

DRAFT

CITY OF SHORELINE

**SHORELINE CITY COUNCIL
SUMMARY MINUTES OF REGULAR MEETING**

Monday, June 27, 2005
7:30 p.m.

Shoreline Conference Center
Mt. Rainier Room

PRESENT: Mayor Hansen, Councilmembers Chang, Fimia, Grace, Gustafson, and Ransom

ABSENT: Deputy Mayor Jepsen

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 Deputy Mayor Jepsen.

Upon motion by Councilmember Gustafson, seconded by Councilmember Grace and unanimously carried, Deputy Mayor Jepsen was excused.

- (a) Proclamation of Parks, Recreation and Cultural Services Month

Mayor Hansen read the proclamation declaring July as Parks, Recreation and Cultural Services Month and emphasized the role that parks facilities, recreation programs, and cultural services play in the lives of Shoreline residents.

Michael Banaag, a self-defense instructor for the Parks, Recreation and Cultural Services Department, and his students accepted the proclamation on behalf of the agencies and groups that contribute to the quality of life in Shoreline.

- (b) Report by Representative Ruth Kagi

Representative Kagi recapped the 2005 state legislative session, saying that it was the most productive she has seen during her seven years in the legislature. She highlighted the significant measures passed by the 2005 Legislature, including funding for early childhood education, sentencing reform for non-violent drug offenders, changes relating to the substance abuse treatment system, child welfare, taxes, and the transportation budget. Other legislative measures aimed at being more responsive to local government

include a one-year extension for updates to the Growth Management Act, and increases in court filing fees to fund court costs, indigent defense, and parent representation. She noted that the Aurora Corridor Project and Interurban Trail project would receive additional funding as a result of the transportation package.

Responding to Councilmember Grace, Rep. Kagi said the drug treatment bill would be funded using existing Department of Corrections revenues.

Councilmember Fimia expressed regret about the closing of the North Rehabilitation Facility (NRF), noting the many benefits it provided the community. She asked Representative Kagi to urge the legislature to consider reinstating the facility when it discusses Fircrest.

Councilmember Ransom wondered if the new estate tax law would withstand court appeal since the last estate tax law was ruled unconstitutional.

Rep. Kagi said the old law was ruled unconstitutional since it was based on the federal estate tax, which was abolished. The new law provides separate legal authority for a state estate tax. She said there would probably be legal challenges but the new law is on "solid legal ground."

Councilmember Ransom understood that the transportation package did not include funding for maintenance of major highways such as Interstate 5. Rep. Kagi said she would research the allocation and provide that information at a later time.

Councilmember Ransom said some studies indicate that many children overcome developmental deficiencies by age nine without programs such as Head Start, so there is a question of whether the funding is really needed.

Rep. Kagi said there is a large amount of evidence that shows the long-term benefit of quality child care for children, especially those in low-income families.

Councilmember Chang felt there should be a strong partnership between the City and State regarding development of the Fircrest property, since many Shoreline residents are affected by it. He wished to see a quicker process for determining what will be done with the site.

Rep. Kagi noted that the master planning process has been delayed because of uncertainty about the property, but Governor Gregoire has established a task force to look at the future needs of the developmentally disabled community.

Councilmembers complimented Rep. Kagi for her representation of Shoreline and her support of key legislative measures.

9. ACTION ITEMS: PUBLIC HEARING

- (a) Public hearing to consider citizens comments on the proposed 2006-2011 Capital Improvement Plan and the proposed 2006-2011 Transportation Improvement Plan (continued from June 20, 2005) and continued discussion of the Capital Improvement Plan

At 8:00 p.m., Mayor Hansen noted the time and opened the continued public hearing on the Capital Improvement Plan and the Transportation Improvement Plan.

(a) LaNita Wacker, Shoreline, noted that the Council unanimously voted to allocate \$2 million for acquisition of the South Woods property, but the City Manager has changed this allocation to \$1 million and defined an area of three acres. She said the Council never discussed "three acres," as advocates have always supported acquisition of the entire parcel. She said "cutting the urban forest will kill it," so the City should return the allocation to \$2 million and vote for \$4 million in bonds to be used as matching funds for grants. She asked for a unanimous Council vote on preserving the entire urban forest and urged Council to direct staff to find the funding to achieve it.

(b) Mark Deutsch, Shoreline, commented favorably on the Comprehensive Plan process, noting that the surface water master planning led to many improvements in infrastructure, stream protection, and flooding. He said the higher cost of some capital projects is partly due to the bid climate and partly due to delays caused by the differences the Council is trying to work through. He felt that surpluses in the capital budget should not be used to pay for long-term operating costs. He felt that long-term operating costs could be addressed by economic development, bonds, or reduced services. He felt gambling revenues should be dedicated to capital needs since this revenue source is very uncertain. He concluded that he looks forward to the completion of the Aurora Corridor Project and North City Improvements.

