

CITY OF SHORELINE

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

Monday, April 9, 2007 7:30 PM
Shoreline Conference Center
Mt. Rainier Room

PRESENT: Mayor Ransom, Deputy Mayor Fimia, Councilmember Hansen, Councilmember McGlashan, Councilmember Gustafson, Councilmember Ryu, and Councilmember Way.

ABSENT: None.

1. CALL TO ORDER

The meeting was called to order at 7:41 p.m. by Mayor Ransom, who presided.

2. FLAG SALUTE/ROLL CALL

(a) Proclamation of "Volunteer Week"

Mayor Ransom read the proclamation declaring the week of April 13 - 22, 2007 as "Volunteer Week" in the City of Shoreline. Laethan Wene, a volunteer in the City Clerk's Office, accepted the proclamation on behalf of all the volunteers in the City of Shoreline.

Councilmember Gustafson stated that Laethan attends almost every Council meeting and thanked him personally for his service. He said it is a pleasure and honor to know him and he thanked him for being a great volunteer.

3. REPORT OF THE CITY MANAGER

Bob Olander, City Manager, noted that the second of the three "Get Ready, Shoreline!" community meetings on emergency preparedness will be held on April 16th from 1:00 - 2:30 pm at the Shoreline/Lake Forest Park Activity Center on 1st Avenue NE. On April 5th, a new emergency generator was installed at Spartan Gym. Public reminders include a Community Housing Strategy Citizen's Advisory Committee meeting on April 10th at 7:00 pm and the Shoreline Fire Department. Additionally, April 14th will be April Pool's Day at the Shoreline Pool.

Mayor Ransom stated that City Attorney, Ian Sievers, consulted with the Municipal Research Services Center (MRSC) concerning the Park, Recreation and Cultural Services (PRCS) Board

interview process. MRSC recommended there only be three Councilmembers on the interview panel.

Councilmember Gustafson moved to select Mayor Ransom, Councilmember Way, and Councilmember Gustafson to interview candidates and prepare a recommendation to the full Council for the vacant PRCS Board positions. Councilmember Hansen seconded the motion. A vote was taken on the motion, which carried 5-0-2, with Councilmembers Ryu and Way abstaining.

Councilmember McGlashan moved to reappoint any of the five PRCS Board members who wish to retain their seat, seconded by Councilmember Gustafson.

Deputy Mayor Fimia questioned if there were five positions available.

Dick Deal, Parks, Recreation and Cultural Services Director, replied that there are five Board members who have terms that expire on March 31st; the alternate position was eliminated. Currently, there is one regular Board member who doesn't wish to continue any longer. Therefore, there are four members who are interested in returning and one alternate who is interested in filling the full position.

Councilmember McGlashan reminded the Council that they recently voted to extend the terms of the Board members so those who worked on the bond issue could continue. He felt those individuals should continue their service.

Deputy Mayor Fimia spoke against the motion, noting that while she appreciated their work on the board, she doesn't feel reappointment should be a given. This process, she felt, allows for a public review of what they have accomplished. She said all of the applications need to be considered.

Councilmember Ryu asked if the Council subcommittee of three recommends a list of candidates for the full Council vote. Mayor Ransom responded affirmatively. Councilmember Ryu felt there was no need for a motion if that is the case. She said Councilmember McGlashan is asking the committee to decide on the Board members without a critical look at all the candidates. She said it would be unfair to take that role away from the committee.

Councilmember Way said it is not fair to offer positions, have people apply, then reappoint the current Board members. She added that the term limit changes don't translate into automatic reappointment. She did not support the motion.

Councilmember Gustafson said that normally he would agree with the interview and candidate selection process. However, both he and Councilmember McGlashan have attended several PRCS meetings this year, and it is a unique year because of the work on the bond issue. All the Board members have unique and in-depth knowledge of the Bond, he noted. He added that the Council voted to change the term limits of the PRCS Board members because of this uniqueness and their knowledge regarding a host of current issues.

