

CITY OF SHORELINE

SHORELINE COMMUNITY FORUM SUMMARY MINUTES OF SPECIAL MEETING

Saturday, April 10, 2004
10:00 a.m.

Richmond Highlands Recreation Center
16554 Fremont Ave., Shoreline

PRESENT: Councilmembers Fimia, Grace, and Ransom

PRESENT IN AUDIENCE: Councilmember Chang

ABSENT: Mayor Hansen, Deputy Mayor Jepsen and Councilmember Gustafson

1. CALL TO ORDER

The meeting was called to order at 10:00 a.m. Councilmember Grace reviewed the purpose of the public forum.

2. PUBLIC COMMENT

(a) Pat Moyer, Shoreline, expressed concern about ministerial land use decisions made by the Planning Director without public notice regarding variances and right-of-way actions. He felt that the public has been left out of the process when a variance is issued without public input, and that any variance should be appealable. He said that if a variance is issued without Council review, Council has negated its control over City regulations. He proposed the following actions for Type A permits:

- posting of a development sign on the property;
- highlighting any variances needed in the development;
- newspaper advertising in a local paper such as the Richmond Beach Community News or the Shoreline Enterprise;
- limitation on the Director's authority so that the City Council does not lose control of the Code Enforcement process; and
- elimination of the fee for filing an appeal.

(b) Dot Brenchley, Shoreline, spoke about the future of the Fircrest Campus and asked why master planning of the property has been placed on hold. She noted that no grants for use of the facilities can be obtained without a master plan.

Councilmember Fimia asked how this issue related to public process. Councilmember Ransom noted that the State of Washington has jurisdiction over Fircrest's master planning at this time, and Councilmember Grace added that the City did add wording to

its 2004 Legislative Agenda regarding Fircrest. Councilmember Fimia summarized that Council should find out what Shoreline citizens want and convey those ideas to the State.

(c) Ralph Keuler, Shoreline, said he thought the City Council has done a good job of listening to citizens and providing feedback. He said that Council has provided tremendous opportunities to communicate, including email, voice mail, letters, and participation at meetings. He felt the concern about not being heard is overblown and that most of the complaints are coming from people with a narrow agenda whose real issue may be that they simply disagree with the Council's decisions. He felt the public process at Council meetings is being abused by individuals looking for a way to create publicity for their views, and he gave the example of a person bringing the same question regarding the budget to Council three times, each time being responded to in detail by staff showing that the speaker's allegation was incorrect.

To improve the process, Mr. Keuler suggested posting on the Website the outcome of Council meetings showing Council votes on agenda items immediately afterwards and allowing the public access on the website to any supporting documentation and maps that were presented at the meeting. He concluded that abuse of public comment is wasting people's time and good will. He said that overall the public process is good, such as the Open House for the 3rd Ave. NW Drainage Project.

Councilmember Ransom noted that in 2003, 50% of public comments at Shoreline Council Meetings were made by ten individuals.

(d) Walt Hagen, Shoreline, began his comments by saying that "citizens do not have a reason to lie." He was not certain that any changes to the public process would address the underlying philosophical differences between the Council and those speaking out. He said the Council is led by the staff, which is made up of "working folks who have no particular allegiance to anything except their personal benefits." He said the long-time incumbents on the City Council have preconceived concepts of what is good for the City and its citizens, so it won't matter how long or how often citizens are allowed to speak. He felt that decisions are made before the public gets involved. He stated that he voted for Shoreline to be incorporated in order to have control over what happens in the City. He noted that Council eliminated citizen committees. He said that staff relies on consultants, and Council relies on staff, when what is required is a strong Council. He said that staff are only "building their resumes" and that Council needs to "keep them in control" because they will want to increase budgets and salaries. He said that staff are not dedicated to the City.

(e) Jeff Lewis, Shoreline, spoke on behalf of the Shoreline Bank and thanked the City for its excellent customer service, extending his gratitude and congratulations to the City administration. He gave an example of a need to work with Seattle City Light with regard to the building of the new bank headquarters and said staff was responsive in helping. He advised that the City should continue to work with Seattle City Light as plans are finalized for undergrounding utilities in Shoreline. He concluded that in

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addition to soliciting public input at Council meetings and hearings, it is important to focus on day-to-day service and fostering good will between the City and businesses.

