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May 20, 2002

CITY OF SHORELINE

SHORELINE CITY COUNCIL

SUMMARY MINUTES OF SPECIAL MEETING

Monday, May 20, 2002
6:30 p.m.

Shoreline Conference Center
Mt. Rainier Room

PRESENT: Mayor Jepsen, Deputy Mayor Grossman, Councilmembers Chang, Gustafson, Hansen, and Ransom

ABSENT: Councilmember Montgomery

1. CALL TO ORDER

The meeting was called to order at 6:32 p.m. by Mayor Jepsen, who presided.

2. FLAG SALUTE/ROLL CALL

Upon roll call by the Deputy City Clerk, all Councilmembers were present, with the exception of Councilmember Ransom, who arrived shortly thereafter, and Councilmember Montgomery.

Upon motion by Deputy Mayor Grossman, seconded by Councilmember Gustafson and unanimously carried, Councilmember Montgomery was excused.

3. REPORT OF CITY MANAGER

Steve Burkett, City Manager, distributed information related to beach access from 27th Avenue NW and a memo advising against City purchase of property at the south end of Appletree Lane. Mr. Burkett also addressed comments made last week regarding the cost of building improvements on Highway 99. He said staff is finalizing figures comparing costs of improvements to Highway 99 in other cities. He also noted that staff is working with citizens concerned with pedestrian safety in Shoreline, particularly at the intersection of 15th Avenue NE and 170th Street. Finally, Mr. Burkett introduced the new Deputy City Manager, Bob Olander, former City Manager of Des Moines, Washington. Council welcomed Mr. Olander.

4. REPORTS OF BOARDS AND COMMISSIONS: none

5. PUBLIC COMMENT

DRAFT

May 20, 2002

(a) Pat Moyer, Shoreline, representing the Richmond Beach Community Council, announced that the Community Council selected three recipients of its Community Service Award for 2002. Two winners were Linda Jo Pym and Maggi Fimia.

(b) David Bannister, Shoreline, said the third winner of the 2002 Community Service Award was Mayor Jepsen. He enumerated Mayor Jepsen's many contributions to the Richmond Beach area.

Mayor Jepsen thanked the group for this honor and was congratulated by Council.

6. APPROVAL OF THE AGENDA

Councilmember Gustafson moved approval of the agenda. Deputy Mayor Grossman seconded the motion, which carried unanimously, and the agenda was approved.

7. CONSENT CALENDAR

Councilmember Gustafson moved approval of the consent calendar. Deputy Mayor Grossman seconded the motion, which carried 6-0, and the following items were approved:

Minutes of Meeting of May 6, 2002

Approval of expenses and payroll as of May 10, 2002 in the amount of \$449,615.89

Resolution No. 187 adopting Washington State Retirement Systems Deferred Compensation Program as Additional §457 Deferred Compensation Plan Provider

8. ACTION ITEMS: OTHER ORDINANCES, RESOLUTIONS AND MOTIONS

- (a) Motion authorizing the City Manager to enter into the proposed or substantially similar interlocal agreement with Yakima County for jail services and interlocal agreement with other cities to coordinate use of Yakima County jail services

Mr. Burkett reviewed the background and terms of the new interlocal agreement with Yakima County for jail services and the agreement with other King County cities to use these services jointly. He emphasized that King County will continue to accept any arrested or convicted felons and the jail services under discussion relate only to misdemeanants. He said under the current interim agreement, the City is sending an average of 12 to 14 prisoners per day to Yakima.

Councilmember Ransom arrived at 7:00 p.m.

Mr. Burkett pointed out that the Yakima County will use the commitments of the cities to future jail bed use to obtain financing to build a new jail facility. He distributed figures of draft commitments of the various cities to jail bed use, noting Shoreline's commitment is 18 beds per day. He added that Yakima has agreed to cover prescription drugs and transportation from a pre-sentence facility. There will be no booking fee. He said the plan is to send post-sentence prisoners only who have stays of more than three days. This covers 64 percent of all jail bed days. He concluded by describing how "over use" and "under use" of beds will be addressed.

Mr. Burkett described the cost savings of using the Yakima facility. It is estimated that the City will save \$150,000 in jail maintenance days and \$106,00 in booking costs over the current agreement with King County. Concluding, he enumerated the risks of this approach, saying that these risks can be mitigated or handled as part of the pool of cities.

Councilmember Hansen moved to authorize the City Manager to enter into the proposed or substantially similar interlocal agreement with Yakima County for jail services and an interlocal agreement with other cities to coordinate use of Yakima County jail services. Councilmember Ransom seconded the motion.

Responding to Councilmember Hansen, Mr. Burkett addressed the issue of electronic surveillance for misdemeanants.

Councilmember Hansen commended staff in negotiating this contract and said it exemplifies intergovernmental cooperation at its best.

Responding to Councilmember Ransom, Mr. Burkett said the pre-sentence individuals will be held at King County.

Councilmember Ransom commented that the City of Auburn has committed to 104 beds. He wondered why Auburn and others cities are anticipating more growth in demand than Shoreline. Mr. Burkett responded that Auburn has a higher crime rate than Shoreline. He said perhaps Auburn is sending over pre-sentence individuals as well as post-sentence.