Mayor Ransom stated that the PRSC Board worked on the Parks Bond for three years, which is very significant. He also pointed out that all of the Board members worked hard on the bond. However, he felt there are sixteen well-qualified candidates who deserve an opportunity to compete. He did not support the motion.

Councilmember Ryu concurred with Mayor Ransom. She added that if the City had announced at the beginning that there was only one position to fill, there probably wouldn't have been sixteen applicants.

Councilmember Hansen said he hasn't evaluated the applications, yet. However, because of the uniqueness of the situation he said he would apply greater weight to the incumbents. He felt all sixteen of the candidates should be interviewed, despite the number of positions available. He felt everybody should be considered and pass the test before the Council approved the candidates. He was not in favor of the motion.

A vote was taken on the motion to reappoint any of the five PRCS Board members who wish to retain their seat, which failed 2-5, with Councilmembers Gustafson and McGlashan voting in the affirmative.

4. REPORTS OF BOARDS AND COMMISSIONS

Mayor Ransom noted that Council has the option of moving Item 9(b) to the consent calendar because no one signed up to comment on it. Councilmember Way requested that the item remain as Action Item 9(b).

5. GENERAL PUBLIC COMMENT

(a) Chris Eggen, Shoreline explained that global warming is a general rise in the average temperature of the earth caused by the burning of fossil fuels and the cutting of forests. He noted that the University of Washington does climate modeling, and 99% of all professors at any university that does climate modeling think there is convincing evidence of global warming. He added that the evidence includes flooding in low-level land. He felt the subject has been ignored at the national level; however, there is an organization trying to raise consciousness on this issue and they have a goal to decrease the carbon load by 80% by 2050.

(b) Linda Stein, Shoreline, said the organization Mr. Eggen referred to is "Step It Up," which is sponsoring an event on Saturday, April 14th. She invited community members to participate in creating a "marching forest" from Shoreline. She said she signed up Shoreline for this event since the City's logo includes trees. Shoreline could become a 'marching forest' and meet at Central market, take a bus to Pioneer Square, and march to Myrtle Edwards Park. She highlighted that everyone is welcome to attend, and it is a celebration of the forest and our natural surroundings.

Councilmember Ryu said she attended an exhibit at the Pacific Science Center which had a projection of the ice thickness in the Arctic Ocean. She discussed the Gulf Stream warming trend and the western boundary current, all of which provide evidence of global warming.

(c) Patty Crawford, Shoreline, stated that the Aegis hearing concerning the abatement of the north building is on April 16th at 9:00 a.m. at the King County Superior Courthouse in Judge Erlick's chambers. She said that it has taken three years for City to conduct remand proceedings to get this item back into court. The legality of the building and the permits will be debated, she said. She urged the Councilmembers to attend. On another topic, she felt the Council should consider postponing Item 9(b) until Ronald Bog gets figured out. She referred to two sections of the code and stated that the Ronald Bog project does not comply with code. She said the code acknowledges that culvert crossings aren't good. Additionally, the oversized pipe is not oversized once the gravel is put in it to get the fish traveling through it.

(d) Wendy DiPeso, Shoreline, commented that a cold snap in Ohio pertains to local events and that the overall climate pertains to long term global events. She said it is important that the standards for owner-occupied property are included in Ordinance 466. Limiting this Ordinance will make more difficult to enforce and to apply across the board because owners won't report themselves. These are the minimum standards, so they won't place an undue burden on property owners; code violations by tenants will trigger actions. She added that this is a tool that the City has been asked to put in place by the police department so they can use it to shut down drug houses. The intent is to maintain structures to avoid jeopardizing health, safety and the welfare of Shoreline residents. She added that this helps protect the housing stock and keeps slum lords out. The standard also helps values when property sells.

