

DRAFT

CITY OF SHORELINE

SHORELINE CITY COUNCIL SUMMARY MINUTES OF REGULAR MEETING

Monday, July 12, 2004
7:30 p.m.

Shoreline Conference Center
Mt. Rainier Room

PRESENT: Mayor Hansen, Deputy Mayor Jepsen, Councilmembers Chang, Fimia, Grace, and Ransom

ABSENT: Councilmember Gustafson

1. CALL TO ORDER

The meeting was called to order at 7:30 p.m. by Mayor Hansen, who presided.

2. FLAG SALUTE/ROLL CALL

Mayor Hansen led the flag salute. Upon roll call by the City Clerk, all Councilmembers were present, with the exception of Councilmember Gustafson. **Upon motion by Councilmember Ransom, seconded by Deputy Mayor Jepsen and carried 5-0, Councilmember Gustafson was excused (Councilmember Fimia joined the meeting immediately after the vote).**

3. CITY MANAGER'S REPORT

Steve Burkett, City Manager, recognized City Clerk Sharon Mattioli for earning her certification as a Master Municipal Clerk.

Councilmember Ransom noted that the King County Library System had posthumously awarded Janeen Cook its Lifetime Achievement Award. This is the second time she has won this award.

Mayor Hansen commented on the discussion topics of the Northend Mayors meeting, which included the streamlined sales tax initiative and the Brightwater wastewater treatment plant.

4. REPORTS OF BOARDS AND COMMISSIONS: none

5. PUBLIC COMMENT

(a) Alan Sharrah, director of operations for Frank Lumber, commented on the petition letters he delivered asking the Council not to proceed with the North City project

as proposed. He urged the Council to reconsider the plan in order to find common ground with the business owners, community members, and customers who shop in the North City district. He said even though the petitions are a non-scientific survey, they can be used as a tool to address the community's concerns. He said business activity has already declined between 3-6 p.m.

(b) Janet Way, Shoreline, expressed concern that the Metcalf town homes project is encroaching on the stream and wetlands buffers of McAleer Creek. She said there should be a minimum 75-foot buffer from the stream, yet it has been reduced to only about 30-40 feet. She also expressed concern about an area that had been cleared some distance from the building footprint. She asked that the City respond to these concerns and do a better job protecting the sensitive areas there.

(c) Melinda Hutton, Shoreline, expressed similar concerns about the Metcalf project, noting the community had not been notified the project was commencing. She felt that silt fencing should have been installed before bulldozer work began and that it is too close to the stream. She advised the City to be more aware of the activities at the site and to perform regular inspections.

(d) Olivia Hutton, Shoreline, commented on the variety of animals living at the Metcalf project site. She felt the installation of the silt fences so close to the stream could adversely affect stream wildlife.

(e) Leslee Currie, Seattle, executive director of Creative Living Services, invited the Council to visit her agency, which provides support services to the developmentally disabled community. She noted that her agency has worked collaboratively in moving residents from Fircrest School back into the community. She explained that these residents, many of whom have complex medical problems, are thriving, contributing members of the community.

(f) Mamie Bolender, Lake Forest Park, expressed concern about the impacts the Metcalf Project may be having on McAleer Creek. She said her organization, Lake Forest Park Stewardship Foundation, endeavors to upgrade McAleer Creek and its tributaries through various restoration projects. She said although she is glad the Hearing Examiner reduced the Metcalf project from 12 units to six, the plan does not indicate what kind of surface will be used at the site. She also expressed concerns about the location of the silt fencing and the clearing activities so far from the building footprint.

(g) Pat Crawford, Shoreline, said the Metcalf project is similar to other City projects in that there is no notice or monitoring of code compliance. She said the Planning Director is responsible for code compliance, and that in this case the permit has lost all connection to the code. She said there should be a protective fence to keep the construction activities away from the sensitive areas during construction. She said the Aegis project includes similar deficiencies, and that the State Environmental Protection Act (SEPA) review needs to be reopened since the City mischaracterized a stream on the Aegis south site as a wetland.

(h) Sylvia Fuerstenburg, Bellevue, explained that her agency, Supportive Living, has been providing support services to the developmentally disabled in Shoreline for 25 years. She said her company has successfully worked with other entities in moving the medically fragile from state institutions back into the community. She said she looks forward to doing that for others who choose to move out of state institutions.

(i) Jeff Lewis, Shoreline, president of Shoreline Bank and chairman of Forward Shoreline, encouraged the Council to consider a more attractive design for the Interurban Trail pedestrian overpasses. He pointed out that Aurora Square is an area being considered for targeted commercial redevelopment. He felt the visibility and prominence of these bridges, coupled with their importance in the linkage of the Interurban Trail, should warrant consideration to invest in a more attractive design.

