

CITY OF SHORELINE

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

Monday, September 8, 2008 - 7:30 p.m.
Shoreline Conference Center
Mt. Rainier Room

PRESENT: Deputy Mayor Scott, Councilmember Eggen, Councilmember Hansen, Councilmember McConnell, Councilmember McGlashan, and Councilmember Way.

ABSENT: Mayor Ryu

1. CALL TO ORDER

At 7:30 p.m., the meeting was called to order by Deputy Mayor Scott, who presided.

2. FLAG SALUTE/ROLL CALL

Deputy Mayor Scott led the flag salute. Upon roll call by the City Clerk, all Councilmembers were present with the exception of Mayor Ryu.

Councilmember Hansen moved to excuse Mayor Ryu. Councilmember McGlashan seconded the motion, which carried unanimously and Mayor Ryu was excused.

(a) Proclamation of "Constitution Week"

Deputy Mayor Scott read the proclamation proclaiming the week of September 17-23, 2008 as "Constitution Week." Elizabeth Stevens, of the Daughters of the American Revolution, accepted the proclamation and thanked the City for this recognition.

(b) Recognition of Celebrate Shoreline Sponsors

Deputy Mayor Scott presented various sponsoring organizations with plaques acknowledging their contributions to "Celebrate Shoreline."

3. CITY MANAGER'S REPORT

Bob Olander, City Manager, provided reports and updates on various City meetings, projects. His report included the following:

- Clean & Green Technology Forum for job seekers, September 12, 9 – 12:00 p.m., Georgetown Campus, South Seattle Community College

- North City Business District Car Show, September 20, 10 – 4:00 p.m., Shoreline Water District Parking Lot
- Economic Development Advisory Committee Meeting, September 9, 7:30 a.m., Olympic Room, Spartan Recreation Center
- Ballinger Traffic Action Plan Open House, September 9, 7:30 – 8:30 p.m., Lake Forest Park Montessori, 19935 19th Avenue NE
- Long Range Financial Planning Committee, September 10, 6:00 p.m., Spartan Room, Shoreline Conference Center
- Library Board Meeting, September 11, 7:00 p.m., Richmond Beach Library, 19601 21st Avenue NW

He announced the Alaskan Way Viaduct Scoping Meetings and discussed how residents can become involved. He introduced full-time AmeriCorp Worker Peggy Williams Scott, who works with the Emergency Management Program.

4. REPORTS OF BOARDS AND COMMISSIONS

Councilmember Eggen reported on his attendance at the Governor's 2008 Economic and Workforce Development Conference and the SeaShore Transportation Committee. He noted that topics of interest were the 520 tolling options and disaster preparedness on the highway.

Councilmember Way reported on the 10th anniversary of wetland restoration project in the Paramount Park wetland.

5. GENERAL PUBLIC COMMENT

a) Larry Owens, Shoreline, wanted to inform others in the audience about prostate cancer. He noted that the month of September is National Prostate Cancer Awareness Month and asked for a proclamation. He reviewed some statistics of the disease and read the ten things everyone should know about prostate cancer.

b) Marie Poster, Shoreline, commented that there is a lack of compassion from the state about the clients at Fircrest. She said the State shouldn't force anyone to move to build buildings on already owned state land. She asked that they don't tear down a needed place. She added that it was a Navy hospital campus and the pipes have been abated or replaced but asbestos remains. She felt the demolition that occurred there didn't properly remove the asbestos. She urged the Council and the state to reconsider tearing down Fircrest.

c) Maria Walsh, Mountlake Terrace, said she wasn't asked her opinion on what she wanted on the Fircrest campus and that they are increasing the excess property by approximately ten acres. She said she wanted to be included on the advisory committee and to state what the residents want. She added that she feels the state is imposing on them.

d) LaNita Wacker, Shoreline, said she attended the first meeting inviting the public to comment on Fircrest and a representative from the state attended. She noted that they asked for public comment and that a lot of ideas were offered concerning the excess property. She

added that the project manager gathered information and stated that the administration of Fircrest wished to dispose of the "Y" buildings and to build a new facility. However, she highlighted that they didn't have the funds to destroy the "Y" buildings, or the funds to build new buildings. She noted that it was emphasized that Governor Gregoire has committed that Fircrest will remain as a maintained facility. The new buildings, she announced, were to be on the excess property. Additionally, she noted that the Fircrest administration requested that the "Y" buildings be taken down and a new facility built because the "Y" buildings are operationally inefficient. She said she has attended several meetings and the state is committed to protecting this facility.

