



AGENDA

SHORELINE CITY COUNCIL BUSINESS MEETING

Monday, October 5, 2015
7:00 p.m.

Council Chamber · Shoreline City Hall
17500 Midvale Avenue North

	<u>Page</u>	<u>Estimated Time</u>
1. CALL TO ORDER		7:00
2. FLAG SALUTE/ROLL CALL		
(a) Proclamation of Great ShakeOut Day	<u>2a-1</u>	
3. REPORT OF THE CITY MANAGER		
4. COUNCIL REPORTS		
5. PUBLIC COMMENT		
<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>		
6. APPROVAL OF THE AGENDA		7:20
7. CONSENT CALENDAR		7:20
(a) Minutes of Business Meeting of August 24, 2015	<u>7a1-1</u>	
Minutes of Business Meeting of August 31, 2015	<u>7a2-1</u>	
8. ACTION ITEMS		
(a) Public Hearing and Discussion of Ord. No. 726 – Assumption of Shoreline Transportation Benefit District	<u>8a-1</u>	7:20

Public hearings are held to receive public comment on important matters before the Council. Persons wishing to speak should sign in on the form provided. After being recognized by the Mayor, speakers should approach the lectern and provide their name and city of residence. Individuals may speak for three minutes, or five minutes when presenting the official position of a State registered non-profit organization, agency, or City-recognized organization. Public hearings should commence at approximately 7:20 p.m.

9. ADJOURNMENT		8:00
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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. 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>.

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Proclamation of Great Washington ShakeOut Day		
DEPARTMENT:	Community Services Division, Office of Emergency Management		
PRESENTED BY:	Rob Beem, Community Services Manager		
ACTION:	<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.

Within Washington State, there is heightened awareness of the risk of significant earthquake activity. The first step to surviving and recovering from an earthquake is being prepared to take cover during the initial shaking. Annually, communities across Washington State participate in the Great Washington ShakeOut. More information about the Great Washington ShakeOut can be found at: www.shakeout.org/washington.

The Great Washington ShakeOut earthquake drill will take place at 10:15 a.m. October 15, 2015. By participating in this drill, Shoreline residents can practice Drop-Cover-Hold procedures and assess their personal readiness and understanding of how to enhance their safety.

Mr. Chuck Goodwin, Emergency Preparedness Coordinator with the Shoreline School District, will be in attendance to receive the proclamation.

RECOMMENDATION

The mayor should read the proclamation and present a copy to Chuck Goodwin, Emergency Preparedness Coordinator of Shoreline Public Schools.

ATTACHMENT:

Attachment A – Great ShakeOut Day Proclamation

Approved By: City Manager **DT** City Attorney **MK**



PROCLAMATION

WHEREAS, Washington State and the Pacific Coast are subject to periodic winter storms and potentially earthquakes; and

WHEREAS, being prepared for such emergencies can reduce fear, anxiety and losses that might otherwise occur; and

WHEREAS, all Shoreline residents should increase their knowledge and awareness of emergency preparedness actions they can take to make themselves and their families self-sufficient for at least a week following a natural or person-made disaster; and

WHEREAS, on October 15, 2015 at 10:15 a.m., communities across the State will participate in an earthquake drill, called The Great Washington ShakeOut 2015; and

WHEREAS, the City will participate in The Great Washington ShakeOut 2015 by practicing "Drop, Cover and Hold" to increase employees' and the organizations' readiness.

NOW, THEREFORE, I, Shari Winstead, Mayor of the City of Shoreline, on behalf of the Shoreline City Council, do hereby proclaim October, 15, 2015 as

GREAT SHAKEOUT DAY

in the City of Shoreline and urge all our citizens and businesses to participate in the Great Washington ShakeOut and implement emergency preparedness measures at home, at work, and in their vehicles as part of the overall emergency preparedness programs of our community and our state.

Shari Winstead, Mayor

CITY OF SHORELINE
SHORELINE CITY COUNCIL
SUMMARY MINUTES OF BUSINESS MEETING

Monday, August 24, 2015
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.

(a) Proclamation of Women's Equality Day

Mayor Winstead read a proclamation declaring August 26, 2015 as Women's Equality Day in the City of Shoreline. Dr. Cheryl Roberts, Shoreline Community College President, and Liz Vivian, Women's Funding Alliance Executive Director, accepted the proclamation. Dr. Roberts commented on the importance of public good, public service, and being a good citizen. She shared that her parents' first opportunity to vote was in 1965, and she has voted in every election. She encouraged everyone to vote for the vitality of the community and nation. Ms. Vivian shared that her organization advances leadership and economic opportunities for women and girls. She commented that they are looking toward 2020 and the 100th year marker of the 19th Amendment. She said their focus will be on narrowing the wage gap, increasing the number of elected women officials, and supporting more women on the path to economic self-sufficiency and sustainability. She announced a new collaboration project with the Seattle Chamber of Commerce and invited everyone to participate.

3. REPORT OF CITY MANAGER

Debbie Tarry, City Manager, provided reports and updates on various City meetings, projects and events.

4. COUNCIL REPORTS

Councilmember Hall reported attending the Association of Washington Cities Board of Director's Meeting. He said they discussed the 2015 Legislative Session and developing strategies for the next session. He noted they will focus on getting more local officials engaged in developing relationships with legislators to help ensure that the State continues to provide funding to communities.