(c) Peter Henry, Shoreline, displayed a petition with 500 names of people who support the preservation of the South Woods property. He spoke of the many environmental and social benefits this property would provide and thanked the Council for voting to allocate \$2 million toward its acquisition. He said it "looks funny" when staff goes against Council direction and decreases the amount to \$1 million. He asked for a written response from each Councilmember addressing the following: 1) whether they feel it is appropriate for staff to disregard Council direction; 2) whether they contacted staff subsequent to the original Council vote and discussed reducing the recommended amount of money; 3) whether they feel it is appropriate for individual Council members to discuss with staff reducing the recommended amount once the Council has taken a position.

(d) Terry Clayton, Seattle, explained his background in the Shoreline School District and his development of the organization called Student Action For the Environment (SAFE). This group is credited with persuading the school district to acquire an interest in the South Woods property. He explained the vision of creating arboretum and educational components on the property, noting this would serve as a great

resource for the greater metropolitan area. He described potential projects that could restore salmon runs on the property and urged the City to preserve the entire parcel.

(e) Mamie Bolender, Lake Forest Park, explained the many benefits of preserving the South Woods property, including clean air, serenity, reduced flooding/erosion, and environmental education. She said the property can remain a viable forest habitat if the entire parcel is preserved. Although she is happy the City applied for a Conservation Futures grant, she is disappointed that the City may be considering only three acres. She said the entire parcel would provide the Briarcrest neighborhood with a community park and an adjacent forested area where children can walk and play among the old growth trees. She felt a park would be a well-used resource in this heavily populated area.

(f) Wanita Martin, Shoreline, spoke of the many physical and emotional benefits she receives as a result of living across the street from Hamlin Park. She commented on the increasing numbers of people using City parks and said the City will require even more park area if densities are increased due to development. She said she plans to mobilize her neighbors to ensure that the entire South Woods property stays in the public realm.

(g) Richard Tinsley, Shoreline, agree with previous speakers and felt the City should act on the South Woods acquisition sooner rather than later. He said appraisals suggest the property value has been steadily increasing since 2002. He said only acquiring three acres would "destroy the forest," and that the City does not want just a "tiny park." He noted that developments with increased impervious surface would degrade the watershed, and he stressed the importance of nature to emotional well-being and health. He urged the Council to find a way to save the entire parcel for public use.

Staff and Councilmembers requested a copy of Mr. Henry's petition.

Councilmember Ransom expressed concern about the high appraisal for the South Woods property. He felt the City should get its own appraisal.

The City Clerk noted that the hearing was continued on June 20, 2005 until July 11.

3. CITY MANAGER'S REPORT

Robert Olander, Deputy City Manager, reported that Shoreline was rated the #1 neighborhood in the Seattle area by Seattle Magazine. He also commented on the success of the Shoreline Arts Festival; the groundbreaking on July 6 for the Aurora projects; the Family Beach Walk this weekend; and the on-going slurry seal program. He also reminded everyone that the King County Recycling Center will not be closed as anticipated. Continuing, he noted that the July 5 City Council meeting is cancelled. He reported on the City's success in winning two Conservation Futures grants for park property purchases. He also noted that Shoreline won a "Well City" award for its employee wellness program at the Association of Washington Cities Conference.

Finally, he thanked the retiring City Clerk, Sharon Mattioli, for her service to the City over the past ten years.

Ms. Mattioli commented that it has been an honor and pleasure to work with staff, Council, and the citizens over the past ten years.

Dick Deal, Parks, Recreation and Cultural Services Director, responded to Council questions about conservation futures grants. He noted that the grant allows the City up to two years to craft an agreement with the property owners. He clarified that the grant is contingent on a City match of a like amount of money.

Councilmember Ransom noted that if the City can get a lower land appraisal it would at least have a chance to negotiate a lower price.

Mr. Olander felt that \$450,000-\$470,000 per acre might be a fair estimate for the South Woods property, which would total close to \$7 million for the entire parcel. He based this estimate on the recent appraisal for the Seattle Public Utility property.

Councilmember Ransom felt the City should move quickly since delays would likely increase the price. He noted price increases for other properties within the past two years.

Responding to Councilmember Chang, Mr. Deal said the City could also apply for grants from the Interagency Committee for Outdoor Recreation (IAC), but it would have to wait until next year due to the budget cycle.

