scheduled each week.

Maximum Hours:

- 1,040 a year and
- an average of 20 per week during the first 3 months of employment and during 12 months of employment.

Break in Service Requirement before Rehire:

- 13 weeks, or
- Longer than the employee was employed, or
- With approval from Human Resources based on an evaluation of employment status including measurement period implications.

### **RESOURCE/FINANCIAL IMPACT**

The recommended changes to the Employee Handbook have no financial impact. However, a decision to decline the recommendations may have a financial impact equal to the cost of providing health coverage to extra help employees who average more than 30 hours a week in certain circumstances. Using 2014 rates, the cost to cover an extra help employee under the rules of the mandate is estimated at \$652.32 a month.

### **RECOMMENDATION**

No action is required at this time as this is a discussion item only. However, when a resolution is brought back to Council on October 13 that amends Chapter 3 of the Employee Handbook to create Employment Status Definitions for extra help employees, staff recommends that Council adopt this resolution.

### **ATTACHMENTS**

Attachment A - Revisions to Chapter 3 of the Employee Handbook

### **3.00 DEFINITIONS**

#### **3.01 Alternate Workplace**

The place designated for the employee to work when not working at the regular office.

#### **3.02 Anniversary Date**

The date used for the purpose of calculating leave benefits and length of service. Usually the anniversary date is the date the employee began work for the City, but adjustments shall be made for unpaid time off or other purposes.

#### **3.03 Break in Service**

The period of time between the date an employee separates from service and the date the employee is rehired.

#### **3.033.04 Callback**

All time worked in excess of a scheduled shift, which is not an extension of that shift, and is unanticipated, unforeseen, and not a regular function of the employee's work schedule.

#### **3.043.05 City**

The City of Shoreline, Washington.

#### **3.053.06 City Hall Campus**

The property including City Hall, the City Parking Garage and all adjacent City owned grounds not subject to lease.

#### **3.063.07 City Manager**

The individual appointed by the City Council to serve in this capacity or his or her designee.

#### **3.073.08 Core Hours**

Those hours during which City offices are open to the public and during which staffing is available to provide service to our customers. Core hours for the City are 8:00 a.m. to 5:00 p.m. Monday through Friday.

#### **3.083.09 Demotion**

Any case where a regular employee moves on a non-temporary basis to a different position in a lower salary range.

#### **3.093.10 Department Director**

An individual appointed by the City Manager to serve as Assistant City Manager, Finance Director, Human Resources Director, Parks and Recreation Director, Planning and Development Services Director or Public Works Director or his or her designee.

#### **3.103.11 Domestic Partner**

The individual named in a current, valid Affidavit of Marriage/Domestic Partnership on file with the City's Human Resources Department.



### **3.113.12 Drugs**

Includes any substance which is controlled in its distribution by federal or state law, including but not limited to, narcotics, depressants, stimulants, hallucinogens, cocaine and cannabis. Does not include prescription and over-the-counter medication used according to prescription or consistent with standard dosage.

### **3.13 Employment Status Definitions**

**3.13.1 Regular Full Time:** A regular position established by the City budget that is expected to be ongoing and to work a 40 hour week.

**3.13.2 Regular Part Time:** A regular position established by the City budget that is expected to be ongoing and to work at least 20 but less than 40 hours per week.

**3.13.3 Extra Help:** A position that is employed in activities related to seasonal programs, variable intermittent workloads, or ongoing work of less than 20 hours a week, further defined below.

**3.13.3.1 Seasonal:** Work that is seasonal beginning approximately the same season of each calendar year, customarily less than six months in duration.

Maximum Hours:

- 1,040 hours a year with no limit on weekly hours if all work is seasonal.
- If some of the work is not seasonal then all hours worked count toward a maximum average of 29 per week in the first 3 months of employment and during 12 months of employment.

Break in Service Requirement before Rehire:

- 13 weeks, or
- Longer than the employee was employed, or
- With approval from Human Resources based on an evaluation of employment status including measurement period implications.

**3.13.3.2 Variable-hour:** Work that is not seasonal but is intermittent and/or hours that are unpredictable from week to week.

Maximum Hours:

- 1,040 a year and
- an average of 29 per week during the first 3 months of employment and during 12 months of employment.

Break in Service Requirement before Rehire:

- 13 weeks, or
- Longer than the employee was employed, or
- With approval from Human Resources based on an evaluation of employment status including measurement period implications.