5. PUBLIC COMMENT

Lance Young, Shoreline resident, Interurban Trail Preservation Society, expressed concern about Seattle City Light's (SCL) tree removal proposal on the Interurban Trail. He requested Council's assistance to preserve the intent of the SCL Franchise Agreement. He commented that the Agreement cites the preservation of all trees and now SCL is proposing to only preserve significant trees. He said SCL is redefining what a significant tree is and soliciting neighborhood signatures supporting the removal of trees. He submitted pictures and letters from the neighborhood requesting that the trees be preserved. He requested that SCL postpone tree removal until the matter can be resolved.

Patty Pfeifer, Shoreline resident, commented that SCL's tree removal plans are in violation of the Letter of Understanding and the Franchise Agreement. She said the original Agreement included all trees and now SCL is trying to redefine what a tree is. She expressed disappointment that City Administration rubber stamped SCL's reinterpretation of the Agreement and said the City has a right to hold SCL accountable to the Agreement. She said SCL is planning to remove the trees in early September and asked the City to say no to the new tree definition, and/or postpone tree removal.

Nancy Morris, Shoreline resident, commented on the destruction of the forest canopy in Eastern Washington and the need to preserve Shoreline's trees and tree canopies. She said SCL should honor the Agreement and preserve the trees on the Interurban Trail. She advised Council to require SCL to honor the Agreement and not allow them to cut trees, or that they postpone any action until issues are resolved. She then read a quote, "Why Trees Matter" by Kim Robins.

Lorn Richey, Shoreline resident, urged Council to stop SCL from removing trees on the Interurban Trail.

John Osborne, Shoreline resident, thanked Council for installing signs on the Interurban Trail for bicyclists. He said the signs should be treated like a new street sign and flags should be placed on them. He noted that he did not know about the tree issue, but said it is nice to have a tree canopy.

Nola Maore, Shoreline residents, said she recently became aware of SCL's Interurban Trail tree removal plan and said SCL is going back on their word. She spoke in favor of trees and said that they are needed for clean air and beauty.

Janet Way, Shoreline Preservation Society, talked about the preservation of the tree canopy and the definition of a tree. She asked Council to direct Staff to abide by the Agreement and request SCL to honor their word.

CJ Hines, Shoreline resident, talked about clean-up efforts on the Interurban Trail. She said she participated in the discussions for the Franchise Agreement and commented that the Tree Board dropped the ball. She said SCL is inappropriately approaching neighbors requesting they sign a document to have trees removed.

John Norris, Assistant City Manager, explained that SCL regularly performs vegetation management, working along feeder (distribution) lines, and that they typically complete around four areas a year, on a two year vegetation management cycle. He explained that trees can affect continuity of electrical service and said 14 abutting property owners received notice of the planned work. He said the work entails pruning, and removing brush, stems, and undergrowth. He said SCL will also be removing significant trees as requested by 5 property owners. He commented on collaborating with SCL on the definition of trees and low lying vegetation and stressed that this is about the continuity of electrical services. He said the ancillary benefit to the tree removal is improving safety by reducing the opportunity for illegal activity.

6. APPROVAL OF THE AGENDA

Deputy Mayor Eggen moved to add a new Study item 8(a) to discuss vegetation management performed by Seattle City Light. The motion was seconded by Councilmember Roberts.

Deputy Mayor Eggen commented on the SCL Agreement and said the broad cutting seems contrary to the spirit of the agreement they made.

Councilmember Hall commented on adding items to the Agenda without appropriate public process and notice. Mayor Winstead concurred asked the City Manager when this item could be added to the agenda for discussion.

Councilmember McGlashan stated Council should be directing Staff to hold SCL accountable to the Franchise Agreement.

Councilmember Salomon commented that he has concerns over the way the City is interpreting a tree versus a shrub. He said he would like to discuss the matter this evening.

Ms. Tarry responded that SCL is planning to perform the work in early September and said the item can be placed on tonight's Agenda for discussion or added to next week's agenda.

The motion passed unanimously.

The agenda was approved, as amended, by unanimous consent.

7. CONSENT CALENDAR

Upon motion by Councilmember Roberts, seconded by Councilmember McConnell and unanimously carried, the following Consent Calendar items were approved:

(a) Minutes of Business Meeting of July 20, 2015

(b) Approval of expenses and payroll as of August 7, 2015 in the amount of \$2,966,492.56

***Payroll and Benefits:**

Payroll Period	Payment Date	EFT Numbers (EF)	Payroll Checks (PR)	Benefit Checks (AP)	Amount Paid
7/5/15-7/18/15	7/24/2015	61946-62192	13954-13984	60694-90701	\$661,149.89
					<u>\$661,149.89</u>

***Wire Transfers:**

Expense Register Dated	Wire Transfer Number	Amount Paid
7/28/2015	1096	\$11,707.51
		<u>\$11,707.51</u>

***Accounts Payable Claims:**

Expense Register Dated	Check Number (Begin)	Check Number (End)	Amount Paid
7/28/2015	60645	60645	\$119.97
7/29/2015	60646	60656	\$29,603.46
7/29/2015	60657	60676	\$330,049.85
7/29/2015	60677	60693	\$1,755,155.82
7/30/2015	60702	60702	\$44,534.24
8/6/2015	60703	60731	\$86,560.92
8/6/2015	60732	60766	\$899.78
8/6/2015	60767	60802	\$42,406.32
8/6/2015	60531	60531	(\$5,000.00)
8/6/2015	60803	60803	\$5,000.00
8/7/2015	60804	60804	\$4,304.80
			<u>\$2,293,635.16</u>