(e) Elaine Phelps, Shoreline appreciated the Council vote on the Park Board process. However, she disagreed with the vote on financial priorities related to not to reducing the travel budget. She said expenditure records are public records and asked how to access them. She said priorities have to be set and the City doesn't have "steak dinner" income. She urged the City staff and the Council to make acceptable reductions where they can. This is a good way to contribute to City. She added that during shortfalls the City has to tighten the belt and give more personal thought on how money is spent.

Mr. Olander stated that City Clerk Scott Passey can provide expenditure records through the public disclosure process.

Mayor Ransom clarified that the proposal to remove \$45,000 from the Council travel budget wasn't done as a means to save money; the proposal was to reallocate those funds in other community service related areas.

Councilmember Gustafson noted that he voted against the cuts to the travel budget. He said in looking at his City-related expenditures, he traveled over 3,000 unreimbursed miles and spent over \$500 out of his own pocket in meals. He commented that all of the Councilmembers spend a lot of their own money and donate to the City on a regular basis.

6. APPROVAL OF THE AGENDA

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

7. CONSENT CALENDAR

Deputy Mayor Fimia moved to approve the consent calendar. Councilmember McGlashan seconded the motion, which carried unanimously, and the following items were approved:

- (a) Minutes of Special Meeting of November 20, 2006
Minutes of Study Session of March 5, 2007**
- (b) Approval of expenses and payroll as of March 26, 2007 in the amount of
\$1,228,375.18**
- (c) Motion to Authorize the City Manager to Purchase One (1) Regenerative Air
Street Sweeper from Owen Equipment**
- (d) Motion to Authorize the City Manager to Execute a Two-Year Lease Renewal
for the Westside Police Storefront providing for a 2.5% Monthly Rent Increase in
2007-2008 and a 2.4% Monthly Rent Increase in 2008-2009**

8. ACTION ITEMS: PUBLIC HEARING

- (a) Public hearing to receive citizens comments on Resolution No. 257, Approving the Countywide Ballot Proposition for Funding the Medic One/Emergency Medical Services (EMS) Levy for the period from January 1, 2008 through December 31, 2013, pursuant to RCW 84.52.069

Mr. Olander introduced Fire Chief Marcus Kragness, Commissioner Jim Fisher, Commissioner Scott Keeny, Deputy Chief of Emergency Services Dave Jones, and King County Emergency Medical Services Director Tom Hearn.

Fire Chief Kragness began his presentation by highlighting that Medic One is a system, not a unit. He stated that Shoreline Medic One provides Basic Life Support (BLS) and Advanced Life Support (ALS) which serves Shoreline, Lake Forest Park, Kenmore and Bothell. He reviewed Medic One's funding model and discussed RCW 84.52.069, which authorizes jurisdictions a voter approved levy on property taxes to fund Medic One. He noted that Shoreline must have a countywide ballot because the population is over the 50,000 resident threshold. He noted that the Medic One levy proposal rate is \$0.30 per \$1,000 assessed valuation, or \$97 per year for the average homeowner in the City of Shoreline in 2008. He explained that this is a six-year levy which will be on the November 2007 general election. He noted that this proposal will maintain existing services and addresses anticipated growth in this area. The levy specifically provides \$381,000 for BLS services in Shoreline and a contingency reserve fund. He also added that the funding level increases to \$508,000 in 2008, if the levy passes. Shoreline contracts with King County for ALS service. This year's expenditure for those services was \$3.8 million, which was fully funded by the levy in 2007. The current levy expires at the end of 2007 and it passed by an 82% approval margin. He added that Shoreline residents have historically supported the fire district levy.

Jim Fisher, King County Fire District Board of Commissioners Chairperson, recommended the Council adopt the levy proposal on behalf of Board of Commissioners.

Mr. Olander added that the City staff is also recommending the Council authorize and pass Resolution 257, the levy proposal.

Deputy Mayor Fimia moved to adopt Resolution No. 257, approving the countywide ballot proposition for funding the Medic One/Emergency Medical Services (EMS) levy for the period from January 1, 2008 through December 31, 2013, pursuant to RCW 84.52.069. Councilmember Hansen seconded the motion.