(j) David Anderson, Shoreline, commented that there were no accidents at the intersection of Midvale Avenue N and N 185th Street during the five years in which he occupied the building that is now the police department. He did not see a benefit in vacating Midvale Avenue in favor of providing parking for a commercial development. He said such a proposal is not consistent with what is happening in the North City project, where parking is being removed from a 25 mile-per-hour street. He also expressed his opinion that the Metcalf project is not complying with the law. He concluded by urging the Council to consider the input he provided regarding the Comprehensive Plan.

(k) Mark Deutsch, Shoreline, expressed concern that the City Hall project expends limited reserves on a project that has not been identified as a public priority. He questioned the rationale for including it as Council Goal #6, and wondered if the project yields other benefits besides rent savings. He felt the City might even get rent reductions due to the current availability of office space. On the topic of North City, he said the traffic revisions to 15th Avenue NE were intended to reduce cut-through traffic and get drivers to slow down, even with increased traffic volumes. He said traffic speeds and volumes are consistent with the consultant's projections, which support the objectives of the business district.

(l) Richard Johnsen, Shoreline, expressed opposition to the two-bridge design of the Interurban Trail in favor of a diagonal design along the trail's original route. He felt the City could overcome the obstacles to the diagonal design by getting a second opinion and taking a long-term approach. He said the City is in no hurry to complete the bridge, and that it should "do it right."

Councilmember Grace asked about the process for inspecting projects such as the Metcalf town homes.

Tim Stewart, Planning and Development Services Director, explained the background on the Metcalf development and the procedure for inspections for permit compliance. He said the location of the silt fence conforms to the mitigation plan that was reviewed and

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approved by a third-party consultant as required by the Hearing Examiner's decision. He noted that inspectors respond immediately to calls from the public, and that the project is proceeding as legally authorized.

Councilmember Fimia said there seems to be a disconnect between the permit conditions and what is actually being done at the site. She said the three main issues seem to be grading, notification, and location of the silt fence.

Mr. Stewart noted that the code does not require public notification of building permits. He said that both the grading and location of silt fencing comply with the conditions of the permit that were reviewed by the third-party consultant and approved by the Hearing Examiner.

Councilmember Ransom asked if the stream had the required 75-foot buffer or if the distance had been adjusted. Mr. Stewart explained that there are three different buffers involved at the site. He said the building footprint lies outside the 100-foot stream buffer, but within the wetland buffers. As part of the approved permit, the Hearing Examiner required a 2:1 ratio to replace buffer habitat, which is the plan that was reviewed by the third-party consultant.

Mayor Hansen suggested that Councilmembers visit the site to get a better understanding of the issues.

Councilmember Ransom asked for clarification of Mr. Anderson's claim that parking would be removed from NE 15th Street as part of the North City Project. Mr. Burkett assured him that parking is allowed on the street in North City.

6. APPROVAL OF THE AGENDA

Upon motion by Councilmember Ransom, seconded by Deputy Mayor Jepsen and unanimously carried, the agenda was approved.

7. CONSENT CALENDAR

Councilmember Grace moved approval of the consent calendar. Deputy Mayor Jepsen seconded the motion and the following items were approved:

**Minutes of Dinner Meeting of June 14, 2004
Minutes of Workshop of June 21, 2004
Minutes of Dinner Meeting of June 28, 2004**

**Approval of expenses and payroll for the period
ending July 2, 2004 in the amount of \$2,007,246.97**

**Motion to authorize the City Manager to execute the
King County Office of Emergency Management**

Homeland Security Subgrant agreement to purchase 800 MHz radios and satellite phone, and to offset the cost of updating the Terrorism annex

8. ACTION ITEMS: OTHER ORDINANCES, RESOLUTIONS AND MOTIONS

- (a) Amending the Comprehensive Plan by adopting Ordinance No. 357, authorizing the 2005-2010 Capital Improvement Plan and proposed amendments to the Capital Facilities Table CF-1: Twenty Year Capital Facilities Plan

Mr. Burkett briefly outlined the public process and Council discussions of the six-year Capital Improvement Plan, which Council adopts each year. He said the proposed amendments to the 2005-2010 plan do not constitute significant changes to the current Capital Improvement Plan (CIP), and that staff recommends adoption this evening.

Deputy Mayor Jepsen moved to pass Ordinance No. 357. Councilmember Grace seconded the motion.