8. STUDY ITEMS

(a) Discussion of Seattle City Light (SCL) Vegetation Management

Ms. Tarry provided history leading up to the 2012 Letter of Understanding and the 2014 Seattle City Light Franchise Agreement Vegetation Management Plan. She explained that SCL was previously exempt from the City’s Tree Regulations and not required to apply for a permit to cut trees. She said the question on how to define a tree arose when SCL was preparing to perform vegetation management, and it was discovered that the definition was not covered in the

Franchise Agreement. She explained that both parties agreed to apply the City's Significant Tree definition contained in Municipal Code.

Deputy Mayor Eggen asked why feeder lines trigger vegetation removal. Mr. Norris responded that feeder line assets belong to the City of Seattle. He recalled Council's previous discussion on vegetation management in the SCL Franchise Agreement and acknowledged receiving push back from the community regarding tree removal. Sandi Fukumoto, Seattle City Light, said stems are threatening the power lines. The options are trimming the vegetation now and then having to repeatedly come back to trim, or completely removing the vegetation.

Councilmember Roberts thanked the Interurban Trail Society and others for bringing this issue to Council's attention. He said language matters and Agreements need to be specific and precise. He read Shoreline's Development Code definition of a tree and said he believes if the contract language says tree, it says tree, and should be defined according to the Code.

Councilmember Hall said it is unfortunate that the City did not define significant tree in the Franchise Agreement, and shared that having tree inventory data would assist in this matter.

Councilmember Salomon asked how high the power lines are and commented that he does not understand why non-significant trees need to be cut. He commented that he does not agree with the way the City is administratively reading the definition of tree and that the text of the Agreement needs to be honored. He said he would rather see the vegetation pruned and commented that SCL has heard from neighbors about safety concerns.

Councilmember McConnell said she attended the 2011 meeting, with at least 50 people present, and recalled that there was satisfaction with the Agreement. She said for residents to come out again tonight means there must be a problem. She agreed with Councilmember McGlashan to ask the City to hold SCL accountable to the Franchise Agreement.

Mr. Norris presented images of the vegetation in question.

Mayor Winstead said the definition of trees is important and more clarification in the Agreement would be helpful. She said she does not favor removal of trees unless they are a hazard, and also commented on the calls she receives when trees take out power lines. She shared that her major concern is safety on the trail. She asked the City Attorney to clarify procedures resulting from a dispute with the Franchise Agreement. Ms. King responded that the Agreement is valid and the discrepancy is with the interpretation of the definition of trees. She said Staff will present Council's interpretation to SCL.

Brent Schmidt, Seattle City Light Vegetation Management Manager, explained that the trees in question have the propensity to get very large and that the best practice in vegetation management is to address them when they are small. He commented that SCL has heard from neighbors on safety concerns and as a property owner SCL has the responsibility of keeping the property maintained.

Deputy Mayor Eggen asked about the growth rate of trees under the power lines and if a replacement schedule can be implemented to plant trees that will be allowed to grow before existing vegetation is removed. Mr. Schmidt responded that the trees can grow 10-15 feet in a year, and that SCL tries to keep a 10 foot clearance. He said they can work with property owners regarding the appropriate trees to plant that do not require trimming every two years.

Councilmember Hall moved to direct staff to ask Seattle City Light to delay tree and shrub removal to allow time for the City, SCL and, the affected neighborhood to evaluate options for tree replacement, defining a tree, and for the purposes of vegetation management in the Franchise Agreement, with goals to ensure the safety and reliability of the electrical distribution system, and preservation of tree canopy for benefits to the community. The motion was seconded by Councilmember McConnell.

Councilmember Salomon said he will not support the motion and commented that the motion invalidates what is contained in the Franchise Agreement. He said Staff should be provided with a clear interpretation.

Ms. King advised that the Franchise Agreements gives SCL authority to remove vegetation if it poses a risk.

Councilmember McGlashan commented on the need for SCL to provide vegetation management and questioned why SCL is responsible for buffering residential homes from the Trail. He shared that SCL allowed the City to include a Vegetation Management Plan in the Franchise Agreement which is not standard practice.

Councilmember McConnell added that she hopes SCL considers the public comments.

The motion passed, 5-2, with Councilmembers McGlashan and Salomon voting no.

(b) Discussion and Update of Promote Shoreline Project

Dan Eernisse, Economic Development Manager, presented Promote Shoreline goals and said that PRR was the successful firm awarded the contract. Denise Walz, Co-President & Principal in Charge, introduced Jen Rash, Senior Account Manager, and Katherine Schomer, Senior Research Associate. Ms. Walz provided information about PRR and said that they are the pioneers in market transformation. She talked about campaign objectives and strategies, and presented target market segments. Ms. Schomer presented the research plan, reviewed potential-resident survey questions, and presented key findings and messaging ideas. She shared that the respondents like what Shoreline has to offer but stated Shoreline has perception obstacles. She said respondents that viewed Shoreline as a less favorable place to move believe Shoreline is too expensive, not safe, lacks culture, and has commuter and traffic issues.