6. APPROVAL OF THE AGENDA

Councilmember McGlashan moved approval of the agenda. Councilmember Hansen seconded the motion. Councilmember Way pulled items 7(c) and 7(d) which were moved to items 8(c) and 8(d). A vote was taken on the motion, which carried 6-0, and the agenda was approved as amended.

7. CONSENT CALENDAR

Councilmember McGlashan moved approval of the Consent Calendar. Councilmember Hansen seconded the motion, which carried 6-0, and the following items were approved:

- (a) **Minutes of Study Session of July 21, 2008
Minutes of Workshop Dinner Meeting of August 25, 2008**
- (b) **Approval of expenses and payroll as of August 26, 2008 in the amount of \$6,176,681.93 as specified in the following detail:**

***Payroll and Benefits:**

Payroll	Period	Payment Date	EFT Numbers (EF)	Payroll Checks (PR)	Benefit Checks (AP)	Amount Paid
7/27/08-8/9/08	8/15/2008	25346-25564	7939-8006	37392-37400		\$439,219.52
						<u>\$439,219.52</u>

***Accounts Payable Claims:**

Expense Register Dated	Check Number (Begin)	Check Number (End)	Amount Paid
8/14/2008	37317	37332	\$27,652.94
8/15/2008	37333	37364	\$61,843.33
8/15/2008	37365	37390	\$250,076.56
8/15/2008	37387		(\$42,056.04)
8/15/2008	37391		\$42,147.04
8/19/2008	37401	37421	\$211,489.78
8/21/2008	37422	37466	\$5,102,393.65
8/22/2008	37467	37468	\$7,986.68
8/26/2008	37469	37488	\$75,928.47
			<u>\$5,737,462.41</u>

8. ACTION ITEMS: OTHER ORDINANCES, RESOLUTIONS, AND MOTIONS

(a) Motion to Authorize the City Manager to Award a Construction Contract to Precision Earthworks, Inc. in the amount of \$576,535.00, plus a 10% Contingency, for construction of the East Boeing Creek and West Branch Corliss Avenue N Drainage Improvements

Mark Relph, Public Works Director, explained the contract award for East Boeing Creek and West Branch Corliss Ave N drainage improvements. Mr. Olander noted that these improvements will take the surface water off the streets to the south and eliminate localized flooding.

Councilmember Hansen moved to authorize the City Manager to award a Construction Contract to Precision Earthworks, Inc. in the amount of \$576,535.00, plus a 10% Contingency, for construction of the East Boeing Creek and West Branch Corliss Avenue N Drainage Improvements. Councilmember McGlashan seconded the motion.

Deputy Mayor Scott called for public comment. There was no one wishing to provide public comment on this item.

Councilmember Way clarified the project improvements. She said she is glad there were neighborhood meetings. She wanted the project to include more shade trees and urged the City to take the opportunity to make it more of an amenity. He wondered how much the project would increase the wetland function.

Mr. Relph replied that it would not be increasing the wetland function at all. He said the intent of the project is to rechannel the water so it flows out of the area quicker and not create detention.

Councilmember Way commented that Items 7(c) and 7(d) are related because Hidden Lake receives runoff from Darnell Park.

Councilmember McGlashan questioned if there is localized flooding north of Darnell Park and if this project repairs it.

Tricia Juhnke, Capital Projects Administrator, replied that in addition to the two to three houses that get flooded in this area, the roadway on 165th Avenue gets overtopped with water.

A vote was taken on the motion to authorize the City Manager to award a Construction Contract to Precision Earthworks, Inc. in the amount of \$576,535.00, plus a 10% Contingency, for construction of the East Boeing Creek and West Branch Corliss Avenue N Drainage Improvements, which carried 6-0.