Councilmember Grace expressed concern about approving the CIP now, only to change it later for items such as the Interurban Trail Pedestrian Bridge.

Mr. Burkett pointed out that the CIP is six-year planning document, so the near-term projects are more certain than those at the end of the plan. He noted that the City's annual budget actually implements capital projects, so that Council could choose to amend the CIP later in response to changing circumstances.

Councilmember Ransom expressed concern about the escalating cost projections for the North City Project, City Hall Project, and for the Interurban Trail Pedestrian Overcrossing. He felt that increasing costs for 15th Avenue NE would translate into increased costs for Aurora Avenue. He preferred to delay adoption of the CIP in order to give staff time to refine cost projections and analyze funding sources.

Mayor Hansen felt that delaying would only increase project costs.

Councilmember Fimia had several amendments to the plan, which were forwarded to the City that afternoon and were also generally supported by Councilmembers Chang and Ransom. She explained that the main objectives of the amendments were to focus on essential services and to achieve a more even distribution among capital funds.

There was discussion about the lack of adequate notice to consider the amendments tonight. Councilmember Fimia explained the circumstances under which they were developed and said she did not expect Council to vote on them this evening.

Councilmember Ransom moved to postpone action until the meeting at the end of August. Councilmember Chang seconded the motion. Councilmember Fimia noted she would be absent from that meeting and proposed as a friendly amendment postponement until the first meeting in September. This was accepted by Councilmembers Ransom and Chang.

Mayor Hansen expressed concern that postponing action might prevent the City from complying with state filing deadlines and grant requirements relating to the Transportation Improvement Plan (TIP).

Mr. Sievers explained the deadlines and requirements of the TIP (the Roads Capital portion of the CIP), which is required by the state for regional transportation planning. He said Shoreline must adopt the TIP and transmit it to the state by the end of July. He noted that the TIP could be amended at any time in the future following a public hearing.

Deputy Mayor Jepsen commented on the poor timing of the amendments, noting that the Council has been discussing the CIP for the past four weeks. He commented on the difficulty of considering amendments without an analysis of how funding sources would be affected, since much of the CIP involves dedicated funding. He was inclined to vote on the CIP tonight and address the amendments later. He also expressed concern about the implications of Councilmembers Fimia, Chang and Ransom meeting as a quasi-committee to prepare the amendments.

Councilmember Grace commented that he, too, is not prepared to respond to the amendments tonight.

Mayor Hansen did not support postponement.

Councilmember Fimia pointed out that she raised many of these issues at previous Council meetings. She said meeting with other Councilmembers is the logical and legally accepted way to consolidate intent into one document, since the Council does not have a committee system. She reiterated that her intent was to have Council consider the amendments, during which time staff could reconcile the CIP in preparation for adoption next month.

Councilmember Ransom reiterated his support for postponing action, noting that Council did not have accurate figures for the Interurban Trail bridge until recently. He said updated information on the North City and City Hall projects could also affect Council's decision on the CIP.

Councilmember Chang supported more time to consider the CIP, given that the costs of some City projects are higher than previous estimates.

Councilmember Grace supported postponing action until next week.

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A vote was taken on the motion, which failed by a vote of 3 Councilmembers in favor (Councilmembers Chang, Fimia and Ransom) and 3 opposed (Mayor Hansen, Deputy Mayor Jepsen and Councilmember Grace).

Councilmember Grace moved to postpone the motion until the next meeting. Councilmember Ransom seconded the motion.

Councilmember Fimia felt that a one-week postponement would not allow staff enough time to analyze alternatives for the City's major projects. Councilmember Chang expressed similar concerns.

Councilmember Ransom hoped staff could provide additional information on how cost increases on the North City Project might affect the Aurora Corridor Project. Mayor Hansen concurred.

Mr. Burkett reiterated that the CIP does not authorize the expenditure of City funds, but serves as a planning document only. He said staff would try its best to respond to Councilmember Fimia's amendments, but he felt the lack of time needed to perform a detailed analysis of funding restrictions would not result in a good capital plan. He said the key responsibility for Council is to set capital priorities within the limited funding available. He noted that the CIP is not going to solve all the City's financial problems, regardless of whether it is adopted now or next month.

Councilmember Fimia said one could argue both ways about the relevance of adopting the CIP now versus when it comes before Council as the annual budget. She noted that every decision makes it more difficult to make changes, so it is important to "get it right the first time." She said the amendments she submitted are part of the formal, open process of finding out if the Council wants to reprioritize some capital projects.

Deputy Mayor Jepsen encouraged Councilmembers to submit specific proposals earlier rather than waiting to the last minute.