Ms. Rash provided the following marketing recommendations to promote Shoreline:

- Focus on the most interested first and reach them where they already get their information

- Focus on those that could be receptive to Shoreline by debunking myths and generating positive buzz
- Continue elevation and investment in Placemaking

Ms. Walz said the next step in the process is to provide effective promotional tools and launch the initial marketing campaign.

Councilmembers expressed appreciation for the techniques used in the survey, suggested leveraging Shoreline Community College in the marketing plan, and commented that respondents did not value rent as an encouragement to move to Shoreline but did indicate there was value in purchasing a home in Shoreline. They commented on hearing from Human Services providers that as people with more money move in to an area that the affordable housing stock is upgraded, resulting in lower income residents being pushed out, and being mindful of these issues.

Councilmembers asked about the drop in attributes when the survey respondents found out the place being described was "Shoreline"; how consultants plan to implement their strategy of developing messages/mediums to debunk misperceptions and tout achievements; if the messages have been tested; and if the housing type question was asked separately. They requested data on single family respondents. Ms. Schomer responded that the question regarding attributes was unique to this survey and that it is usually administered to residents in their own city. She said it is good information to know and will help address the perception problem. Ms. Rash responded that the messages will be tested in focus groups to find out how effective they are in debunking misperceptions, and Ms. Walz added that a messaging hierarchy will be developed. Ms. Schomer responded that housing was broken out and that it can be further drilled down.

Mr. Eernisse recounted the goal of helping Aurora Square become a cohesive unit and said "Shoreline Place" has been selected as the new name. He presented images of the logo on various signs. He shared that Shoreline Community College (SCC) is a strategic partner and a participant in the promote Shoreline campaign. He said SCC is having challenges with poor visibility on Aurora. He proposed placing SCC 50th Year Celebration banners on Aurora Avenue, from 155th to 165th, and a ceremonial street name designation of "College Way" on North 160th, which will all be funded by the College.

Councilmembers asked about ceremonially changing the name of Aurora Ave to Shoreline Boulevard. They asked why the SCC banners do not mention "50 Years" and how long they will be up. Ms. Tarry responded that the intent is to put the banners up prior to the start of classes and leave them up year round.

(c) Discussion and Update - Code Enforcement Program

At 9:31 p.m. Mayor Winstead called for a 5 minute recess, and at 9:35 p.m. she reconvened the meeting.

Kristie Anderson, Code Enforcement Officer, introduced Jarrod Lewis, Permit Services Manager, and Randy Olin, Customer Response Team Supervisor. Ms. Anderson provided a

historical overview of the code enforcement program in Shoreline. Mr. Olin provided an overview of the code enforcement process and explained how code violations are handled. Ms. Anderson and Mr. Olin then reviewed sample cases of code violations and remedies. Mr. Olin reviewed 2014 Service Request violation data and cited the top five code issues. Ms. Anderson presented data on property maintenance and chronic nuisance violations. Mr. Lewis reviewed highlights of the presentation.

Councilmembers thanked Staff for cleaning up graffiti so quickly. They discussed Councilmember Hall's proposal to hold the Community accountable to the Sign Code, and the merits of applying a citywide uniform sign intermittency of 10 seconds, and then contacting people that are in violation.

Councilmember McConnell moved to extend the meeting 10 minutes. The motion was seconded by Councilmember Roberts, and passed 6-1, with Councilmember McGlashan voting no.

Councilmembers discussed the appropriate process to address signs in the right-of-way and electronic sign code compliance issues. They commented that businesses are operating in violation of City Code and should be notified that they need to comply. They suggested that those issues be classified as a more urgent code issue and addressed first.

Councilmembers asked if the City tracks the time it takes to resolve code enforcement violation issues and how often CRT returns to ensure that a condemned property remains vacant. Ms. Anderson replied issues are not tracked on an annual basis because they are variable and based on different circumstances. She said she often checks that condemned properties remain vacant.

Councilmember Hall moved to direct Staff/CRT to contact business owners of non-compliant signs and work with them to get into voluntary compliance with City Code and look at revisiting the hold time or the sign regulations as a future work plan item. The motion was seconded by Councilmember McGlashan and passed unanimously.

9. ADJOURNMENT

At 10:10 p.m., Mayor Winstead declared the meeting adjourned.

Jessica Simulcik Smith, City Clerk

CITY OF SHORELINE
SHORELINE CITY COUNCIL
SUMMARY MINUTES OF BUSINESS MEETING

Monday, August 31, 2015
7:00 p.m.

Council Chambers - Shoreline City Hall
17500 Midvale Avenue North

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

ABSENT: Councilmember McGlashan

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 with the exception of Councilmember McGlashan.

Councilmember McConnell moved to excuse Councilmember McGlashan for personal reasons. The motion was seconded by Councilmember Hall and passed unanimously, 6-0.

3. REPORT OF CITY MANAGER

Debbie Tarry, City Manager, provided reports and updates on various City meetings, projects and events.

4. COUNCIL REPORTS

There were no Council Reports provided.

5. PUBLIC COMMENT

Keith McClelland, North City Business Association, reported that the 2015 Jazz Walk was a successful event. He named and expressed gratitude to all the partnerships that contributed to its success.

Tom Poitras, Shoreline resident, said that the Securities and Exchange Commission (SEC) froze Mr. Lobsang Dargey's assets and asked how it will impact the property at Westminster Way that was intended to jump start the Aurora Square revitalization. He asked if there are other projects planned for Aurora Square.