Mayor Ransom declared the public hearing open.

(a) Elaine Phelps, Shoreline, said she can't imagine anyone voting against this, so she urged the Council to approve the measure.

Councilmember Gustafson moved to close the public hearing. Councilmember Hansen seconded the motion, which carried 7-0.

Councilmember Ryu supported the motion. She said Finance Director Tarry put together a document concerning the median income per household and how much the average household is spending on taxes and utilities in Shoreline. She also said this document noted the funds collected by various jurisdictions and what those funds were allocated to. She pointed out that taxpayers and decision-makers need to be aware of the ballot measures coming before us. She noted that citizens will be asked to vote for the following on the November ballot: a King County parks levy; a sales tax increase vote for Sound Transit; a sales tax increase for the Regional Transportation Improvement District (RTID); and an increased Motor Vehicle Excise Tax (MVET). She highlighted that next year there will be a new tax district forming and much later, the City will have to address raising the levy lid.

Councilmember Way noted that these services are a matter of life and death. She added that parks and other services are important, but this is an essential service. She stated that the City needs this state-of-the-art service, which has always been there for her neighborhood. She urged the Council to support the motion.

Mayor Ransom strongly recommended public support for emergency medical services. He added that this funding is for the paramedic group, the first responders, which save the lives of heart attack and stroke victims.

Deputy Mayor Fimia noted the issue of bringing back to the committee a study on the impacts that group homes and nursing homes are having on EMS. She said there should be an opportunity to recoup some of those funds. She wanted to get it on the record that it will happen. Chief Kragness affirmed that he would initiate the process to get it done.

A vote was taken on the motion to adopt Resolution No. 257, approving the countywide ballot proposition for funding the Medic One/Emergency Medical Services (EMS) levy for the period from January 1, 2008 through December 31, 2013, pursuant to RCW 84.52.069, which carried unanimously.

9. ACTION ITEMS: OTHER ORDINANCES, RESOLUTIONS AND MOTIONS

(a) Ordinance No. 466 Amending the International Property Maintenance Code (IPMC) to add Interior Standards; Amending SMC Title 20 to include provisions for Relocation Assistance; and Updating the City's Code Enforcement Priority Guideline List

Mr. Olander introduced Rachael Markle, Assistant Director of Planning and Development Services, and Kristie Anderson, Code Enforcement Officer. He said the Council requested this item be brought back and studied for possible action.

Ms. Markle commented on three topics that are essential to the code enforcement program: 1) amending the International Property Maintenance Code (IPMC) to include interior standards; 2) the consideration of a relocation assistance provision; and 3) updating the code enforcement priority guidelines. She explained that interior standards cover maintenance of such items as structural members, all interior surfaces, light, and ventilation. She added that they do cover occupancy limits, however, the City staff is not recommending the adoption of this portion because it may conflict with the City's definition of "family." Staff is also not recommending adoption of the IPMC section that covers plumbing, sewer, electrical systems, and mechanical equipment because they are too generalized and restrictive. She said adoption of this Ordinance would assist in the protection and safety of the lowest income residents and assist in enhancing the City's housing stock. City staff also recommends revisions in the SMC and the IPMC to add relocation assistance, as defined by State law, to displaced tenants when a landlord fails to provide such assistance. These amendments would allow the City to recoup the funds provided via a tax lien on the landlord's property. Finally, she noted that staff is recommending a code enforcement priority list be updated to better reflect how the program has evolved over the past seven years. She reviewed the revisions to the current priority list which included utilizing a numbered list instead of a bulleted list, the raising of certain offenses because they utilize more resources, the deletion of remedial monitoring, and the addition of a new priority.

Mayor Ransom opened the item to public comment. Deputy Mayor Fimia noted that no members of the public signed up to speak.

Deputy Mayor Fimia moved to adopt Ordinance No. 466 amending the International Property Maintenance Code (IPMC) to add interior standards, amending Shoreline Municipal Code, Title 20 to include provisions for relocation assistance, and updating the City's Code Enforcement Priority Guideline List. Councilmember Way seconded the motion.