(f) Edie Loyer Nelson, Shoreline, gave examples of several things she felt were working well in the public participation process: 1) staff response to a problem on her private road in the Parkwood neighborhood, in which staff facilitated communication and decision-making among neighbors; 2) citizen participation in developing the City's human services plan and annual funding recommendations; 3) neighborhood meetings such as the Richmond Beach Community Council and the Council of Neighborhoods input to the City Council; 4) videotaping of Council meetings; and 5) responses to e-mails she has written to Council. She felt there is adequate opportunity for input at Council meetings and, in fact, some people abuse this. She said because of the confrontational tone of some comments, perhaps they should not be televised. She concluded there are many avenues for input and increasing them will not change the amount or quality of the feedback.

(g) Lois Cairns, Shoreline, advised Councilmembers that they should show respect for one another and that currently their body language gives away that they do not always have this.

(h) Dennis Lee, Shoreline, focused on the update of the Comprehensive Plan, expressing the view that many people have lost hope of influencing the process. He described the development of the neighborhood subarea plans in the first Comprehensive Plan process, noting they were supposed to allow neighbors to control growth through concurrency requirements to improve the infrastructure. He mentioned a development on 145th Street that he felt should not have been approved because of traffic and safety issues, for which they should have taken a second look at the Comprehensive Plan. He said that people throw up their hands and feel like there is a conspiracy when decisions like this are made.

Continuing, Mr. Lee used the example of the master planning process for the 1st Avenue NE Transfer Station as a master plan that went smoothly, involving the City and residents and protecting Thornton Creek. He contrasted this to Fircrest master planning, for which residents were given a lot of "homework" to do, only to find later that the planning had been abruptly cancelled by the State. He said that the City said nothing about the cancellation, and that situations like this create a vacuum of information, and that this is what is scary to people. He said these public forums were a good step and more are needed.

Mr. Lee suggested moving forward with the master plans but postponing the Comprehensive Plan update until a thorough review of the core beliefs can be accomplished through a new process. He mentioned Concerned Citizens for Shoreline, a group working to educate citizens in the public process, and he said that education helps people participate. He reiterated that people do not want to get involved because they do not think it will make a difference. He noted that body language at Council meetings shows people "digging in their heels" and not being open, making him not want to attend.

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He said he wants to see cooperation but fears this will only come about through the electoral process. He also expressed concern that if the "other side takes over" that the tone will continue to be contentious, and he hoped that people would instead begin working together.

(i) Crystal Crum, Shoreline, felt Fircrest should be retained as a residential center. She also thanked the City for the wheelchair detectors that have been installed to assist those in wheelchairs in crossing the street. She said Shoreline is a model for other cities in this regard.

(j) Marylyn W. Hawkins, Shoreline, said she wants to trust her elected officials. She also wants to receive a response to, and analysis of, the issues she raises. She said the City's business should be transparent, and noted that Council retreats are not transparent.

(k) Naomi Hardy, Shoreline, concurred with Mr. Lee. She provided background on the difference her neighborhood made in the redevelopment of the Recreation Center. She felt that there has been a change in the ability of the public to provide input. She noted that citizens need information to participate and people learn by seeing or by hearing. Having Council packets and information on the website addresses the former and televising the Council meetings the latter. She emphasized that citizens have a lot of expertise, particularly about projects in their neighborhood. She concluded that citizens should be able to comment after staff presentations at Council meetings. She gave an example of a mistake in a staff report that she was able to point out at a past meeting. She said that Council should seek input from neighborhoods.

(l) David Bannister, Shoreline, stated that his interactions with staff and the Councilmembers have been good. He said he believes staff is doing a good job and provides the necessary information for Councilmembers to make decisions. He said he understood that the Council needs to rely on staff, and he felt that staff have been very helpful when invited to present at Council of Neighborhoods meetings. He said the only concern he's seen has been to do with development issues. He felt the City has done more than is required to gather public input. He gave kudos to the City staff and said he believes that staff are trying to do what's best for the City and not just working for their personal ambitions.