Councilmember Ransom noted that Yakima is not charging a booking rate, even though there must be expenses associated with booking. Mr. Burkett responded that the negotiators for Yakima are good business people. They will have to document a sufficient revenue stream for any bond financing. So they must believe they can do this without a booking fee. Their service is less expensive than King County's.

Councilmember Ransom pointed out that in the seventh year the jail bed rate will be \$79 per day as opposed to \$56 in the current year. He wondered why the costs would be increasing at this rate. Mr. Burkett said there is no booking fee but the contract has a

DRAFT

guaranteed rate increase each year of five percent. He said that operating a jail is a risky business and costs could go up by at least five percent per year.

Councilmember Gustafson commented that 35 cities will enter into the agreement. He asked if there will be different language for different contracts. Mr. Burkett said all cities will sign the same contract with the same terminology and boilerplate language. There is a provision that Yakima cannot enter into a better deal with some other entity that does not sign this contract.

Mr. Burkett confirmed for Councilmember Gustafson that Yakima is absorbing the transportation costs as part of the \$56 per day service.

Councilmember Chang wondered when work will begin toward a long-term solution for this region. Mr. Burkett responded that there are several alternatives under review. Other small counties in Eastern Washington have capacity in their jails. Another alternative is to build a jail in King County.

Deputy Mayor Grossman said this contract shows an ability to "think outside the box." He commended everyone involved. Mr. Burkett recognized Eric Swansen's work on this issue and Councilmember Ransom's as a member of the Jail Advisory Committee.

Responding to Mayor Jepsen's question regarding the decision not to send pre-sentence prisoners to Yakima as a less expensive alternative to King County, Mr. Burkett said one of the issues is prisoners' rights not to be separated from family. The thought is to take a conservative approach at this point and demonstrate that this approach does not constitute a hardship on prisoners.

Responding to Councilmember Ransom's request for examples of three-day pre-sentence stays for misdemeanants, Ian Sievers, City Attorney, said there are criteria in the Court Rules, mostly related to flight risks and domestic violence.

Councilmember Ransom asked about renewing the contract after seven years and whether there are any assurances on fees. Mr. Burkett responded that "they need us as much as we need them" since Yakima will be dependent on the jail population from the Puget Sound area.

A vote was taken on the motion, which carried unanimously and the City Manager was authorized to enter into the proposed or substantially similar interlocal agreement with Yakima County for jail services and interlocal agreement with other cities to coordinate use of Yakima County jail services.

9. NEW BUSINESS

- (a) King County Regional Disaster Plan Adoption

DRAFT

Prior to his report to Council, Assistant City Manager Larry Bauman was presented by Mr. Burkett with a plaque in appreciation of his service to the City of Shoreline since 1996. Mr. Burkett wished Mr. Bauman well in his new position as City Manager of the City of Snohomish.

Mr. Bauman described the King County Regional Disaster Plan, noting staff is looking for Council feedback before the final adoption of an omnibus agreement that would include Shoreline in a regional compact. The new Regional Disaster Plan creates smaller and more containable zones for disaster response. King County wants to involve cities other special districts, including schools, and the private sector in a more coordinated planning process. Mr. Bauman pointed out that Shoreline has its own Emergency Management Council to respond to local disasters. This will dovetail with the Regional Plan, which has five emergency coordination zones. King County will then coordinate between the zones and coordinate training opportunities.

Mr. Bauman continued that this plan does not commit Shoreline to sharing any resources unless it wishes to do so. He said seven cities have signed on to the disaster plan. He emphasized that for the first time private businesses are being invited to participate in this process. Shoreline's Emergency Management Council has already started working with private businesses.

Councilmember Gustafson commented that he is finally comfortable that some teamwork can occur at the time of an emergency between jurisdictions in the area. He wondered why the County has not signed its own plan yet. Mr. Bauman hypothesized that perhaps the County is waiting to see how much participation will occur among the cities before going to the County Council. He concluded that the process is more important than the final agreement.

Mayor Jepsen expressed Council consensus to move forward with the Regional Disaster Plan. He also looked forward to further information from the Emergency Management Council. He concluded by thanking Mr. Bauman for his contributions to the City.

(b) Election Reporting and Contribution Limits

Mr. Sievers provided background on the three approaches that can be taken to regulate elections: 1) limits on campaign contributions; 2) limits on campaign expenditures; and 3) disclosure of candidate financial information. He said that staff recommends strengthening the availability of financial information for Shoreline voters. He noted that the Washington Public Disclosure Commission (PDC) was required to develop a web site where PDC information is now available. He reviewed slides of this web site to demonstrate how to get to individual candidate financial reports and other filing information.

Continuing, Mr. Sievers said that staff recommends linking to the information on the PDC site from Shoreline's web site. Staff does not recommend passing legislation to

DRAFT

require local filing with the Shoreline City Clerk and providing penalties for failure to do so. He said State regulations give appropriate enforcement power to the City Attorney.