Mayor Ransom moved to amend Section 101.2, Scope of the Property Maintenance Code of the City of Shoreline to insert ";provided, however, that Section 305 and Chapters 4,5,6, and 7 shall not apply to owner-occupied residential structures" after the word "penalties."

Councilmember Gustafson seconded the motion.

Mayor Ransom stated that this should not apply to owner-occupied structures. He stated that the complaints are only for five or six rental homes. He noted that of the 23,000 homes in the City, there should be some safety standards provided to include rental properties. He felt that homeowners should be allowed to do what they need to inside their own home; the City shouldn't be imposing special standards on homeowners. He added that the police requested interior standards when they can't find criminal intent to shut down a home. He agreed there should be some standards for rental properties, but this is too onerous for owner-occupied residences.

Councilmember Ryu felt that this amendment forces the City to apply a different standard to owner-occupied homes. She said these are minimum standards and felt it is fair to request that homes are kept safe. She also inquired who would be defined as the "owner" of a given property if the amendment passes. Mayor Ransom said there are legal standards that the City Attorney has referred to. Councilmember Ryu summarized that these are the City's standards for basic health and safety for all residents, and applying them to everyone is fair.

Councilmember Gustafson asked if the division between owners and tenants could be effectively handled. Ms. Markle responded that she has a similar concern about differentiating between cases. She agreed that it would be difficult.

Mr. Olander submitted that this pertains to applying uniform health and safety standards throughout the community. He said the City would need to look at current and future occupants of a given property. He explained that there is a public interest in providing uniform standards.

Councilmember Gustafson said he would rely on property owner's rights. He felt there is a difference between owners and renters. He said the City owes it to the renters to ensure properties are inhabitable. He stated he is not sure which way to vote on this issue though because he is leaning towards maintaining property rights.

Councilmember Hansen departed the meeting at 9:13 p.m.

Councilmember McGlashan agreed with the basic principle of property rights; however, he said renters need to be safe and there shouldn't be a double standard. He stated that the language is too general. He said while he isn't comfortable with the division of rights between property owners and renters, he understands the argument. He also had mixed feelings about the amendment.

Councilmember Way was interested in the enforcement portion of the amendment. She said often there are situations where family members or tenants are living together and this will be very difficult to enforce. She asked how this applies in an unsafe situation in a family with children in the home. She said there are separate provisions in law to protect children in the home. She asked Ms. Markle for her opinion on how an owner-occupied situation might be brought to the City's attention.

Ms. Markle provided an example of a situation that occurred in Shoreline. She said there was a police call to a house and it was clear that there was no egress into a child's room because there was broken glass on the floor. She said the City doesn't have the authority to enter a home without cause.

Ms. Anderson noted that the owner-occupied scenario is usually when they've rented out part of their house, or if someone else has access to the home and has reported it to the City.

Councilmember McGlashan said he was thinking if someone is renting space in a house and there are fire code violations. These are putting tenants at risk and are complaint driven or the City gets a referral from another agency, for cause. He clarified that the City staff isn't hunting for these violations.

Deputy Mayor Fimia asked if there were any neighboring cities that don't have an interior code. Ms. Markle replied that she couldn't think of any.

Mayor Ransom asked if there is an owner-occupied exemption with any of these cities. Ms. Anderson responded that the City of Seattle did have an owner-occupied exemption, but not if they leased, rented, or sublet for any compensation.

Deputy Mayor Fimia asked Chief Burt to comment on the drug house issue.

Tony Burt, Shoreline Police Chief, said there are a number of agencies (police, fire, CPS, public health) that have access to any home at any given time. They come into the house legally and observe code violations. The homes with a history of narcotics sometimes have violations. They frequently deal with children or the home being in disrepair. At that point in time, he said, the officer reports the situation to code enforcement. He affirmed that they can't do anything if there's no interior code.

