

March 17, 2003

## CITY OF SHORELINE

### SHORELINE CITY COUNCIL

### SUMMARY MINUTES OF WORKSHOP MEETING

Monday, March 17, 2003  
6:30 p.m.

Shoreline Conference Center  
Mt. Rainier Room

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

ABSENT: none

1. CALL TO ORDER

The meeting was called to order at 6:30 p.m. by Mayor Jepsen, who presided.

2. FLAG SALUTE/ROLL CALL

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

3. CITY MANAGER'S REPORT AND FUTURE AGENDAS

Steve Burkett, City Manager, reported on the retirement of Fire Chief J.B. Smith after 29 years with the Shoreline Fire Department.

Police Chief Denise Pentony provided details of yesterday's fatal shooting of an individual in the Shoreline Police Department parking lot. She said a distraught man came to the police station waving a gun and acting suicidal. After unsuccessful negotiations, the man fired upon the night shift officers, who then returned fire. The man was taken to the hospital but later died during surgery. She said the incident will be fully investigated by the King County Sheriff Major Crimes Unit. She noted that the officers involved followed all department policies.

Mayor Jepsen expressed regret about the incident, but was pleased that the officers were not harmed and that they responded appropriately. He thanked City staff for notifying the Council about the incident, and commented that the media coverage was fair.

Councilmember Ransom asked about the details leading up to the shooting, noting that he heard the subject first approached two women in another part of the City.

Chief Pentony said she is not at liberty to discuss the facts of the case until the investigation is completed. She noted that no other persons were injured in the incident.

Deputy Mayor Grossman asked what efforts were made to explain the incident to the neighbors adjacent to the police station. Chief Pentony explained that the community service officer met with each neighbor and business to ensure there were no other injuries or property damage.

#### 4. COUNCIL REPORTS

Councilmember Chang reported on the National League of Cities (NLC) conference in Washington D.C., where he made several contacts and received good information that will hopefully benefit the community in the future.

Councilmember Gustafson concurred, noting that discussions focused on several important issues, including e-commerce, homeland security, water infrastructure, financing, and the Clean Air Act.

Councilmember Ransom commented that it was his sixth trip to the conference. He noted that he received the bronze award for completing NLC training. He explained that in addition to serving on the Planning Committee, he was appointed to the Human Development Steering Committee and was chosen to serve on the Mental Health Subcommittee, which actually writes the NCL policies on this topic. He was also assigned to the Immigration Committee. He said discussion focused on several issues, including mental health support in schools, parity, education, and workforce training. He suggested that City staff look at the materials regarding potential human services cuts.

Councilmember Montgomery noted that she met with Congressman Jay Inslee and discussed various financial issues, including the need for sustained funding for homeland security and trained police officers. She appreciated the opportunity to represent the City's interests.

Deputy Mayor Grossman also enjoyed the conference and meeting with staff face to face. He expressed hope that the trip will prove fruitful for the City in the future.

Councilmember Ransom noted that it takes a few years before the effort pays any dividends. He felt the trips are productive because the City has accumulated nearly \$20 million in federal grant funding. He said cities that participate in the NLC are usually the ones that receive grant awards.

Councilmember Gustafson and others thanked Joyce Nichols, Communications and Intergovernmental Relations Director, for her efforts to make appointments and maximize the time available for lobbying.

#### 5. WORKSHOP ITEMS

(a) 1<sup>st</sup> Avenue Transfer Station Master Plan Briefing

Sarah Bohlen, Transportation Planner and lead on the Transfer Station Master Plan, introduced Kevin Kiernan, Engineering Manager for the King County Solid Waste Division.