(b) Motion to Authorize the City Manager to Execute a Change Order in an amount not to exceed \$50,000 for completion of the Hidden Lake Sediment Removal Project

Mr. Relph provided a brief staff report. Mr. Olander stated that the project in Boeing Creek is designed to decrease the sediment load from and to other channels around the area. He added that there are also sandy soils and erosion issues that need to be addressed. He noted that a long-range trail and bank stabilization system will help the situation.

Councilmember McGlashan moved to authorize the City Manager to execute a change order in an amount not to exceed \$50,000 for completion of the Hidden Lake Sediment Removal Project. Councilmember Hansen seconded the motion.

Councilmember Way commented that there is an impressive amount of sediment at Hidden Lake. She noted that when the Sears project was created it caused a big problem. She questioned where all the sediment is coming from and how the City can prevent it.

Councilmember Eggen asked if sediment ponds are effective in dealing with flooding. Mr. Relph replied that they can be but he isn't too sure about this basin. He noted that the 2010 basin plan for Boeing Creek will be completed and more will be known then.

Councilmember Eggen communicated that there is an old sediment pond in Paramount Park that is fully silted in. Mr. Olander replied that the obvious answer for adding a sediment pond is to keep erosion down.

Councilmember McGlashan said it is alarming to see this increase and wondered why the City wasn't removing more than that before. Mr. Relph communicated that the intent is to return the basin to levels prior to the three previous sediment removals.

Councilmember Hansen commented that the filling in of ponds is a natural action in the environment and it occurs in Boeing Creek because it is a very steep basin.

A vote was taken on the motion to authorize the City Manager to execute a change order in an amount not to exceed \$50,000 for completion of the Hidden Lake Sediment Removal Project, which carried 6-0.

(c) Ordinance No. 515, Adoption of the 2008 Development Code Amendments

Jeff Forry, Permit Services Manager, outlined the fourteen (14) code amendments to the Development Code.

Deputy Mayor Scott called for public comment. There was no one wishing to provide public comment on this item.

Councilmember Eggen moved to adopt Ordinance No. 515, the 2008 Development Code Amendments. Councilmember McConnell seconded the motion. A vote was taken on the motion to adopt Ordinance No. 515, which carried 6-0.

(d) Discussion of Ordinance No. 507, 2008 Annual Comprehensive Plan Amendments and Associated Development Code Amendments relating to Master Planned Areas

Mr. Olander clarified that this item is not presented for final adoption at this meeting and there is no ordinance in the packet.

Rachael Markle commented that she is continuing her presentation from last week, which concerns the creating of safeguards for new uses. She noted that City staff has contacted the institutions to get their feedback on the proposed changes. She noted that these policies limit future uses to the expansion of existing uses and the consideration of new uses as suggested in the policies. She explained that Crista has no new uses planned, but it will be improving, updating, and expanding services that currently exist on the campus. The Fircrest draft includes the continuation of existing uses and new uses which include governmental offices/facilities, mixed use commercial and residential, civic and community services, mix of housing types, and formalized open space trails, tree preservation, and stream enhancement. The Washington Department of Public Health Laboratory is focused on improving, updating, and expanding existing uses related to the assessment and monitoring of infectious communicable, genetic, chronic diseases, and environmental health concerns for the state. They are also considering new uses to include governmental offices, facilities, civic and community services, formalized open space trails and tree preservation. She noted that the City staff doesn't think expanding mailed notice is effective and that the notice signs, website, newsletter, and Channel 21 noticing should be expanded. She explained the cost difference of the notification options.

Councilmember Hansen asked how the estimate of 1,320 notices was calculated. He felt that number was too small. Debbie Tarry, Finance Director, concurred that the estimate seems small.

Councilmember Way commented that she received notice in the mail of a sex offender several blocks away and she assumed that the police have a bigger radius. She said she doesn't know what the state policies are, but she would like the City to compare them. A development could have impact of more than a 500-foot radius on a neighborhood, she added.

Mr. Olander highlighted that labor and time are involved and the City relies on the tax assessor records. However, there is an increase in renters.