Liz Poitras, Shoreline resident, commented that a distinction needs to be made between quantity and quality development when communicating about the light rail station rezone. She referred to an article in *Currents* and pointed out examples of what increased density looks like. She said the City needs to address residents' perception of density.

Ginny Scantlebury, Shoreline resident, commented that Mr. Dargey is the subject of a SEC investigation and talked about the impact it could have on the Aurora Square development. She said the SEC hearing scheduled Sept 14, 2015 could go on for years and expressed concern that the property is blight. She said she is concerned that the same thing might happen in the 185th Station Area Rezone and commented that residents want smaller developments at a slower rate.

Debbie Tarry, City Manager responded that the City is disappointed to hear about the SEC's findings and the Potala property. She said the City Attorney has contacted their attorneys letting them know the City expects them to maintain their property. She said the City is also working to get a meeting with the property project manager to find out what is happening. She shared that the City has already received funds for what has already been done on the project.

6. APPROVAL OF THE AGENDA

Councilmember Hall moved that Agenda item 9.a be moved to 8.b. The motion was seconded by Deputy Mayor Eggen and passed unanimously, 6-0.

The agenda was approved, as amended, by unanimous consent.

7. CONSENT CALENDAR

Upon motion by Councilmember Roberts, seconded by Councilmember Hall and unanimously carried, the following Consent Calendar items were approved:

- (a) Minutes of Business Meeting of July 27, 2015 and Minutes of Special Meeting of August 3, 2015**
- (b) Approval of the 2015-2019 Updated Comprehensive Emergency Management Plan**
- (c) Authorize the City Manager to Execute a Contract with Innova Architects to Prepare Plans, Specifications and Estimate for the Shoreline Pool Major Maintenance Project**

8. ACTIONS ITEMS

- (a) Public Hearing and Adoption of Community Development Block Grant (CDBG) Funding Allocation**

Rob Beem, Community Services Division Manager, informed Council that every two years the City develops a human services funding plan identifying fund allocations to support human services endeavors. He explained that each year a separate Council action is required to adopt the

CDBG Allocation Plan. He reviewed the Plan and presented two new recommendations for funding: the Minor Home Repair Program, and the Ronald Commons Hopelink Service Center.

At 7:23 p.m., Mayor Winstead opened the Public Hearing.

Tom Jamieson, Shoreline resident, said he opposes General Fund funding because he anticipates the City will not have enough money and will need to ask for a levy lid lift. He stated that the City needs to live within the budget.

At 7:25 p.m., Mayor Winstead closed the Public Hearing.

Councilmember McConnell moved to adopt the 2016 Community Development Block Grant Funding and Contingency Plan and authorize the City Manager to execute agreements for implementing the funded projects. The motion was seconded by Councilmember Roberts.

Councilmember McConnell commented that the CDBG programs are vital to the preservation of the stability of our seniors and the vulnerable populations of the community. She expressed the City needs to continue to support the Ronald Commons Project.

Deputy Mayor Eggen asked about federal government funding and how money has been used in the past. Mr. Beem responded that the Federal Government provides a block grant portion and the City allocates General Fund dollars. He said in prior years funding supported the Ronald Commons, the Minor Home Repair Program, and in the distant past, infrastructure improvements. He said the funds must be used to benefit low to moderate income citizens.

Councilmember Salomon commented that budget funding is an expression of values and is applied to what is most important. He commented that Shoreline has a high senior population and pointed out that the Senior Center is experiencing budget cuts. He commented on the importance of helping to fund the Senior Center to provide seniors an opportunity to participate in activities.

The motion passed unanimously, 6-0.

- (b) Motion to Approve the Sound Transit Light Rail Station Design Review Public Process

Rachael Markle, Planning & Community Development Director, explained that the Shoreline Municipal Code regulates the design review process. She reviewed public process options and said that after meeting with Sound Transit (ST), City Staff recommends holding a joint open house with Sound Transit. She reviewed methods the Council could take to provide design direction to Sound Transit and reminded Council that City Codes would also apply.

Deputy Mayor Eggen moved to approve the "Open House" based public review process for commenting on Sound Transit's 30%, 60% and 90% designs for Shoreline's stations, garages and other associated light rail facilities. The motion was seconded by Councilmember McConnell.

Deputy Mayor Eggen stated that the motion outlines previous discussion by Council. He said he supports having a more open public process instead of a committee and that he would like to see more than four open houses to offer more choice and opportunities for residents to provide input.

Councilmember McConnell said she is glad the first meeting is a joint meeting where important information will be immediately shared. She stated that citizens' input is valuable.

Councilmembers Roberts asked for clarification on the joint meeting with ST. He expressed concern over the lost opportunity for an early open house and that the meetings will not be Shoreline centric but rather discuss all the stations being designed in Shoreline, Mountlake Terrace, and Lynnwood. Ms. Markle responded that ST will provide an overview of the system but the meeting will focus on Shoreline stations and garages. She explained that Shoreline will be hosting the first open house and inviting ST, and staff will request that the meeting be Shoreline specific.