Mr. Kiernan explained the development of a plan for proposed improvements to the King County Transfer Station. The goal of the plan is to provide for the solid waste handling and recycling needs for the northwest King County service area while protecting the environment and being responsive to neighbors, the community, and customers. His presentation included the following points:

- The plan is designed to increase site efficiency, address safety concerns, and modernize the facility to conform to current standards.
- A Facility Master Plan was initiated in 1994 but was not implemented due to questions about solid waste policy. The plan, while similar in size, was not comprehensive and did not include provisions for property acquisition.
- The plan must be updated due to several factors, including City incorporation, new regulations, the Endangered Species Act, storm water issues, Green Building Initiative, I-5 Ramps, and the new Solid Waste Comprehensive Plan.
- The new plan works with or without I-5 access, and does not propose a bridge over Thornton Creek. Other features include the following: a separate yard waste collection and recycling area; more stalls to handle projected growth in the existing service area; positioning the building farther away from the nearest neighbors; a larger recycling area for free and paid recyclables; dual outbound scales; and enclosed structures with dust/odor control.
- The plan has undergone an extensive public process, including Citizen Advisory Committee meetings attended by City staff, residents, Waste Management, neighborhood associations, and members of the Thornton Creek Legal Defense Fund. Other public meetings include City and other agency meetings.
- The facility will include the following new design features: 1) state-of-the-art detention and water quality facilities; 2) separate sanitary sewer system for municipal solid waste (MSW) handling areas; 3) separate roof drain system; 4) expansion of recyclable material collection (yard waste, wood waste, appliances, glass, plastic, metal, paper, cardboard); 5) cardboard compactor; 6) back-up shredder for MSW; 7) automated weigh scale; 8) multi-modal containers; and 9) a pre-load compactor.
- The facility is one of the first industrial sites that King County hopes will earn the Leadership in Energy and Environmental Design (LEED) silver rating, a nationally-recognized certification. The rating is based on sustainability, environmental protection, water and energy efficiency, atmospheric protection, use of materials and resources, indoor environmental quality, and stream protection.
- County code requires that certain above-grade capital projects devote 1% of the budget to the Arts. The project budget provides \$30,000 for design and \$157,000 for construction of art projects.

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- Possible mitigation measures include noise walls/berms, landscaping, a public education kiosk, traffic improvements, detention/water quality facilities, and creek buffers.

Mr. Kiernan concluded by outlining the schedule for the improvements, noting that the County anticipates construction in 2005-06 and opening in late 2006.

Councilmember Ransom noted that the Council lobbied for use of the I-5 ramps in Washington D.C. and asked if this is included in the design. Mr. Kiernan said ramps are included in the preliminary design work. He explained that both King County and WSDOT recognize that using the ramps are in everyone's best interest, so they are looking for ways to implement them.

Responding to Councilmember Ransom, Mr. Kiernan noted that the site includes Thornton Creek, an open waterway. He said the County is proposing wider buffers and enhancing the adjacent habitat to protect the creek. He said two properties have been acquired to enhance buffers in the recycling areas and to minimize queuing on the street.

Responding to Councilmember Ransom, Mr. Kiernan noted that the plan increases capacity up to 50 percent by designing more stalls and increasing floor space.

Responding to Mayor Jepsen, Mr. Kiernan said no further properties need to be acquired to support the plan. He noted that acquiring the two properties was not absolutely necessary, but it will work out better for the facility and for the neighbors.

Responding to Mayor Jepsen's question about whether the facility will remain open during construction, Mr. Kiernan said it depends on design details and surface impacts. He said he will do his best to work with the City to try to keep it open during construction.

Councilmember Gustafson commented that Shoreline accommodated Mountlake Terrace customers when its facility closed, so the City should be able to expect the same cooperative effort.

Mayor Jepsen expressed a preference for "plop art" as opposed to integrating art into the facility, especially if it could be implemented at the entrance where more people could see it. He suggested that art be coordinated with the City's Gateway policy.

Councilmember Gustafson suggested that the County coordinate art with the Shoreline/Lake Forest Park Arts Council and the Parks, Recreation and Cultural Services Advisory Committee.

Mayor Jepsen asked staff to clarify how building could occur above the culverted sections of Thornton Creek when the court ruled recently that even culverted streams require 100-foot buffers. He speculated about whether the *Gaston* lawsuit ruling prohibits building above culverted waterways.