Deputy Mayor Fimia asked why the criminal channel isn't enough to close the drug house. She asked why interior standards are needed if there is already criminal activity going on in the house. Chief Burt explained that there are two separate tracks to be dealt with: one is code enforcement; and the other is law enforcement. He stated that law enforcement doesn't have legal authority.

Deputy Mayor Fimia questioned why it isn't easy to close a drug house strictly on drug charges. Chief Burt stated that there is not a particular recipe in the closing of a drug house, every situation is different.

Mr. Olander clarified that these are two separate and different processes and this item doesn't involve the abatement of a drug house under the legal scenarios. This item covers the correction of interior violations for health, safety and welfare purposes. This code, he said, applies to the the correction or repair of these homes if interior flaws are noticed by any of those agencies that enter the home.

Ms. Markle noted that there have been discussions with the police department and there have been homes with frequent criminal activity occurring that haven't necessarily been deemed as "drug houses." She commented that if these interior standards were in place and the City approached the homeowner to repair the property, then there would be fewer criminal elements in and around the residence.

Deputy Mayor Fimia did not support the amendment, noting that these are basic safety standards. There are affordable homes, she noted, that need to be preserved and protected through the interior code for future families. She appreciated the inclusion of the relocation process and supported the reprioritization of the list.

Councilmember Way discussed a scenario in her neighborhood in which a homeowner had stopped paying for garbage collection and heat. She reported that he was using a gas heater and one day the house caught fire and burnt down with him in it. She said this was tragic and it would have been useful to have this tool then.

Mayor Ransom said many residents feel the City is invading their privacy, adding that even the City of Seattle recognizes the difference between owner-occupied and rental properties. He pointed out that owner-occupied doesn't mean the owner has to live there. It is a tight standard and he felt that this is an invasion on homeowner privacy. He strongly recommended that the Council pass the amendment.

A vote was taken on the motion to amend Section 101.2, Scope of the Property Maintenance Code of the City of Shoreline to insert "; provided, however, that Section 305 and Chapters 4,5,6, and 7 shall not apply to owner-occupied residential structures" after the word "penalties." The motion failed 2-4, with Mayor Ransom and Councilmember Gustafson voting in the affirmative.

Mayor Ransom noted the provision on page 47 of the packet which states that the property owner will provide for three times the monthly rent. He felt this would be a burden to the property owner.

Ms. Anderson clarified that this language comes from the Revised Code of Washington. She highlighted that this occurs after there has been notice sent to owner, an appeal process has occurred, and after the owner has been allotted time to correct the deficiencies. If the owner doesn't respond to the City, this provides funds to the tenants so the City can close the building. She said the City would prefer that owner corrected deficiencies, and there are many opportunities to correct them before triggering the relocation assistance process.

Mayor Ransom noted that a fine of an additional \$50/day per tenant would be an onerous amount for one owner to pay, particularly when required repairs totaled in the thousands of dollars.

Councilmember Gustafson asked if the City could effectively handle the code enforcement workload increase with one code enforcement officer if the interior standards were added. He added that it seems that the opportunities would double and there would be an increased cost and

workload.

Ms. Markle responded that the Community Response Team handles the "Strike 1" and "Strike 2" warning phases of code enforcement. She added that 90% of the code enforcement cases are resolved in these phases. She estimated that five or six of these warnings turn into cases. She said these cases, and any urgent cases would come before interior standard complaints. She felt that current staff resources are enough to handle the workload at this time.

Councilmember McGlashan asked who updates the international code and how often does it get updated. Ms. Anderson responded that the International Code Council (ICC) updates it based on revisions sent in by jurisdictions and private industry. The ICC publishes a new code every three years and has committees formed to ensure all of the updates make sense.

Councilmember McGlashan asked if the revisions to the ICC code automatically get included in our code. Ms. Anderson responded that each jurisdiction has the option of adopting the amendments.