Councilmember Chang asked how the "three acres" was determined.

Mr. Olander, said the Council indicated a target figure of \$2 million in the Capital Improvement Plan (CIP), but did not specify any particular acreage. The staff recommendation was \$1 million and perhaps three acres for at least the portion that would be the active neighborhood park. This is the amount staff felt it could justify in the six-year plan, but the overall Council designation is a high priority within the 20 year period. He clarified that Council is free to change or modify the recommendation, since it is the decision-making authority.

4. REPORTS OF BOARDS AND COMMISSIONS: none

5. PUBLIC COMMENT

(a) Bronston Kenney, Shoreline, said cottage housing has been a contentious issue in Shoreline, and with one exception, neighbors find all cottage housing developments "objectionable and unwelcome." He said the moratorium was not used to adequately reexamine the issue, and two primary questions were not addressed: "What specific problems do cottages solve and is this a unique or best solution?" "Should not the cottages be abandoned simply because they are overwhelmingly opposed by the

primary stakeholders; Shoreline's citizens?" He asserted the City has not been honest and that another extension of the moratorium would be "further evidence of a pattern of duplicity and arrogance." He asked that a vote for eliminating cottage housing be put on the Council agenda.

(b) LaNita Wacker, Shoreline, expressed her thanks to Ms. Mattioli for her years of dedicated public service. She said she supports cottage housing in Shoreline because it provides options for many different people. She clarified that the petitions from the South Woods Preservation Group (SWPG) include 459 signatures representing 238 Shoreline residents and 48 Lake Forest Park residents, with the balance coming from Lynnwood, Edmonds, Mill Creek, and Seattle. She said if people were in favor of water quality, clean air, and trees, they were eligible to sign the petition. She said she would be happy to provide more information if the issue needs further clarification.

(c) Vicki Westberg, Shoreline, commented favorably on the 2005 Shoreline-Lake Forest Park Arts Festival. She said some people have stated that the South Woods property should be sold to a developer because "forests are dangerous." She considered this to be flawed rationale, and that people's concerns should be put in the proper perspective.

(d) Keith McGlashen, Shoreline, congratulated the Council and the City for being rated the #1 neighborhood in the Seattle area. He said this statement proves that Shoreline is a great place to live and work. He was excited that Shoreline's #1 ranking and Bothell's #8 ranking will likely attract more families and businesses to the north county area.

(e) Janet Way, Shoreline, congratulated Ms. Mattioli on her impending retirement. Regarding the South Woods property, she said that people care about it for the same reasons people care about the arts. The South Woods provides inspiration, beauty, refreshment, and a "respite and serenity in a hectic world." She urged the Council to override staff and spend the \$2 million to secure this property. She read the following goal from the City's Parks and Recreation guide: "Preserve, protect and enhance areas with critical or unique natural features such as stream corridors, wildlife habitat, shorelines and wetlands, especially if endangered by development and educate the public on the importance of stewardship through a variety of mechanisms." She said the South Woods acquisition is the opportunity to fulfill this goal.

6. APPROVAL OF THE AGENDA

Upon motion by Councilmember Gustafson, seconded by Councilmember Grace and unanimously carried, the agenda was approved.

Mr. Olander provided a technical correction to the legal description on page 68 of the Council packet related to the telecommunications lease.

7. CONSENT CALENDAR

Upon motion by Councilmember Ransom, seconded by Councilmember Grace and unanimously carried, the following consent calendar items were approved:

**Minutes of Special Meeting of June 6, 2005
Minutes of Dinner Meeting of June 13, 2005
Minutes of Regular Meeting of June 13, 2005**

**Approval of expenses and payroll as of June 16, 2005
in the amount of \$3,530,571.22**

**Ordinance No. 383 extending the franchises under
which Seattle Public Utilities is authorized to provide
water within the City of Shoreline**

**Motion to authorize the City Manager to execute a
Telecommunication Facilities Lease Agreement and
Memorandum of Lease with Cingular Wireless**

**Resolution No. 233 authorizing application for funding
assistance for a Land and Water Conservation Project
to the Interagency Committee for Outdoor Recreation
(IAC) as provided in Chapter 79A.15 RCW,
Acquisition of habitat conservation and outdoor
recreation lands**

8. ACTION ITEMS: OTHER ORDINANCES, RESOLUTIONS AND MOTIONS

- (a) Motion to authorize the City staff to participate in negotiations with King County for long-term extension and amendment to the interlocal agreement for the provision of municipal court services, and to extend the date to finalize the agreement to December 31, 2005

Julie Modrzejewski, Assistant City Manager, reviewed the staff report, which requests permission for staff to participate in negotiations for a long-term extension of the contract with King County District Court.