(m) Rick Stephens, Shoreline, spoke for the Shoreline Merchants Association, which he said represented over 100 businesses in Shoreline. He brought up a box full of documents related to the Aurora Corridor Project, which he said exemplified a lack of public process. He opposed Council's action in removing public comment on action items and said that the evening Council took this action, all the speakers on the topic opposed it. He emphasized that Council should remember that freedom of speech is an important part of our democratic process.

Turning to the Aurora Corridor issue, Mr. Stephens said that the Shoreline Merchants Association has an alternative plan for Aurora's redevelopment developed by engineers.

This plan was brought to the City Council and Councilmembers Chang and Ransom supported allowing the SMA to present it to Council, but the majority of the Council voted it down. He asserted the widespread opposition to the project as proposed and disputed that City's assertion that the overwhelming majority want the City plan. He said that 95% of responses from the City's open houses were opposed to the design.

Continuing, Mr. Stephens explained the process by which the environmental documents related to the project were adopted, saying that the public controversy was not represented in the City's submission. He read from several City documents that he said revealed the City's lack of recognition of opposition to the project. He also commented on the lack of availability of the discipline reports during the beginning of the public comment period on the Draft Environmental Impact Statement. He quoted a State of Washington document that says that public involvement is the backbone of access management projects, and he said the City did not invite people to help solve the problem. It did not bring the plan to the Corridor businesses. He commented on the make-up of the advisory task force that brought forward the recommendations, saying the business community was not well represented.

(n) Cindy Ryu, Shoreline, expressed appreciation for the opportunity to comment. She advised that a special effort should always be made to mail the agenda to those effected by any items on it. This notice would allow the public to make the decision about whether they wish to attend the meeting. She felt that multiple modes of making information public should be used. She said the public process should be transparent, public, complete and honest. She emphasized the importance of advance notice on upcoming items and suggested that agendas be publicized sooner than they currently are, because staff and consultants have weeks or even months to prepare their reports. She felt that this advanced notice would give the public time to research topics and provide helpful and appropriate input. She also supported allowing public comment at City Council meetings after staff presentations or before a vote.

Continuing, Ms. Ryu said those who serve on advisory boards, task forces, and the Council of Neighborhood should represent the views of their neighbors even if they personally disagree with them. Fairness is achieved by diverse and inclusive representation on neighborhood councils, boards, and the Planning Commission. She concluded by contrasting the amount of money spent on the North City Improvement Project, which she said will benefit only a few, to the amount that is spent on human services, which directly helps many people. She felt there should be more equitable distribution of spending.

(o) Bill Meyer, Shoreline, described his background and said he has been active in City affairs since 1991. He concurred with the point raised by Ms. Cairns regarding the Council's body language at Council meetings. Then he provided background on the Aurora Corridor Comprehensive Plan Advisory Committee. He said that the majority report of the CPAC, of which he was co-chair, was not brought forward to the Planning Commission. Instead a "watered down" staff version was presented. He felt his input has been ignored from that time on. He agreed with Ms. Ryu's comments

that for potentially controversial issues, the interested public needs to receive the information early enough, and that the Council should respond to input. He felt the important thing is for the City to be able to show the logic of its position to those who do not agree with it.

Mr. Meyer had further comments on the problems with the Aurora project, including a lack of definition of property lines, the potential use of eminent domain, and the need to talk with both business owners as well as with property owners. He concluded with comments regarding Ordinance No. 31, which restricted types of businesses along Aurora and which established building standards and regulations. He said that Council would not take responsibility for Ordinance 31 which contained problems. That ordinance was replaced by Ordinance No. 128, which changed some of the requirements. He said that he had asked for an opportunity to make a periodic review of the ordinance, but that it had not occurred. He advised Council to look into what occurred during these changes.

(p) Daniel Mann, Shoreline, commented that it is difficult to listen to customers who tell you things you do not wish to hear. In business you must listen to these things, but the City can stay in business even if it doesn't listen. He said there has been an erosion of public input and public involvement ever since the Council committees were abolished. With regard to the Aurora Corridor, he said the fact is that staff ignored those who disagreed with the plan. He said you need to have respect when you choose to disagree and explain why you disagree. He also commented on the Aurora CPAC (he was also a co-chair) and said staff did not allow the Council to hear the report, because it disagreed with what the Planning Department wanted. He said when the new advisory committee for the Corridor development was formed, they were not even shown the work and report of the former group. He concluded that this process erodes citizens' belief in the City's willingness to listen, and over time people will stop wanting to help. He said citizens want to make Shoreline a better place and he thanked the Council for being willing to reflect on how "we've come to this impasse."