Councilmember Hansen commented that people react to sex offenders and these notices don't have the same impact.

Mr. Olander added that most other cities, unlike Shoreline, don't provide a high level of notice.

Councilmember McConnell concurred and stated that notification radiuses of less than 500 feet are more typical. She felt the City shouldn't do something that is cost ineffective and the City needs to be mindful of the budget shortfalls coming soon.

Councilmember Eggen felt the numbers were accurate and said single family institutions have a large perimeter. He felt that the measure of effectiveness will not be whether or not everyone is notified, but whether the City ensures that everyone who has an interest is notified to the best of the City's ability. He supported having a notice radius of 1,000 feet.

Ms. Markle continued her staff report. She noted that under the MPA permit process the City needs to ensure applicants don't put their funding obligations for mitigation and other improvements onto the City. She also stated that criteria #6 notes the need to identify and mitigate the impacts to police and fire services and the determination of impact fees, which are not currently in place. She noted that there is no established level of service for either the police and fire department so there is no way to determine the impacts right now.

Deputy Mayor Scott called for public comment.

a) Edwin Valbert, on behalf of DSHS, supported the staff recommended amendments with the exception of the funding plan. He said important decisions will be made at the appropriate times and there is no notice requirement greater than 300 feet in five south Puget Sound cities. He stated that DSHS will pay their proportionate share of the improvements, but they are unable to submit a specific funding plan now. He stated they are in a planning mode and this will be a model for sustainable development.

Councilmember Way discussed the proposed new CP amendments and it is clear that DOH will be doing a separate MP area. She asked Mr. Valbert to clarify when DOH informed DSHS of their intentions. Mr. Valbert replied that the legislation that provided the funding and directed the DOH enacted both of their MPs at the same time, in January 2007.

Mr. Olander noted that the City staff will follow up on the DOH plans.

b) Maria Walsh, Mountlake Terrace, commented that all the reports stated that this is excess property. She said there was a requirement that the excess property cannot be utilized by Fircrest or DOH. She added that the Y buildings were planned as excess property and she wants them back on the plan. She said she doesn't believe DSHS has plans to put a new nursing facility on property and they are exceeding their boundaries.

c) LaNita Wacker, Shoreline, supported Maria Walsh's comment and said the Y buildings shouldn't come down unless a new facility is planned. She is opposed to the notification radius being one-half mile and felt that 500 feet would be adequate as long as signage and other standard forms of notification are used. She urged adoption of the ordinance concerning referencing the CP and adding Master Plan permitting to the Development Code.

Mr. Olander highlighted that the development of the Fircrest Master Plan has been a longstanding Council goal and getting the language adopted into the Development Code is important. He noted that the State Legislature adopted the hybrid plan. He hoped the City can agree on final language and begin the plan.

Councilmember McGlashan said now DOH is on the list, but they're just looking at facility improvements, not a Master Plan. Ms. Markle replied that they are preparing a Master Plan permit application.

Mr. Olander commented that DOH was included in the Fircrest Master Plan originally, but it should be separated since there is separate ownership now. The MP permit may be delayed if the

two entities aren't separated. Additionally, the legislature is funding them as two different projects.

Councilmember McGlashan clarified that the City has five properties that are subject to the MP permit process.

Councilmember McGlashan asked about the Crista Ministries humanitarian missions that they are doing on that site. Ms. Markle responded that they have administration offices for humanitarian missions, but she would provide more information.

Councilmember McGlashan commented that when he sent out public notices for his land use issue he got more than half of them back. He stated it was done based on the 500-foot radius. He concurred with the proposal to use bigger signs, but he was undecided about the idea of running a legal ad in the Enterprise. He felt that a 500-foot radius is enough coverage.

Councilmember Hansen noted that World Concern is headquartered in Lynnwood and thinks Crista Ministries is doing their administrative and maybe some storage functions for their humanitarian missions on the campus. He said he could get the details and report back to the Council.

Kyle Roche, Vice President of Development and Construction Management, Crista Ministries, said the organization has seven different ministries. The property they have on the campus is made up of schools and senior housing, a radio tower, and the headquarters on the site handles various functions and outreach.