Councilmember Grace moved to authorize staff to participate in negotiations with King County for a long-term extension and amendment to the interlocal agreement for the provision of municipal court services and to extend the date to finalize the agreement to December 31, 2005. Councilmember Gustafson seconded the motion.

Councilmember Ransom expressed concern that this action represents a "buy-in to a long-term contract with the county." He commented on the deteriorating level of service

at the court over the past ten years and described personal experiences in which he had to wait an unreasonable amount of time for routine transactions. He said the poor service levels is evidence of the need to consider either forming a municipal court or contracting with neighboring jurisdictions such as Lake Forest Park. He advised that only a two-year extension be granted to give the City time to consider its options.

Ms. Modrzejewski noted that the County has recently enhanced its service capacity by adding more staff and clerks. She said City staff has had preliminary discussions with Lake Forest Park, but there is concern about whether Lake Forest Park can meet Shoreline's service needs. She said a contract with King County would include a clause to allow the City to terminate the agreement, and that this request is simply to allow staff to participate in negotiations.

Mr. Olander concurred, noting that the City could simultaneously do a feasibility and financial analysis to determine what it would take to establish a municipal court.

Councilmember Ransom reiterated that participating in joint negotiations with several other parties creates a feeling of obligation to sign when an agreement is reached.

Ms. Modrzejewski said King County is fully aware that the City's participation does not constitute a final agreement. Ultimately, the City Council is the decision-making authority in this matter.

Councilmember Fimia moved to amend the motion to include this wording at the end: "and also to provide the Council and the public with basic alternatives analysis by November 30 to analyze the level of service, costs, and customer service of three options: 1) continuing with King County; 2) developing an independent municipal court system; and 3) contracting with other municipalities for a court system. Councilmember Ransom seconded the amendment.

Councilmember Fimia felt this motion would allow staff to provide an analysis of alternatives while also communicating to the County that the City is considering all options. She said this would ensure that the County negotiates in good faith. Councilmember Ransom concurred.

Councilmember Grace pointed out that the analysis would have to be brought back much sooner than November in order to avoid a gap in court services.

A vote was taken on the amendment, which carried 5-1, with Mayor Hansen dissenting. Councilmember Gustafson wished to ensure that all options are considered in the analysis.

A vote was taken on the motion as amended, which carried 6-0.

9. NEW BUSINESS

(a) Annual Police Service Efforts and
Accomplishments Report for 2004

Police Chief Tony Burt said the mission of the police department is “to prevent crime and create an environment where people feel safe, while providing quality, professional law enforcement services designed to improve public safety.” This mission includes the goals of “reducing crime and the fear of crime.” He went on to review the 2004 report, emphasizing that 95% of residents indicated they feel safe in their neighborhoods during the day, and 73% feel safe at night. These statistics are up from 2003. Response times have also improved to 3.62 minutes. He described the City’s efforts to increase safety and reduce crime through a variety of programs, including homeland security, emergency response training, school zone traffic enforcement, community police stations, and the newly established senior interaction group. The department’s ongoing priorities include the motel trespass program, anti-shoplift program, Neighborhood Traffic Safety Program (NTSP), pedestrian safety, school resource program, group home safety education program, emergency preparedness, and safety awareness.

Continuing, Chief Burt went on to describe the increase in Part 1 crimes in 2004 and outlined the strategies for reversing this trend. Part 1 crimes of particular concern to Shoreline include automobile theft and burglary. He emphasized the need to identify high-impact offenders and described the difficulties involved in prosecuting auto theft. He noted that the King County prosecutor’s office is taking a more aggressive approach through a new auto theft initiative. Regarding the increase in burglaries, he explained that changes to way crime data is analyzed will likely result in more convictions and reduced incidents. He pointed out that auto theft and burglary continue to be problems affecting the entire region. He explained efforts to improve crime scene investigations and educate residents and businesses on how to avoid becoming a crime victim. He concluded by noting that Shoreline has the fewest number of police officers per thousand citizens, has the lowest cost per capita, and is in the lower third for Part 1 crimes per thousand citizens of comparable cities (Lynnwood, Edmonds, Olympia, Kirkland, Auburn, Redmond, Renton, Kennewick, Lakewood and Bellingham).

Mayor Hansen called for public comment.

(a) Keith McGlashan, Shoreline, said that if crime statistics are considered on a percentage basis, rape has increased 120%, burglaries are up 38%, vehicle theft is up 15%, and arson has increased 62%. He pointed out that traffic complaints increased 512% from 2003 to 2004, yet traffic citations are down 63%. He felt the department should have the necessary resources in police and traffic patrols in order to change this trend.