Councilmember Hall reminded Council that the motion on the table is to gather input on the design of Shoreline stations. He said the advantage with an early meeting is that Council has an opportunity to hear from the community and transmit formal comments as a municipality representing its citizens. He asked when ST expects to provide direction to the contractor to begin designing the stations. He said the most significant opportunity for the community to impact design is to provide input before the design begins. He shared some examples of things Council has heard from the community are: constructing a bike/pedestrian bridge, pedestrian access from the south side of 145th to bike/pedestrian bridge, expanding the 145th bridge, reducing bus loops, replacing a culvert at Thornton Creek, daylighting the creek and possibly meandering it under the tracks, and designing the station so everyone can get there safely. Ms. Markle responded that the date the City Staff was gearing up to review the designs changed from January to March.

Deputy Mayor Eggen concurred that an early meeting is important and asked if there is a commitment from ST on widening 145th Street, or installing a pedestrian bridge, and if ST would be paying for them. Councilmember Hall added that the widening of 145th Street and a bridge should be factored in, and ST should be asked to fund them. He commented that the Community should be asked to identify the most important aspects needed for the Station and details of funding would be figured out.

Deputy Mayor Eggen summarized that the initial meeting would be to put together a final list of items desired for the station, and to kick off the process to make them happen, including requests for funding.

Mayor Winstead said she supports having more open public meetings and said she is hopeful that people will come out early and participate in the process.

The motion passed unanimously, 6-0.

9. ADJOURNMENT

At 8:00 p.m., Mayor Winstead declared the meeting adjourned.

Jessica Simulcik Smith, City Clerk

DRAFT

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Discussion of and Public Hearing on Proposed Ordinance No. 726 – Authorizing the City to Assume the Rights, Powers, Functions, Immunities and Obligations of the Shoreline Transportation Benefit District
DEPARTMENT:	City Manager's Office
PRESENTED BY:	Alex Herzog, Management Analyst
ACTION:	<input type="checkbox"/> Ordinance <input type="checkbox"/> Resolution <input type="checkbox"/> Motion <input checked="" type="checkbox"/> Discussion <input checked="" type="checkbox"/> Public Hearing

PROBLEM/ISSUE STATEMENT:

The 2015 Washington State Legislature amended existing laws and added new provisions to statutes regarding Transportation Benefit Districts (TBDs). Changes included amendments to statutes establishing and authorizing governance of a TBD. These changes allow cities and districts with coextensive boundaries to eliminate the separate entity status given to a TBD and for the city to assume the rights, powers, functions, and obligations of the TBD.

Assumption of the TBD would eliminate the Shoreline TBD as a separate entity and promote efficiency in government operation and administration and eliminate potential public confusion about distinguishing the two entities. Assumption of the TBD does not impair or alter any existing rights, actions, activities, proceedings, or other provision of law relating to transportation benefit districts.

On September 14, 2015, Council completed the first step in the assumption process by adopting Resolution No. 376, indicating the City's intent to conduct a Public Hearing on the potential assumption. Tonight, Council is scheduled to discuss and hold a public hearing on proposed Ordinance No. 726, authorizing the City to assume the rights, powers, functions, immunities and obligations of the Shoreline TBD. Proposed Ordinance No. 726 also amends certain provisions of Shoreline Municipal Code to conform to the assumption by the City. Adoption of proposed Ordinance No. 726 is currently scheduled for October 19, 2015.

RESOURCE/FINANCIAL IMPACT:

Proposed Ordinance No. 726 authorizing the City to assume the rights, powers, functions, immunities and obligations of the Shoreline TBD, has minimal resource/financial impact.

If the City assumes the TBD, the current separate insurance policy expense of \$2,500 would be eliminated. Cost for State audits of the TBD, conducted every three years, would also be eliminated after completing one final audit of the entity. The last State audit was performed in 2013 for a cost of \$3,260.

RECOMMENDATION

Staff recommends that Council discuss and hold a public hearing on this item and determine if there is additional information needed that staff may bring back for further discussion. The Council is scheduled to consider adoption of proposed Ordinance No. 726, authorizing the City to assume the rights, powers, functions, immunities and obligations of the Shoreline TBD, and amending certain provisions of Shoreline Municipal Code to conform to the assumption by the City, on October 19, 2015.

Approved By: City Manager ***DT*** City Attorney ***MK***

BACKGROUND

Consistent with RCW 36.73, the Shoreline City Council created a Transportation Benefit District (TBD) in June 2009 with approval of Ordinance No. 550. With this ordinance, the Shoreline TBD was formed and a new chapter to the Shoreline Municipal Code, entitled "Transportation Benefit District" was adopted (SMC 3.60). The ordinance specifies that the boundaries for the TBD be coextensive with the City limits. As it currently exists, the Shoreline TBD is a quasi-municipal corporation and independent taxing district created for the sole purpose of acquiring, constructing, improving, providing, and funding transportation improvements within the district.

Funds used to operate a TBD must make transportation improvements that are consistent with existing regional, state, and local transportation plans and necessitated by existing and reasonably foreseeable congestion levels as provided in Chapter 36.73 RCW. The Shoreline City Council further determined that it is in the public interest to provide for transportation improvements that specifically focus on reducing the risk of transportation facility failure and improving safety, decreasing travel time, increasing daily and peak period trip capacity, improving modal connectivity, and preserving and maintaining optimal performance of transportation infrastructure (SMC 3.60.020).

Earlier this year, the Washington State Legislature, in passing a 16-year, \$16 billion transportation package, also amended existing laws and added new provisions to statutes regarding TBDs. Changes included amendments to statutes establishing and authorizing governance of a TBD. This allows cities and districts with coextensive boundaries to eliminate the separate entity status given to a TBD and for the city to assume the rights, powers, functions, and obligations of the TBD.

