

CITY OF SHORELINE
SHORELINE CITY COUNCIL
SUMMARY MINUTES OF STUDY SESSION

Monday, February 2, 2009 - 6:30 p.m.
Shoreline Conference Center
Mt. Rainier Room

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

ABSENT: None.

1. CALL TO ORDER

At 6:34 p.m., the meeting was called to order by Mayor Ryu, who presided.

2. FLAG SALUTE/ROLL CALL

Mayor Ryu led the flag salute. Upon roll call by the City Clerk, all Councilmembers were present.

3. CITY MANAGER'S REPORT AND FUTURE AGENDAS

Bob Olander, City Manager, provided reports and updates on various City meetings, projects, and events. He noted that there are two additions to the February 9 City Council Meeting Agenda.

4. COUNCIL REPORTS

Mayor Ryu reported on the King County Regional Transit Committee meeting. She said she asked for integration of technology along the four transit providers at their meeting.

5. GENERAL PUBLIC COMMENT

a) Laethan Wene, Shoreline, stated that there needs to be a flashing crosswalk on 1st Avenue NE across from the Shoreline Community Church to ensure pedestrian safety.

b) Bill Meyer, Shoreline, commented on the Center for Disease Control (CDC) study about dog bite incidents. He said safety should not be compromised at Richmond Beach and the CDC recommends teaching children dog safety. He suggested the City have a large sign at the park listing each CDC recommendation, as well as publishing them in *Currents* before the dog park opens.

c) Bill Bear, Shoreline, stated that he took a Washington State Department of Community, Trade and Economic Development (CTED) course on local planning and recommended Council and Planning Commission also take it. He said the Comprehensive Plan (CP) is specific about housing, but not specific about jobs. There are only 700 unoccupied housing units in Shoreline with about 2,000 more jobs being required by the CP. Additionally, he stated the City isn't following the rest of the CP regarding environmental impacts. He felt there needed to be more specific CP targets.

d) Mark Johnson, Lake Forest Park, discussed the jail process. He questioned if the City can participate in the NEC process without offering a site and how the City can have a 640-bed jail in a residential community, when a court is not allowed.

e) George Mauer, Shoreline, stated that people are concerned about the Aurora Avenue project costs, noting that it isn't going to improve traffic capacity or flow. He said that there are only two reasons for improving a public road with public funds: either to repair or improve. He said there are fundamental flaws in Aurora Corridor Phase 2. He felt the City should take another look at this and meet legitimate needs by putting aside the narrow, special-interest, and non-essential demands.

f) Les Nelson, Shoreline, submitted a CP amendment on Thursday relating to LU-18 and LU-19. He said it asks the Council to consider the original LU proposal on density, since Mr. Tovar mentioned it is confusing. He urged the Council to bring planning density back and to match what is in the environmental impact statement (EIS). He said at the Visioning Workshop Councilmember Hansen commented that the residents need to decide where the densities should be. He noted that the City has a subarea planning tool.

Mr. Olander appreciated the public comments and said the City staff will respond to Mr. Wene, Mr. Meyer, and Mr. Bear. He responded to Mr. Johnson's jail comment and pointed out that if the City elected not to participate it would have been considered a "latecomer" and costs would have been added. He added that the Council felt it was important to participate in the jail process. He concluded that courthouses aren't a permitted use and if the planning process approved a site in Seattle it would require a zoning change.

Councilmember Eggen stated that there are e-mails advocating for specific things to be included in the jail EIS and wondered how Shoreline will ensure the issues are included.

Mr. Olander communicated that he is aware of the issue. He said Scott MacColl, Intergovernmental Relations Coordinator is addressing this and Mr. Tovar is also involved in approving the final scope.

Councilmember Way appreciated Mr. Nelson's comment and effort to submit a CP amendment and will ensure the City studies this idea.