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Tim Stewart, Director of Planning & Development Services, noted that culverted streams and buffer requirements are major issues of contention for the City. He anticipated that the master plan process would establish development regulations at some future point. He said the County's SEPA documentation for the transfer station should provide more information as the project matures.

Ian Sievers, City Attorney, explained that the court did apply buffers to culverted reaches of the stream, but the City does not agree with that interpretation, so the issue has been appealed. He said a city's ability to require buffers from culverts was criticized in a recent *Thornton Creek Defense Fund v. Seattle* case, which gives strength to the City's interpretation that buffers are not required for existing culverted reaches of the stream.

Responding to Councilmember Gustafson, Mr. Kiernan noted that the project is fully funded through the Solid Waste Division capital budget. Councilmember Gustafson suggested the County work with the school district and conduct a public education campaign on recycling and creek protection.

Ms. Bohlen noted that the City's environmental educator, Rika Cecil, has been very involved in the project.

Councilmember Gustafson reiterated the importance of getting support for use of the I-5 ramps by the haulers.

Councilmember Chang expressed appreciation for the public process and encouraged the County to continue its public outreach efforts. He also wished to be assured that Shoreline residents will not be paying for the improvements. Mr. Kiernan reiterated that the project is funded through the Solid Waste Division capital budget.

Mayor Jepsen pointed out that Shoreline's franchise agreement requires haulers to deliver their garbage to the transfer station.

## (b) Pavement Management System

Paul Haines, Public Works Director, reported on the pavement condition ratings for the City and described the impacts of various funding levels on the long-range pavement conditions. Initially introduced in 1999, Public Works staff used the concept of pavement management by rating the City's pavement condition, using a scale from 1-100 (with 1 being the worst and 100 being the best). He noted that the City's overall score was approximately 76, or fair to good condition. He discussed various road maintenance options and emphasized the need to find other techniques that work in addition to street overlays. He concluded that the City's Pavement Management System has been an effective tool for planning and prioritizing street maintenance, repair and rehabilitation work. It has also proven to be an accurate forecasting tool. It has shown that an annual budget of \$700,000 will maintain the street network in good condition (76 rating) and stop its deterioration. He said that in 2003 the budget was reduced to \$500,000 because

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of the impacts of the passage of Initiative 776. At this level, the average condition rating will decrease and the deferred maintenance costs will increase over time. He stressed the need to find alternative revenues in order to sustain one of the City's largest investments.

Mr. Burkett explained that most people identified Initiative 776 with Sound Transit, but part of the measure reduced vehicle licensing fees, resulting in lost City revenues. While a majority of Shoreline residents did not approve I-776, the City loses \$500,000 each year in street maintenance funding because of it.

Responding to Councilmember Ransom, Mr. Sievers speculated that a decision from the State Supreme Court on I-776 could be expected by the end of the year. Mr. Burkett pointed out that until a decision is rendered, King County will continue collecting the original licensing fees.

Councilmember Gustafson asked whether there is any new technology or materials that can be used to effectively repair roads. Mr. Haines replied that there are several techniques, although most can only be used in other climates. Although slurry sealing is climate-sensitive, it is the best and most cost-effective technique. However, the more difficult challenge is finding someone that can skillfully apply it.

Responding to Councilmember Chang, Mr. Haines clarified that given the current budget, it will take ten years for City streets to decrease from a rating of 76 to 69.

Mayor Jepsen said it is comforting to know the \$700,000 figure that the Council selected a few years ago was appropriate. He added that the appropriate level of funding for the Pavement Management System would be a Council Retreat topic.

## 6. PUBLIC COMMENT

(a) Daniel Mann, Shoreline, expressed concern about the lack of street lighting on Aurora Avenue. He noted that businesses on the redeveloped Mukilteo Speedway experienced a 40-50 percent loss in sales due to inadequate lighting. He encouraged the Council to illuminate Aurora Avenue, noting that it could make the difference between life and death for pedestrians and motorists. He said lighting there should be a higher priority than other City projects such as Gateways. He asserted that Aurora Avenue will be hazardous if construction starts without adequate illumination.