Subsequent to the amendments made to state law, Councilmembers expressed an interest in the City assuming the Shoreline TBD. And, on September 14, 2015, Council adopted Resolution No. 376, indicating the City's intent to conduct a Public Hearing on the potential assumption. The staff report for the September 14, 2015 Council agenda item can be found at the following link:

<http://cosweb.ci.shoreline.wa.us/uploads/attachments/cck/council/staffreports/2015/staffreport091415-8a.pdf>.

Tonight, Council is scheduled to discuss and hold a public hearing on proposed Ordinance No. 726, authorizing the City to assume the rights, powers, functions, immunities and obligations of the Shoreline TBD. Proposed Ordinance No. 726 also amends certain provisions of Shoreline Municipal Code to conform to the assumption by the City. Adoption of proposed Ordinance No. 726 is currently scheduled for October 19, 2015.

DISCUSSION

Potential assumption of the Shoreline TBD by the City would have no impact on the various mechanisms by which funds may be raised, or the purposes for which funds

may be expended. To be clear, assumption of the TBD does not impair or alter any existing rights, actions, activities, proceedings, or other provision of law relating to transportation benefit districts. If the City assumes the rights, powers, functions and obligations of the TBD, establishing additional mechanisms for raising funds for transportation improvements would require future action by the City Council.

On September 14, members of the public raised questions on whether the assumption of the Shoreline TBD by the City would hinder the ability to have a joint TBD with another entity such as Woodway or limit the ability to have tolling facilities for a TBD tolling program in another entity. The City Attorney has advised that assumption does not preclude these options if the City Council wanted to pursue them in the future.

In order to assume the Shoreline TBD, there are several steps the City must take. The first of which was adoption of Resolution No. 376 indicating the City's intent to conduct a hearing concerning the assumption of the rights, powers, functions and obligations of the Shoreline TBD was completed on September 14, as noted above. The remaining steps include:

- Conducting a public hearing concerning the assumption of the rights, powers, functions and obligations of the TBD. This action is being conducted tonight.
- Discussion of proposed Ordinance No. 726, authorizing the City's assumption of the rights, powers, functions and obligations of the Shoreline TBD. This discussion is also scheduled for tonight, and will follow the public hearing.
- Adoption of proposed Ordinance No. 726 authorizing the City's assumption of the rights, powers, functions and obligations of the Shoreline TBD. Adoption of this proposed ordinance is currently scheduled for October 19, 2015.

FINANCIAL IMPACT

Proposed Ordinance No. 726 authorizing the City to assume the rights, powers, functions, immunities and obligations of the Shoreline TBD, has minimal resource/financial impact.

If the City assumes the TBD, the current separate insurance policy expense of \$2,500 would be eliminated. Cost for State audits, conducted every three years, would also be eliminated after completing one final audit of the entity. The last State audit was performed in 2013 for a cost of \$3,260.

RECOMMENDATION

Staff recommends that Council discuss and hold a public hearing on this item and determine if there is additional information needed that staff may bring back for further discussion. The Council is scheduled to consider adoption of proposed Ordinance No. 726, authorizing the City to assume the rights, powers, functions, immunities and obligations of the Shoreline TBD, and amending certain provisions of Shoreline Municipal Code to conform to the assumption by the City, on October 19, 2015.

ATTACHMENTS

Attachment A – Proposed Ordinance No. 726

CITY OF SHORELINE, WASHINGTON

ORDINANCE NO. 726

AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON, ASSUMING THE RIGHTS, POWERS, FUNCTIONS, IMMUNITIES, AND OBLIGATIONS OF THE SHORELINE TRANSPORTATION BENEFIT DISTRICT.

WHEREAS, on June 22, 2009, the City Council adopted Ordinance No. 550 creating the Shoreline Transportation Benefit District (“Shoreline TBD”) with boundaries coterminous with the boundaries of the City, all in accordance with chapter 36.73 RCW; and

WHEREAS, on July 1, 2015, the Washington State Legislature enacted Second Engrossed Substitute Senate Bill 5987 (SESSB 5987) which, at section 301, authorizes the City to assume the rights, powers, functions, and obligations of the existing Shoreline TBD; and

WHEREAS, on September 14, 2015, the City Council adopted Resolution No. 376, the City declared its intent to conduct a public hearing to consider the proposed assumption of the rights, powers, functions, and obligations of the existing Shoreline TBD; and

WHEREAS, on October 5, 2015, the City Council conducted the public hearing allowing all persons interested in the proposed assumption the opportunity to be heard; and

WHEREAS, the City Council has determined that the public interest and welfare will be satisfied by the City assuming the rights, powers, immunities, functions, and obligations of the existing Shoreline TBD;

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF SHORELINE, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Assumption of Shoreline Transportation Benefit District. Pursuant to SESSB 5987 Section 301 and Section 303, the City of Shoreline hereby assumes all of the rights, powers, immunities, functions, and obligations of the Shoreline TBD. The City is hereby vested with each and every right, power, immunity, function, and obligation currently granted to or possessed by the Shoreline TBD as of the effective date of this Ordinance. The rights, powers, functions, and obligations previously exercised and/or performed by the governing body of the Shoreline TBD are hereby assumed by and transferred to the Shoreline City Council.