A vote was taken on the motion, which carried 4 -2, with Deputy Mayor Jepsen and Councilmember Chang dissenting.

- (a) Resolution No. 219 adopting the 2005 - 2010 Transportation Improvement Plan

Mr. Burkett explained the necessity of passing this resolution this evening so that the State of Washington would receive it by the end of July. He noted that it could be modified at a later date to correspond with the Capital Improvement Plan.

Upon motion by Deputy Mayor Jepsen, seconded by Councilmember Grace and unanimously carried, Resolution No. 219 was adopted.

9. NEW BUSINESS

(a) Interurban Trail—Pedestrian and Bicycle Crossing
30% Design Alternatives and cost estimates

Mr. Burkett introduced Kirk McKinley, Project Manager, who provided the background on this item and highlighted the three alternatives brought forward for Council consideration. He explained that unforeseen increases in concrete and steel prices, together with the discovery of unstable soils, have combined to increase the projected costs for the two bridges above the estimates originally used to program this project. The three alternatives have costs of \$3.6 million (the original project estimate); \$4.0 million, and \$4.8 million. The Art Jury; the Parks, Recreation and Cultural Services Board; and the public prefer the more expensive alternative. Therefore, staff recommends this alternative. Mr. McKinley commented on the wisdom of returning to Council at 30% design in light of these changing circumstances.

Continuing, Mr. McKinley discussed the various issues, features, and challenges associated with each bridge option. He noted that the Joshua Green Corporation (owners of the triangle property) expressed concerns about how each design may potentially impact the visibility of the businesses located there. He described Joshua Green's participation in the extensive public outreach process. He concluded his presentation by describing the unstable soil conditions at NE 155th Street, estimating that it would cost \$1.2 million more to build the loop ramp option.

Councilmember Fimia questioned whether it was appropriate for staff to have developed alternatives prior to informing Council that the project as proposed could not be constructed within the current budget. She felt that Council should have been informed immediately so that it could provide direction on alternatives.

Mr. McKinley noted that the unstable soils were only discovered in the last six weeks. He explained that Alternative 1 is within the proposed budget, while Alternatives 2 and 3 exceed the budget but reflect the issues expressed by the community.

Mr. Burkett commented that the steel truss bridge was the Council alternative, but now it may not be feasible due to the cost of steel.

Kris Stouffer-Overleese, Capital Projects Manager, outlined the urban design elements, costs, and other features of the three alternatives. She explained that upon discovering the unsuitable soils, staff conducted a mini value-engineering session with its engineering consultant and WSDOT to explore options. The result of that session is the three alternatives, one of which meets the proposed budget. The staff report includes analysis of these options and individual design elements to show how various combinations affect the total cost. She then described the features, advantages and disadvantages of each alternative.

Councilmember Grace asked about Joshua Green's particular concern about visibility. Mr. McKinley said the prior loop ramp option would have blocked views to the Joshua

Green property from NE 155th Street. However, they would prefer that rather than losing visibility from Aurora Avenue. Alternatives 2 and 3 would block views from Aurora Avenue due to construction of a ramp that lowers to grade, parallel to Aurora Avenue N.

Councilmember Fimia objected to the fact that staff presented alternatives to the Parks Board and Art Jury before Council even considered an increase in funding. She emphasized that there was no authority from the Council to produce these alternatives. She felt lobbying Council for something it has not approved puts it in a very awkward position.

Mr. Burkett noted that the Art Jury and open houses were being conducted concurrently with the engineering pre-design. He said as soon as the soil and steel issues were discovered, staff was instructed to produce a \$3.6 million option and to estimate the costs of other options that had been developed previously. Staff is now asking Council for direction on these alternatives.

MEETING EXTENSION

At 10:00 p.m. Deputy Mayor Jepsen moved to extend the meeting to 10:30 p.m. Councilmember Ransom seconded the motion, which carried unanimously.

Mr. McKinley outlined the financial impact summary, noting that the City's contribution amounts to approximately 13% of the \$3.6 million Alternative 1. The City's contribution to the recommended Alternative 3 would amount to approximately 28%. If Council selects Alternative 3, staff recommends utilizing \$800,000 from the Aurora Corridor Phase II project because the Interurban Trail Bridges are a key visual and pedestrian safety element of the Aurora Corridor project.

Bill Clements, Chair of the Art Jury, explained why the Art Jury and the Parks, Recreation and Cultural Services Board support Alternative 3. He said even though Alternative 3 exceeds the current budget, participants felt it is the best reflection of what the public wants. He felt that a 28% City contribution would be a good return on investment, given that the bridge will serve as a landmark and an essential element of the Interurban Trail.