Councilmember McGlashan asked for clarification of the \$3,000, or three times the monthly rent language. He asked why there wasn't a fixed amount. Ms. Anderson stated that State law put it at that level because rental rates are different in different areas. Rental rates in rural areas are less than rates in the city, and rent in eastern Washington is typically less than that of western Washington. She added that the State wanted to go with a rate that they didn't have to continually update.

Councilmember McGlashan questioned why working without a permit on a habitable structure is not at the same level as an inhabitable structure. Ms. Markle stated that habitable structures have a higher priority because it relates to the health, safety and welfare of a person or persons. If it is an uninhabitable structure it would be lower priority.

Councilmember Way said she didn't get a copy of the answers to the questions she submitted. She questioned the difference between a violation of permitted activities and violations of permit conditions, remediation or mitigation requirements. Noting that since the permitted activities violation is proposed to be dropped from high importance to medium importance, she asked how long would it take for the City to respond. Ms. Markle responded that violations of permit conditions, remediation or mitigation requirements are specific items that are called out on a permit. Permitted activity violations are violations of anything in the Shoreline Municipal Code. Normally, the response for this violation happens within 24 hours. CRT investigates and if it makes it to code enforcement, it gets a priority level.

Councilmember Way noted that the public doesn't like it when development conditions are violated. She inquired about the definition of "proactive projects." Ms. Markle said proactive projects are campaigns to work on particular issues. For example, she said the City had an abandoned vehicles program because there was an intensified effort to address this in the City.

Councilmember Way inquired what determine whether or not a wetland violation was minimal. Ms. Markle replied that minimal would be something that didn't require immediate attention or

addressed within 24 hours. However, a slope failure would be major impact. She said it may be appropriate to change the language to "critical area" instead of "wetland."

Councilmember Way asked what the priority level would be for hazardous waste. Ms. Markle responded that the City would have to use judgment depending on case. Councilmember Way asked about the priority level for mold, asbestos or lead paint. Ms. Markle responded that it is addressed under ventilation in the exterior standards if it is a roof leak.

Councilmember Way wanted further clarification on the abatement of mold. Ms. Anderson responded that there aren't any current standards for mold; some types are toxic and some are not. She said the first thing she looks for is the source of the moisture and how to eradicate it. She added that sometimes it is a tenant-created problem.

MEETING EXTENSION

At 9:52 p.m., Councilmember Ryu moved to extend the meeting until 10:20 p.m. Deputy Mayor Fimia seconded the motion, which carried 5-0 (Councilmember Gustafson stepped out of the room momentarily).

Councilmember Way said she was involved in a situation with an adult family home that left garbage out after a wind storm and the food waste, rubbish, and medical waste had to be separated. Ms. Anderson stated that there are provisions in SMC 13.14, under the Garbage Code, that states the definition of hazardous waste. Most hazardous waste falls within those guidelines, so the garbage code allows the City to enforce any of these violations.

Councilmember Ryu moved to change the term "wetlands" to "critical areas" on page 60 and to renumber the section as appropriate. Deputy Mayor Fimia seconded the motion. There was Council consensus to accept this change as a friendly amendment.

A vote was taken on the motion to adopt Ordinance No. 466 amending the International Property Maintenance Code (IPMC) to add interior standards, amending Shoreline Municipal Code, Title 20 to include provisions for relocation assistance, and updating the City's Code Enforcement Priority Guideline List, as amended, which carried 6 - 0.

(b) Motion to Authorize the City Manager to sign a contract in the amount of \$179,000 with RW Beck for engineering design services for the East Boeing Basin Stormwater Improvement Project

Jesus Sanchez, Public Works Operations Manager, highlighted that this project consists of two priority level one projects from the City's Surface Water Master Plan (SWMP). Both of these projects address historical flooding on 178th and Midvale Avenue North and Darnell Park. It also will include a redesign of retention in Darnell Park and reduce the downstream erosive flows. Additionally, the scope of work includes 30%, 60% and 90% design submittals from RW Beck.