(q) Dan Kuhn, Shoreline, spoke as a former Planning Commissioner, saying a majority of citizens whom he speaks with question the integrity of how city government operates. He said Councilmembers have a choice of doing the right thing, which may make people disagree with you, or to do the politically right thing, that which gets you elected. People will disagree about a Council action, but Council should be able to say they did the right thing. This may be the opposite of what staff recommends or the public asks for. He said decisions cannot be driven by trying to avoid lawsuits, because no matter what the City does, it has the potential of being sued. He felt the current government is being responsive to specific interest groups rather than all the people and that the Council's agenda has been set by staff and not by the citizens of Shoreline.

Responding to Councilmember Fimia's question about how Councilmembers can determine "the right thing," Mr. Kuhn said they must do more than give lip service, but to listen to and hear what people say and act upon it. And if Councilmembers don't agree,

they must provide the rationale as to why. He said currently the perception is that the decisions have already been made before the public has an opportunity to comment.

Responding again to Councilmember Fimia's question about how Councilmembers, without each having their own staff, can ascertain the facts, Mr. Kuhn said that since staff is there to serve the citizens of Shoreline as well as the Council, they should present both sides of an issue in an impartial way.

(r) Diane Stephens, Shoreline, spoke on behalf of the Chamber of Commerce. She addressed her comments to the lack of communication from the point of view of the Chamber. She noted that a dinner meeting with City Council had been scheduled many months ago, cancelled at the last minute, and was still not rescheduled. She also commented the Chamber had no information on the formation of the new group, Forward Shoreline, until a newspaper article in the *Shoreline Enterprise*, even though it appears to have a similar goal of promoting business in Shoreline. She said the Chamber was never approached about participation, even though the staff member involved with Forward Shoreline is part of the Chamber Board. She felt various groups in the City should be working hand-in-hand and there is a need for more communication generally.

(s) Richard Johnsen, Shoreline, suggested that things have gotten to the point that the City should budget so that Council can have its own staff. He said he did not think staff currently looks out for the best interests of the citizens. He supported the reinstatement of Council-citizen committees, where there were three Councilmembers for each committee and one Councilmember was the committee head, and citizens could attend as they wished and interact on a more informal basis with Councilmembers. He said that the City Manager at the time cut the funding for a minute-writer for those meetings and the meetings came to an end.

Mr. Johnsen commented on the cottage housing project on SE 183rd and Ashworth, a lot with an attractive house and large maple trees, and said he does not think cottage housing fits in with the neighborhood, made up of 1950s and '60s single family homes. He said he thought the City had committed to reviewing the cottage housing regulations.

Councilmember Ransom commented that Council gave sole authority to the Planning Director to approve cottage housing projects. He said that Council did review cottage housing and chose to allow them to continue, and that he was the only Councilmember who opposed this action.

Mr. Johnsen then said that we should go back to the beginning and consider why Shoreline become a City and try to save what we have now. He concluded criticizing new developments that are out of character with the City.

(t) Joe Ripley, Shoreline, commented it does not make sense to cut down on public comment, and that this change and the recent Councilmember appointment process angered him. He felt the fact that the City is a monopoly is part of the problem and noted that where we are today has an historical background. He said that for all votes taken,

each Councilmember should have to post a written explanation of their action on the City Website. He said Shoreline does not have government "for the people." He concurred with an earlier speaker that Council agendas should be available further in advance. He suggested having e-mail distribution lists for various topics so that citizens could be informed of items of interest. He said that Council is in the difficult position of having to be the citizens' watchdogs of "those scoundrels at City Hall who do not listen, are arrogant as can be, who have no flexibility or human compassion." He used an example of his church remodeling project that he said started out costing \$5,000 and ended up costing \$17,000. He said there should be a way for Council to make employees listen.