6. STUDY ITEMS

(a) Washington State Public Health Laboratories and Stakeholder Group's
Presentation of the Risk and Safety Assessment Report

Scott MacColl, Intergovernmental Programs Manager, provided a brief background on the Risk and Safety Assessment Report. He stated that there is a proposal to expand the Public Health Laboratories (PHL) and the state requested a risk and safety assessment as part of their capital budget request. He stated that the laboratory formed a stakeholder group.

Mr. Olander introduced Layne Knowles, Assistant Director of the Public Health Laboratories.

Mr. Knowles introduced Scott Dwyer, Project Leader and Dick Nicholson, stakeholder group member. He provided further details of the risk and safety assessment and that it will assess the risks to the community, schools, Fircrest, etc. It compares the location of this laboratory with other labs throughout the country and reviews the emergency response plan. It also ensures that the facility is in compliance with all of the regulations. Mr. Knowles said his office also asked the consultant to identify potential risks. He noted that there was a series of meetings which brought forth a final report, minutes, and FAQs which are posted on the website. He stated that he is very happy with the findings.

Mr. Dwyer noted that he was hired by PHL to do this risk and safety report. He discussed the scope and methodology of the report, including what information was collected and reviewed, as well as the findings and recommendations. He said the state wanted a report that would withstand scientific scrutiny, not just the general public. He outlined the study scope which focused on population, not individual risk. He noted that they had several tours and the laboratory was very forthcoming and granted access upon request. He pointed out that they took the general approach which included biological, chemical, and radiological assessments. They generated an overview of key findings and evaluated likely release scenarios. This facility is trained in the safe use of chemicals with the appropriate security levels maintained. He added that they are also not an attractive target for terrorism.

Continuing, Mr. Dwyer stated that the facility complies with all state and federal regulations. Under all possible release scenarios, the laboratory was under the thresholds. He noted that based on the Security Vulnerability Assessment this facility has a low potential for mass casualties and severe property damage. He also stated that the FBI concluded that this laboratory is not a likely target; however, the facility needs security cameras, key cards or dual key systems, security plans, background checks, and policies for managing hazards. He noted that there is an earthquake concern by the community and a geologist and structural engineer reviewed the designs. They concluded that the structure is over designed, and the buildings are light, symmetrical, and stiff. Despite this, there are earthquake countermeasures in place. He said there was also a location analysis done relative to other laboratories and has been sited similarly to schools, hospitals, parks, and churches. He said the study focused on 12 comparables and noted that under normal operating conditions, the most probable risks that were evaluated are unlikely to pose a hazard to the community.

Mr. Nicholson, Ridgecrest Neighborhood Association Chair, discussed the stakeholder process and introduced members of the stakeholder group. He said it was the first public health

laboratory outreach risk assessment in the country. He introduced Ray Allshouse, Building Official, Kent Baxter, Bill Bear, Briarcrest Neighborhood Association, Jeff Fleshner, Fircrest, Jim Hardman, Friends of Fircrest, Scott Keeny, Commissioner, Shoreline Fire Department, Gail Marsh, Shoreline Emergency Management Coordinator, Vince Santo Pietro, Shorecrest High School, Chemistry Teacher, and Jan Stewart. He said the group accomplished a review and commented on the consultant scope of work. The process, meeting schedule, statement of qualifications, expectations, mid-point review, draft assessment, final draft, and final meeting were reviewed by Mr. Nicholson. He concluded that the stakeholders recommend extending the outreach process.

Mr. Olander stated that Cam Webster also participated. He stated that the City received detailed questions and they have been forwarded to the state but it will take time for them to respond.

Mayor Ryu called for public comment.

a) Mitzi Hedgecock, Lynnwood, said she has a big commitment to the clients at Fircrest and her concern is the evacuation process for them.

Mr. Dwyer stated that evacuation concerns for Fircrest residents is outside the scope of what the members were asked to do, but they heard it was a concern.

Councilmember Eggen said he has submitted a lot of technical questions and thanked the PHL staff, Mr. Dwyer, and the stakeholders group. He said the Council needs to take this seriously.