MEETING EXTENSION

At 9:59 p.m. Councilmember Ransom moved to extend the meeting until 10:20 p.m. Councilmember Chang seconded the motion, which carried unanimously.

Chief Burttt responded to Mr. McGlashen's comments about the increase in rapes, burglaries, arson, and traffic complaints. He noted that part of the increase in arson and burglaries is attributable to high impact offenders.

Mr. Olander noted the decrease in vehicle prowls due to the department's efforts to educate the public about protecting their property.

Councilmember Chang wondered if the increase in domestic violence is evidence that the failure that public education is not working. He emphasized community policing, crime task forces, and other creative ways to reduce crime without spending additional money. He requested that Chief Burttt return on August 15 for further discussion and presentation of statistics for the first half of 2005.

Chief Burttt said the department has been working very hard at getting victims of domestic violence to report it so the City can provide them with the necessary resources. He commented on the factors that influence domestic violence and said the department is trying its best to ensure that victims have every possible resource.

Mr. Olander added that the City has had good success with its domestic violence advocate in encouraging people to file cases in court.

Councilmember Gustafson commented on the thoroughness of the report. He noted the improvement in response times and that more people (73%) feel safe at night (as opposed to 66% in 2003). He emphasized the need to rehearse the hazard mitigation plan and appreciated the new initiative related to senior citizens. He noted that some people are still hesitant about informing their neighbors about their vacation plans for fear of becoming crime victims.

Chief Burttt said it is to the home owner's benefit to inform neighbors because it reduces the likelihood of burglary. He said "the more people know you're gone within your own community, the better."

Councilmember Gustafson felt the City could better utilize its television resources to educate the community on crime issues.

Mayor Hansen noted that some people advocate for prosecuting auto theft in the lower courts where it is considered more seriously.

Chief Burttt said the City of Seattle is experimenting with auto theft in municipal court, and the King County prosecutor's office is monitoring it to see how it works out.

Mr. Olander said staff would like to give the prosecutor's office time to see how effective their new enforcement program will be.

Councilmember Grace felt the City should consider an action plan for reducing Part 1 crimes back down to 2002 levels as part of the 2006 budget debate. He pointed out that

Edmonds has a significantly lower Part 1 crime rate and not significantly higher per capita costs.

MEETING EXTENSION

At 10:20 p.m. Councilmember Ransom moved to extend the meeting until 10:40 p.m. Councilmember Fimia suggested 10:30 p.m., which was accepted as a friendly amendment. Councilmember Gustafson seconded the motion, which carried unanimously.

Councilmember Ransom noted the dramatic increases in auto theft and burglary since 2000. He pointed out that the City greatly reduced crime in 1996-1997 by "busting" 185 drug houses, but crime has increased in enormous proportions since then. He noted the increase in complaints about drug use in the schools and the relationship of drug use to burglary and other crimes. He said the statistics are "unacceptable," noting that Part 1 crimes have increased 41% since 2000, yet misdemeanor crimes have only increased 12%. He also felt the comparison cities used in the report did not give an accurate picture, since neighboring jurisdictions have lower crime levels. He agreed that the police chief should report on 2005 statistics on August 15.

Chief Burt said crime statistics through May 2005 should be available, noting that both Part 1 and Part 2 crime rates are generally lower than 2004.

Mr. Olander pointed out the difficulty of making direct comparisons to other cities because each has its own unique circumstances.

Councilmember Fimia said she is glad to see some statistics going in the right direction, but it is disappointing to see such a variance between the staff report and the actual crime statistics report. She felt the staff report was too subjective and did not adequately address the major issues. She also noted that Councilmember Chang needs to be provided with reports ahead of time. She advised that until there is any real analysis of the reasons crime rates are increasing, the Council will not be able to allocate resources effectively. She also wished to have an additional police report on August 15 in preparation for the budget discussions.

MEETING EXTENSION

At 10:32 p.m., Councilmember Ransom moved to extend the meeting until 10:37 p.m. Councilmember Fimia seconded the motion, which carried unanimously.

There was continued discussion of the potential reasons for the increase in certain crime categories. Councilmember Fimia emphasized the need to identify the City's particular weaknesses since each jurisdiction is unique.

Chief Burtt felt that increases in property crimes drive the increases in Part 1 crimes. He said the problem of crime involves many socio-economic factors that are often difficult to comprehend.

10. ADJOURNMENT

At 10:32 p.m., Mayor Hansen declared the meeting adjourned.

Scott Passey, City Clerk