Deputy Mayor Fimia called for public comment. There was no one in the audience wishing to provide public comment on this item.

Councilmember McGlashan moved to authorize the City Manager to sign a contract in the amount of \$179,000 with RW Beck for engineering design services for the East Boeing Basin Stormwater Improvement Project. Councilmember Way seconded the motion.

Councilmember Way said this is a very exciting project and she is thrilled with it. She said the problems with Darnell Park are more endemic, as the park receives water from every upstream problem. She asked how the Midvale Avenue project up by City Hall will address the problems at Darnell Park. She commented that she noticed a distinct gasoline odor at Darnell Park, adding that the color of the water is not good there. She asked for a description of the proposal.

Jerry Schuster, Surface Water Manager, said there are three separate projects under the SWMP that will be implemented under this contract. One is a flood control project at 178th and Midvale Avenue North. The second project will address the flooding problem north of Darnell Park, which will create some storage and retention. The third project is a Darnell Park wet pond component.

Councilmember Way asked if the City staff is working with the community on these projects. Mr. Sanchez responded that they are and that they have worked with the homeowners north of Darnell Park to alleviate the flooding on a temporary basis.

Councilmember Way said the site is too open and there is too much sun on the creek. She said there needs to be some meanders and trees on the site. Mr. Sanchez added that some landscape architecture is included in the plan.

Councilmember Ryu asked if the Midvale Avenue drainage project would address flooding issues, either at City Hall or further downstream. Mr. Sanchez replied that the project would be done in two phases and there will be a receiving point at Darnell Park. He added that modeling would be done to make sure the entire conveyance system operates correctly.

Deputy Mayor Fimia supported this item but expressed concern that the scope description doesn't include an assessment of upstream conditions. She noted that Darnell Park is impacted by upstream conditions. If the upstream isn't addressed the City will have to spend funding in the future, she commented. She inquired if that language needed to be added. Mr. Schuster responded that RW Beck was chosen because they worked with King County at Darnell Park in 1994-95. Since they have worked on Darnell Park in the past, the City is saving design funds. He noted that on page 109 there will be an evaluation of design alternatives that will address upstream flows.

Deputy Mayor Fimia asked if the design was predominantly for conveyance or water quality. Mr. Sanchez clarified that the upstream design was for conveyance and the downstream design is for water quality.

Deputy Mayor Fimia concluded that the upstream water quality was not being addressed. Mr. Schuster explained that a good portion of Aurora water from 183rd to 170th Avenue North comes through these neighborhoods, and in discussions with the design team they would like as much of the water as possible from Aurora Avenue to stay on Aurora Avenue.

Mr. Olander pointed out that it will give the City an opportunity to improve water quality in Phase 2. Additionally, for enforcement issues, there may be issues with businesses affecting water quality.

Mr. Sanchez said the water quality will be evaluated in the Civic Center project and the City will add language about the assessment of water quality at that time.

Deputy Mayor Fimia asked that the assessment of water quality be added to the contract. She felt it is better to do it sooner than later. Mr. Schuster said the City is under a National Pollutant Discharge Elimination System (NPDES) permit from the State, and the City only has three years to have a detection program in place, and to "ramp it up" into a comprehensive, citywide plan.

Councilmember Way said the downstream impacts also needs to be addressed. She asked if \$108,000 for water quality was sufficient. Mr. Sanchez responded that the City will know more in later design phases, but he believed that would be enough. Councilmember Way questioned if any natural drainage systems are being considered along the way. Mr. Sanchez responded affirmatively, noting that they are looking for opportunities.

A vote was taken on the motion to authorize the City Manager to sign a contract in the amount of \$179,000 with RW Beck for engineering design services for the East Boeing Basin Stormwater Improvement Project, which carried 6 - 0.

10. ADJOURNMENT

At 9:32 p.m., upon motion by Councilmember Way, seconded by Councilmember Ryu and carried 6-0, the meeting was adjourned.

Scott Passey, CMC
City Clerk