**3.13.3.3 Less than 20 Ongoing:** Work that is ongoing and consistent with few hours but regularly scheduled each week.

Maximum Hours:

- 1,040 a year and
- an average of 20 per week during the first 3 months of employment and during 12 months of employment.

Break in Service Requirement before Rehire:

- 13 weeks, or

- Longer than the employee was employed, or
- With approval from Human Resources based on an evaluation of employment status including measurement period implications.

### **3.123.14 Exempt Employee**

An employee exempt from the minimum wage and overtime provisions of the Fair Labor Standards Act (FLSA) as defined by that Act or applicable state law and designated as such by the City Manager. A list of exempt positions is maintained by Human Resources.

### **3.13 ~~Extra Help Employee~~**

~~An employee hired for a period expected to not exceed 1040 hours in a calendar year or expected to end in less than a year.~~

### **3.143.15 Flex-Time**

A work schedule that permits flexible starting and quitting times or other alternative work schedules within limits set by the respective Department Director.

### **3.15 ~~Full Time Regular Employee~~**

~~An employee hired to work a 40-hour week in a regular position established by the City budget and expected to be an ongoing position.~~

### **3.16 Immediate Family**

Unless defined otherwise in these policies, the employee's grandparent, parent, parent-in-law, foster parent, spouse, domestic partner, child, step child, foster child, grandchild, sister, sister-in-law, brother or brother-in-law. Domestic Partner is an individual named in a current, valid Affidavit of Marriage/Domestic Partnership on file with the City's Human Resources Department and the Partnership shall satisfy the following criteria:

- Partners may be of the same or opposite sex;
- Partners shall be unmarried, mentally competent, 18 years of age or older and not related by blood closer than permitted for marriage under RCW 26.04.020;
- Share a regular and permanent residence and living expenses; and
- Partners shall not be a part of another Domestic Partnership.

In appropriate circumstances, an employee may believe that another individual should be considered a member of the immediate family for the purpose of applying these policies. The employee shall make a written request explaining to Human Resources why the employee believes that this individual should be considered a member of the immediate family. If Human Resources concurs, they shall forward a recommendation to the City Manager for approval. The City Manager shall decide to approve or deny the request. (If the definition of immediate family is different in certain approved benefit plans or policies; the provisions of those plans or policies will govern.)

**3.17 Insubordination**

Expressed hostility or contempt for an employee's supervisor or willful disregard of a supervisor's reasonable directive.

**3.18 Intern**

A position that is a form of on-the-job training that may be either voluntary or on paid status.

**3.19 Non-Exempt Employee**

An employee covered by the minimum wage and overtime provisions of the Fair Labor Standards Act.

~~3.20 Part Time Regular Employee~~

~~An employee hired to work an average of at least 20 but less than 40 hours per week in a calendar year in a regular position established by the City budget and expected to be an ongoing position.~~

~~3.213.20~~ **Promotion**

Any case where a regular employee moves on a non-temporary basis to a different position in a higher range.

~~3.223.21~~ **Regular Office**

The office to which an employee is generally assigned.

~~3.233.22~~ **Standby**

Specific assignment of an employee during off-hours to be available to come to work if needed. Standby is not considered as time worked.

~~3.243.23~~ **Step Increase Date**

The date that is used for the purpose of annual performance review and step increase. Usually the step increase date is the date the employee began work in his or her current position. Adjustments shall be made for unpaid time off or other purposes.

~~3.253.24~~ **Telecommuter**

An employee who has entered into a current Telecommuting Agreement.

~~3.263.25~~ **Telecommuting**

Working arrangements in which the workplace is located at least part time at an alternate location, such as the employee's home and which are expected to last longer than one month. A telephone may be the only equipment needed; however, in some cases employees may use special telecommunications equipment such as telephone answering devices, computers, faxes and modems.

**3.273.26 Time in Paid Status**

The period of hours during a pay cycle for which an employee receives compensation including hours worked, vacation, sick, holiday, management, personal or other paid leaves.

**3.283.27 Transfer**

Any case where a regular employee moves on a non-temporary basis to a different position in the same salary range.

**3.293.28 Work Week**

A fixed and regularly recurring period of seven (7) consecutive twenty-four (24) hour periods. The standard workweek for employees consists of the period from 12:01 a.m. Sunday to 12:00 midnight the following Saturday. Where a different workweek is required, the City Manager will define an appropriate workweek and communicate that to the employees.

**3.303.29 Y-Rating**

The continuation of a regular employee's salary above the highest step of a new salary range as a result of the salary range for the position being lowered due to a market survey or other factors.