Section 2. Amendment - Shoreline Municipal Code (SMC) 3.60.040 Governing Board and Officers. Pursuant to SESSB 5987 Section 303(2), the governing body established in SMC 3.60.040 is hereby abolished and the City Council is vested with all rights, powers, immunities, functions, and obligations otherwise vested by law in the governing board of the Shoreline TBD.

SMC 3.60.040 is amended as follows:

- A. The governing board (“board”) of the district shall be the Shoreline city council ~~acting in an ex officio capacity and independently of its council responsibilities.~~ The board shall have those powers set forth in Chapter 36.73 RCW and this chapter;
- B. The board shall develop a policy to address major changes to project delivery or financing plans as required by RCW 36.73.160(1). The policy shall include a public hearing to take comment on proposals to resolve transportation improvement project costs that exceed the district’s original capital project estimates by 20 percent.
- C. The board shall issue an annual report as required by RCW 36.73.160(2).
- D. The city manager shall be the chief executive officer and city finance director shall serve as the treasurer of the district.

Section 3. Amendment – Shoreline Municipal Code (SMC) 3.60.030 Functions and powers of district. Pursuant to SESSB 5987 Section 309(3), the Shoreline TBD is authorized to impose a vehicle fee as provided in RCW 82.80.140.

SMC 3.60.030 is amended as follows:

- A. The district, by a majority vote of the governing board, may authorize a motor vehicle license fee as follows:
 - 1. a vehicle fee of up to \$20.00 as provided in RCW 82.80.140 for the purposes set forth in this chapter and as may be subsequently authorized according to law.
 - 2. a vehicle fee of up to \$40.00 as provided in RCW 82.80.140 if a vehicle fee of \$20.00 has been imposed for at least 24 months; or
 - 3. a vehicle fee of up to \$50.00 as provided in RCW 82.40.140 if a vehicle fee of \$40.00 has been imposed for at least 24 months and the district has met the following requirements:
 - a. Published notice of this intention in one or more newspapers of general circulation within the district by April 1st of the year in which the vehicle fee is to be imposed.
 - b. If within 90 days of the date of publication a petition is filed with the King County Auditor containing the signatures of eight percent of the number of voters registered and voting in the district for the office of the governor at the last preceding gubernatorial election and the King County Auditor certifies the sufficiency to the district’s governing board within two weeks, the proposition to impose the vehicle fee must be submitted to the voters of the district at a special election, called for this purpose, no later than the date on which a primary election would be held under RCW 29A.04.311.
 - c. The vehicle fee may then be imposed only if approved by a majority of the voters of the district voting on the proposition.

Section 4. No Existing Right Impaired. Pursuant to SESSB 5987 Section 304, this assumption does not impair or alter any existing rights acquired by the Shoreline TBD under chapter 36.73 RCW or any other provision of law relating to transportation benefit districts. Nor does this assumption impair or alter any actions, activities, or proceedings validated thereunder; any civil or criminal proceedings instituted thereunder; any rule, regulation, or order promulgated thereunder; any administrative action taken thereunder; or the validity of any act performed by the Shoreline TBD or division thereof or any officer thereof prior to the assumption of such rights, powers, functions, and obligations by the City as authorized under the law.

Section 5. Rules, Regulations, Pending Business, and Contracts. Pursuant to SESSB 5987 Section 305(1), all rules and regulations and all pending business before the board of the Shoreline TBD shall be continued and acted upon by the City Council. In addition, pursuant to Section 305(2), all existing contracts and obligations of the Shoreline TBD remain in full force and effect and must be performed by the City. The assumption does not affect the validity of any official act performed by any official or employee prior to the assumption authorized under the law.

Section 6. Records of the Shoreline TBD. Pursuant to SESSB 5987 Section 306(1), all reports, documents, surveys, books, records, files, papers, or other writings relating to the administration of the powers, duties, and functions available to the Shoreline TBD must be made available to the City.

Section 7. Funds, Credits, Appropriations, Federal Grants, or Other Assets. Pursuant to SESSB 5987 Section 306(2), all funds, credits, or other assets held in connection with assumed powers, duties, and functions must be assigned to the City. Pursuant to Section 306(3), any appropriations or federal grant made to the Shoreline TBD for the purpose of carrying out the rights, powers, functions, and obligations authorized to be assumed by the City must, on the effective date of the assumption, be credited to the City for the purpose of carrying out such assumed rights, powers, functions, and obligations.

Section 8. Assumption of Indebtedness. Pursuant to SESSB 5987 Section 307, the City assumes and agrees to provide for the payment of all of the indebtedness of the Shoreline TBD, including the payment and retirement of outstanding general obligation and revenue bonds issued by the Shoreline TBD.

Section 9. Severability. If any portion or section of this ordinance is found to be invalid or unenforceable for any reason, such finding shall not affect the validity or enforceability of any other portion or section of this ordinance.

Section 10. Effective Date. The Ordinance and the assumption it authorizes shall take effect five days after publication.

Section 11. Publication. A summary of this Ordinance consisting of the title shall be published in the official newspaper.

PASSED BY THE CITY COUNCIL ON OCTOBER 19, 2015.

Mayor Shari Winstead

ATTEST:

APPROVED AS TO FORM:

Jessica Simulcik-Smith
City Clerk

Margaret King
City Attorney

Date of Publication: _____, 2015

Effective Date: _____, 2015