Councilmember Way stated that the MP permit notice is not comparable to those provided for other small projects. She felt that having a newspaper ad would be good if it accomplishes the goal of making residents aware of the permit. She asked if the City staff has considered placing signage on several sides of the Fircrest campus. The excess property issue is a main concern to her and it needs to be determined which reference point is going to be used.

Mr. Olander stated that the City is going to have to rely on the State of Washington to inform the City what is excess and if the residents disagree, the City will urge them to contact their State Representatives, Fircrest, DSHS, and the Governor. The City has the permitting obligation and can decide whether they can get a permit. He noted that Ms. Walsh was saying that at one point they were talking about doing something else on the site; the City will investigate what their plans are. He added that a portion of the property deemed excess includes the Y buildings and it will be the State's decision to make that determination.

Councilmember Way added that the asbestos issue needs to be considered also. Mr. Olander stated that asbestos is a significant environmental issue and it will be reviewed as part of the impact of the MP permit.

Councilmember Way asked who determines whether an Environmental Impact Statement (EIS) is required. Mr. Olander replied that the City is the lead agency. Councilmember Way felt that an EIS is reasonable for Fircrest because it is big.

Councilmember Eggen said he is still concerned about notice and said that a larger area has larger impact on the community. He felt that an MP permit is likely to impact people more than 500 feet away.

Mr. Olander replied that the City staff could agree to 1,000 feet for the notice radius as a reasonable compromise.

Councilmember Eggen agreed the City wants to get something in place, but the issues involved have to be worked through. He noted that the identified uses need to be considered, but he is in favor of limiting building standards on some sites so the City doesn't give mixed signals to developers. He urged making the building height and density equivalent to perhaps Community Business zones. He expressed concern about the Health Laboratory pushing to level 4 biological hazard work. He said the City needs to communicate in the CP that nothing more than the current level of activity can occur on that site without a revision.

Councilmember McGlashan felt that limiting this site to CB zoning is a little restrictive. Councilmember Eggen commented that he specified that this would be for new uses only.

Councilmember McGlashan responded that this would be essentially downzoning. He suggested restricting them, but keeping the restrictions reasonable. Councilmember Eggen added that the base density is R-6 and CB is a considerable increase over that.

Mr. Olander said he would hate to preclude creative uses and felt that they are already fairly restricted. He stated that they may want to cluster in order to leave open space or they may want higher buildings that preserve more pervious surface. He noted that the City doesn't know what the mix of uses might be and it is hard to predict. He suggested trusting in the permit process. He concluded that this gets back to the idea of form-based codes and the ability to limit what happens on the inside of buildings.

Councilmember Way noted that the CP amendments on page 44-45 are a new, key element. She said there are four new plan amendments that are brand new. Ms. Markle highlighted that all of them were a part of the original proposal and have changed only slightly.

Councilmember Way asked if the City conditions it as to what the new and expanded uses might be and whether they could change it later with a CP amendment. Mr. Olander replied that she is correct and the City could put some parameters around the kind of new uses that would be allowed.

Councilmember Way said this reiterates that there is an issue of security at the DOH site. She submitted that these new and expanded uses are a concern and the City will need to be very careful.

Councilmember Hansen favored the 500-foot notice requirement and said it isn't effective to go beyond that. He said he doesn't want to discourage creativity, but he isn't in favor of a list or limiting new uses.

Deputy Mayor Scott commented that he can live with a 1,000-foot public notice radius, but he wondered why the City is using mailed notice if it is ineffective. He inquired which means of public notice are most effective. He wanted to know why cities have made the decision to increase their public notice radius to more than 500 feet. New uses, he said, concern him and he wondered how the City can control uses that don't fit the community values.

Mr. Olander summarized that this issue will need further discussion. He said he sees compromises on the notice issue but there isn't enough time to bring an ordinance back. He asked the Council to focus on one or two main issues then direct the City staff to move on them. He urged the Council to bring specific areas back to the table.

9. ADJOURNMENT

At 9:51 p.m., Deputy Mayor Scott declared the meeting adjourned.

Scott Passey, City Clerk