(u) Maryn Wynne, Shoreline, said she became involved with the public process during the Council vacancy process. She felt that citizens were treated disrespectfully and as though their opinions didn't count at that time. She said the neighborhood she lives in does not have Neighborhood Council meetings so she does not have that venue for involvement. She said over time the citizen process has become shorter and shorter. She said she appreciated the current forum, but disputed what she saw as the *Shoreline Enterprise's* characterization of people who do not agree with the City's position as "crazy people" or "rabble rousers" whose hobby it is to attend Council meetings. She said people take time to express their views because they care about their City. She said the City has an opportunity to make Shoreline a wonderful community and she thanked the Council for the opportunity to speak.

(v) Larry Owens, Shoreline, commented on how vital public input is to the democratic process. He asked what steps the Council will take after the forums. He said citizens need to be involved from the very beginning and they want to be part of the process on specific issues, rather than after staff, consultants, and Council, have made a decision. He felt citizens should be allowed to provide input at all points during the Council meeting. The people who speak have taken the time to inform themselves about a topic, often have expertise, and it is insulting to dismiss their views in deference to "experts" (staff and consultants). He said that the City doesn't have adequate staff but it does have citizens who can help.

At noon there was Council consensus to extend the meeting until all those present who wished to speak had had an opportunity to do so.

(w) Jim DiPeso, Shoreline and Echo Park resident, commented that as a former newspaper reporter he has dealt with a good number of elected bodies and he has never seen a group that limited public comment as Shoreline did and did not allow input on agenda items. He said removal of this opportunity sends the message that citizen input is not welcome. This results in a loss of trust in the City Council. He said staff are competent people but they do not have all the answers, and citizens have a lot of knowledge they can share. If the price to pay is longer meetings, it is worth it to receive better input, show people that the City trusts what they have to say, and ultimately come up with better solutions to problems.

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(x) Kenneth Meyer, Seattle, said he became involved in City of Shoreline issues because of the Aurora Corridor project. He advised Councilmembers present to get the word out to other Councilmembers that citizens would like to see more public comment. He felt that if time is the issue, then Council should prioritize allowing comment before Council votes on each issue. He said that he recognized that there are some gratuitously abrasive comments made at meetings, which may discourage Council. He said people are strident because they feel frustrated that they are not getting anyone's attention, i.e., no one is listening or cooperating with them. He said that if there were a different attitude perhaps meetings could be more amicable. He said he feels that Shoreline has tried to isolate itself from the difficult parts of being an urban society and leaves Seattle to deal with the challenges, while taking advantage of benefits being part of a metropolitan area provides. He said he is impressed with the Councilmembers' resumes, but urged Council to take a broader view of Shoreline's role in the greater Puget Sound region and not just "taking the goodness and leaving the badness" for other jurisdictions to deal with.

(y) Rick Stephens, Shoreline, thanked Council for the opportunity to continue his comments regarding the Aurora Corridor Project. He commented that support documentation provided by the Shoreline Merchants Association on the DEIS was removed by staff and was not included in the final document, and that it was not available in the public library. He said he had to provide these comments to the Federal Highway Administration himself. He said SMA is only trying to be part of the process and help improve the project in both time and costs. He read from a letter from Planning Director Tim Stewart regarding combining the Environmental Impact Statement and Environmental Assessment to comply with both NEPA and SEPA. He also quoted comments from Washington State Department of Transportation staff to the Federal Highway Administration, characterizing the City's approach of trying to meet both SEPA and NEPA requirements in one document as "unusual" and "sending a mixed message to the public," because an EIS is generally used when impacts are substantial and an EA when there is very little environmental impact. He quoted a Federal Highway Administration official as saying that a Finding of No Significant Impact (FONSI) "should not be used unless there is a very good reason to do so," and Mr. Stephens stated that the City "has not provided a good reason to do so." He emphasized his belief that the entire process had been set up to keep the citizens and businesses out. He concluded that the SMA wants to improve transportation on the Corridor, not slow it down, and improve safety. SMA wants a project that is responsible and economical. He said the City missed the opportunity to have built the entire three miles of the project at once under the SMA plan.

Mr. Hagen, a previous speaker, concluded by saying the Council has said the public process on the Aurora Corridor project was great but the City was meeting the letter, not the spirit of the law.

Councilmember Grace thanked those who attended and noted that the public comments on this topic would be compiled and considered at the next Council Retreat.

3. ADJOURNMENT

Seeing no further attendees who wished to make public comment, the meeting was adjourned at 12:22 p.m.

Sharon Mattioli, City Clerk