Councilmember Ransom asked if special software is needed to download the information from the PDC site. Deputy City Clerk Carol Shenk responded that documents can be viewed from within the browser.

Mayor Jepsen liked the idea of linking from the City's web site to the candidate's specific list of filings. This would eliminate having to type in a name and would make it easy for citizens to access the appropriate screens.

Deputy Mayor Grossman appreciated the headway the PDC has made with availability of financial information. He also supported making this information more accessible. He asked about timeliness of information on the PDC site. He also questioned being able to read the handwriting of the filers. He wanted to put on Shoreline's site information about using the PDC and encouraging filers to use the electronic filing, which eliminates the legibility issue.

Councilmember Ransom commented that he had not intended to use the City's web page or link to the PDC site. He felt the demands on the Clerk's Office would be limited.

Mayor Jepsen agreed that the City Clerk should keep paper copies of the filings.

Councilmember Chang commented that the web site should be the place where voters can get information on candidates and their issues. He felt the PDC sufficiently handles financial information. He added that the City's web site could provide instructions about filing and then link to the PDC site.

Mr. Sievers said posting of campaign information on the City's web site would not be permitted.

Councilmember Gustafson concurred with the staff-proposed process. He also suggested that the City provide a brief informational sheet about what is required by the PDC to be distributed to candidates attending the City's candidates information meeting.

Mayor Jepsen expressed consensus to move forward with the staff recommendation to create links during the campaign season from the City's web site to the PDC's information on local candidates and to keep paper copies printed off the Internet of all information filed with the PDC in the City Clerk's Office for public review.

(c) 2002 First Quarter Financial Report

Mr. Burkett introduced Steve Oleson, Financial Analyst, who highlighted some of the significant first quarter developments. Mr. Oleson said the 2002 General Fund revenue projections have been revised upwards by \$572,183. The revenues are more than anticipated because of higher income from various franchise fees. He reported that sales

DRAFT

tax revenue remains fairly flat. Interest income has decreased by 45 percent due to the dramatic decreases in interest rates. Mr. Oleson reported there has been a ruling that Cable Modem Service is no longer taxable. This will result in an on-going loss of about \$60,000 per year. Also, for the first time, the first quarter gambling revenue is five percent below projections. Mr. Oleson concluded that the General Fund expenditures were ten to eleven percent below projections.

Moving to the Development Services Fund revenues, Mr. Oleson said permit fee revenue is below projections by \$14,058, with expenditures below projections by \$11,326. Through April, permit revenue is seven percent below projections. He did note that permit revenue varies widely from month to month.

Mr. Oleson also reviewed the Street Fund and Surface Water Management revenues and expenditures trends. He said there is not much to report with regard to the Capital Funds. The revised CIP numbers were approved in April and will be reflected in the second quarter. Mr. Oleson concluded that: 1) General Fund revenue projections will remain conservative; 2) the Development Services Fund revenue trend will be monitored carefully; and 3) overall, expenditures are tracking below projections.

Responding to Councilmember Ransom, Mr. Oleson said expenditures are below projections because activity in the new year takes a while to ramp up. Some large contracts will not be reflected until the second quarter. Debra Tarry, Finance Director, added that some intergovernmental contracts have not yet been billed, e.g., police services.

Mayor Jepsen asked why Surface Water Management Fund revenues are below projections when they are collected as a part of the property tax payment. Mr. Oleson said the City has not received any property tax payments. Ms. Tarry said they would not have projected receiving any of the SWM fees during the first quarter. The revenue would have been interest and some intergovernmental revenues.

Councilmember Hansen commented on the distribution of sales tax revenue, noting he would like to see Shoreline get a bigger percentage of the sales tax. He felt the City should be advocating for this.

Mayor Jepsen said the City has consistently made conservative revenue projections and kept expenditures below projections. He felt this is a good approach.

10. CONTINUED PUBLIC COMMENT

(a) Dan Mann, Shoreline, referred to a comment made by a speaker a few weeks ago about a possible conflict of interest by Councilmember Chang. Mr. Mann said Councilmember Chang has expressed legitimate concerns about certain City policies. This should not be viewed as a conflict of interest. He said the City Council needs minority views by ethical, hard-working individuals. He said the podium is not a place for baseless accusations or innuendoes by a failed Council candidate.

DRAFT

Mayor Jepsen concurred with the suggestion that there be "truth at the podium."

Councilmember Hansen felt the podium should not be a place for political speeches.

(b) Don Scoby, Shoreline, addressed his concerns about pedestrian safety and recounted a near-miss he had in a crosswalk on 15th Avenue NE earlier in the day. He said he was aware that Council has worked with concerned citizens and advocated that the Council to do a full review of the City's roads and crosswalks. He urged the police to start enforcing pedestrian safety. He commented that Port Townsend and Seattle have lights embedded in the streets to warn drivers about crosswalks. He said this light system makes the crosswalks safer. He urged Council to make this type of improvement.

11. ADJOURNMENT

At 8:53 p.m., Mayor Jepsen declared the meeting adjourned.

Carol Shenk, Deputy City Clerk