Mr. Burkett said even though he initially made recommendations that would have eliminated this project, he now believes the project is an opportunity for Council to do something significant for Shoreline.

Deputy Mayor Jepsen asked if the 18-foot-wide bridge would be significantly different from a 16-foot-wide bridge in terms of "user-friendliness." Ms. Stouffer-Overleese said the 16-foot bridge would adequately accommodate Shoreline's needs, but the 18-foot bridge provide for a more finished product and would work better for higher traffic volumes. She clarified that the 16-foot bridge would not result in significant cost savings.

Councilmember Grace inquired about the timing and certainty of Intermodal Surface Transportation Efficiency Act (ISTEA) funding. He also asked about the impact of taking \$800,000 from Phase II of the Aurora Corridor.

Mr. McKinley noted that the Puget Sound Regional Council Executive Board approves ISTEA funding toward the end of the year. He was confident the City would qualify for ISTEA funding. Mr. McKinley and Mr. Burkett did not think the \$800,000 transfer would make a significant difference, noting that projections for Aurora Corridor Phase II are fairly conservative.

Mayor Hansen commented on the possibility of receiving an additional \$2 million in federal funding.

Councilmember Ransom asked for clarification of the designs proposed for Alternatives 1 and 2. Mr. McKinley noted that Alternative 1 would include a stairway or elevator; Alternative 2 would use a ramp that lowers to grade, parallel to Aurora Avenue N. He pointed out that none of the alternatives would obstruct business signage at the Joshua Green property.

Councilmember Fimia asked what other kinds of non-motorized transportation projects would qualify for ISTEA funding. Mr. McKinley said it is typically used for projects on classified arterial streets, sidewalks, and regionally identified trails, although some cities use it for street overlays.

Councilmember Fimia said the bridge was only projected to cost \$1 million four years ago, but the costs have incrementally increased to \$4.8 million. She said she has been a major advocate for the Interurban Trail, but she could not justify spending so much money when there are higher priority needs, such as sidewalks along arterial streets. She questioned whether people would even use the bridge; and, if they do, she questioned whether they would leave it to patronize adjacent businesses. She proposed an enhanced at-grade crossing as a fourth alternative.

Mayor Hansen said the project was estimated at \$3.6 million since 2001. He felt the longer the City waits, the more expensive it will be.

Councilmember Chang expressed concern that the latest projections exceed the current budget by 33%. He felt the alternatives should be studied further before a decision is made, noting that even the \$4.8 million estimate is subject to change.

MEETING EXTENSION

At 10:30 p.m. Deputy Mayor Jepsen moved to extend the meeting to 10:45 p.m. Councilmember Ransom seconded the motion, which carried unanimously.

Deputy Mayor Jepsen felt the points being made by Councilmembers Chang, Fimia, and Ransom were not entirely consistent with their written proposal to cap Interurban Trail

expenditures at \$3.5 million. He proposed bidding Alternative 2 with additions to bring it to Alternative 3.

Councilmember Grace commented favorably on the features included in Alternative 3. He expressed support for Alternative 3 if a source of funding could be identified.

Councilmember Ransom provided background on the Interurban Trail project, noting that it was originally estimated to cost \$5.5 million for the entire trail with no bridge. He inquired about the City's anticipated contribution to the cost of the entire trail. He was very concerned about escalating costs but felt he could support Alternative 2 or Alternative 3 if funding could be found. He advised caution in committing funds to the project until there is more certainty about how much the City needs for all its capital projects.

Responding to Councilmember Fimia, staff estimated it would cost \$2.5 million to construct the N 175th to N 192nd segment of the trail. This segment is in the design phase, and staff is seeking both state and federal grant funding. Councilmember Fimia suggested that ISTEA funding could be used for this segment, either for design or construction.

MEETING EXTENSION

At 10:40 p.m. Councilmember Ransom moved to extend the meeting for ten minutes. Councilmember Chang seconded the motion, which carried unanimously.

Mayor Hansen supported either Alternative 2 or 3, noting his optimism that additional funding would be forthcoming. He also said the discussion could be continued to next week. He expressed strong opposition to Councilmember Fimia's suggestion of an at-grade crossing.

Mr. Burkett said at this point the cost of all Interurban Trail projects, including the bridge, total \$11.3 million, or 24% City funding. If the Council chooses to add \$1.2 million more under Alternative 2 or Alternative 3, the City's contribution would be 28%.

10. ADJOURNMENT

At 10:45 p.m., Mayor Hansen declared the meeting adjourned.

Sharon Mattioli, City Clerk

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