(b) Jerrilyn Hamley, Lynnwood, urged the Council to oppose Senate Bill 5971 and support the retention of Fircrest School. She contended that selling the land will not offset the state deficit, since the presence of asbestos on the land is a liability issue. She said the closure will adversely impact 758 employees and several businesses. She said Fircrest is one of the top nursing homes in America and a wonderful asset for Shoreline. She suggested that mixed-use development on the site could create opportunities for benefiting the entire community. She urged the Council to take a proactive approach and adopt a resolution opposing the closure.

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(c) Dorothy Brenchley, Shoreline, encouraged Council to take positive action to preserve Fircrest. She described the many valuable services that Fircrest provides for her son, a Fircrest resident. She explained that Fircrest is not only a nursing home, but also an active treatment center that helps residents learn and progress. She said Fircrest is responsible for the progress her son has made.

(d) Walt Hagen, Shoreline, urged the Council to support a resolution opposing the Fircrest closure. He said residents should not be transferred to group homes because they do not compare to Fircrest. Regarding pavement management, he said it is not sensible to let City streets deteriorate for lack of \$200,000 in the Street Fund. He suggested that street maintenance is a higher priority than other City projects.

(e) Barbara Madsen, Shoreline, urged the Council to support Fircrest, noting that selling the land would be detrimental to the community. She encouraged Council to consider what it means to families and what kind of values should be promoted as a community. She said Fircrest is an incredible facility that has served the citizens well for years. She said moving the residents to other facilities would be a hardship on residents, employees, and family members. She said the costs for closing the facility have not been properly evaluated. She suggested that the City work with the state to explore opportunities for joint development.

Mayor Jepsen commented that the street lighting issue will be critical part of the Aurora design and construction effort. He said Council is taking the I-776 loss in street revenue seriously and trying to deal with the loss of this dedicated funding stream. He reiterated that Council will discuss the item at its retreat. He said Fircrest is an emotional issue for families and employees, but the Council has decided not to take a formal position on the issue. He said Council has publicly conveyed the importance of master planning the Fircrest site.

Councilmember Ransom suggested that Council review street lighting needs on Aurora Avenue, noting that it is not necessarily connected to the Aurora Corridor project. He speculated about the need for a street light utility and suggested that street lighting be addressed as a separate topic at the Council Retreat. He expressed concern about the job loss that will result from Fircrest's closure. He also noted the ongoing difficulty of attracting businesses to Shoreline. He said although Fircrest is considered a top-rated facility, it has received more citations for non-compliance than any other state institution.

Councilmember Chang expressed concern for members of the community who cannot speak for themselves, namely, Fircrest residents. He said Council needs to be compassionate and support Fircrest as a public institution. He suggested that Council send a resolution to Olympia supporting Fircrest, noting it is valuable public land that cannot be replaced once it is sold.

Councilmember Gustafson commented that he took an inventory of street lights on Aurora Avenue one year ago and found that thirteen lights were out. He emphasized the importance of maintaining the current streetlights and suggested that the City take

another inventory. He expressed regret about the possible closure of Fircrest, noting his interest in touring the facility again.

Mr. Burkett agreed that the street lighting issue could be considered separately from the Aurora Corridor project. He noted that neighborhoods have requested additional light installations from Seattle City Light and have paid the costs themselves.

Deputy Mayor Grossman agreed that better street lighting will resolve access and safety issues, but suggested that lighting be approached in a coordinated and consistent fashion. He agreed with installing lighting before construction starts, if feasible.

7. EXECUTIVE SESSION

At 8:20 p.m. Mayor Jepsen announced that the Council would recess into Executive Session until 10:00 p.m. in order to discuss City Hall Siting. At 9:54 p.m. the Executive Session concluded and the workshop reconvened.

8. ADJOURNMENT

At 9:55 p.m., Mayor Jepsen declared the meeting adjourned.

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Sharon Mattioli, CMC  
City Clerk