Councilmember Way asked how Councilmember Eggen's questions can be made available.

Mr. Olander said when the responses come from the state a link can be put on the website to include the executive summary and full report. He added that the questions and responses can also be put on the Department of Health's website.

Councilmember Eggen asked if the City would proceed to master planning if the Council decides the risk assessment provides sufficient safety for the neighborhood. Mr. Olander replied that the report is the mandate of the legislature, and if/when PHL requests a master plan permit for expansion, it can be one of the considerations in the City's review of the permit.

Deputy Mayor Scott wondered if the 12 other institutions that were mirrored with this facility have any plans for expansion. Mr. Dwyer replied that he didn't think so, but there maybe one or two that are. He said he would check into it. He said this was the first time any of them heard about a stakeholder group involved in laboratory expansion.

Deputy Mayor Scott noted that in the 2006 study, the PHL was considering co-locating with the University of Washington (UW) but decided against it. He said one of the reasons involved the lab's proximity to campus. He wondered if proximity to schools was considered in this study, since it appeared to be an important consideration in the UW co-location study.

Mr. Knowles replied that the context was a little different and it involves economies of scale. He explained that the main reason it wasn't feasible was because PHL doesn't do research and have different missions. He said the study in 2005 noted that the procedures and requirements for responding were different, but now they are much more refined. He added that handling and receiving procedures are not a risk.

Mayor Ryu questioned if there have been any lockdowns in the past. Mr. Knowles stated he isn't aware of any, but there have been minor internal accidents that affect only staff.

Mayor Ryu discussed the lack of collateral damage rationale. Mr. Dwyer reiterated that the state's opinion is that there isn't enough material to make this an attractive target. However, they did not conclude the facility is risk-free; the level of risk is negligible. He added that if something happened to this laboratory, any function that it accomplishes can be picked up by any other laboratory in the country.

Mayor Ryu inquired about the acronyms. Mr. Knowles replied that CDC has changed the terminology and the PHL is a level 2 facility.

Romesh Gautam, PHL Director, noted that ABC was old nomenclature and now they are called sentinel, reference, and confirmatory laboratories. He said the facility in Shoreline is a reference laboratory. He added that there are six other laboratories in the state, with two in eastern Washington.

Mayor Ryu inquired if sentinel laboratories refer early presumptive cases to a reference laboratory. Mr. Knowles said any issue that cannot be handled by the laboratories is referred to the CDC in Atlanta. He noted that the laboratories are certified to do certain things, and if any laboratory request comes in that they aren't certified to do, it is packaged in the field and sent to first responders/hazmat personnel elsewhere. He said samples never come into their laboratory.

Councilmember Way questioned the exemptions/redactions as part of the public disclosure process. Mr. Knowles noted that the police don't publish certain things for security purposes, and neither does the PHL. Councilmember Way inquired if the security issues are related to national security. Mr. Knowles responded that it involves securing the building itself. However, since 911 some work has heightened sensitivity which redefines who has control.

Councilmember Way said that before the anthrax incidents nobody thought there could be threats sent in the mail; now it's a frame of reference. She said the perpetrator was mentally ill and he had a security clearance. She expressed concern about the Fircrest evacuation issue and is surprised it wasn't studied. Mr. Knowles replied that Fircrest evacuation was discussed and Fircrest is responsible for their own mass evacuation plans.

Mr. Olander noted that they studied the sampling amounts and asked that they recap the risk and safety analysis for those elements. Mr. Dwyer replied that they hired a CDC expert and he evaluated the microorganisms, amounts maintained, lifecycles, receiving, packaging, routing, and disposal. He concluded the policies and training were adequate.

Councilmember Way reiterated that even though they need the right environment, someone managed to disperse anthrax. She inquired about protections at the facility. Mr. Knowles stated that the facility does background checks of all employees and screens visitors through the proper checks and balances. Mr. Gautom added that they don't grow organisms at the facility and once testing is done they are destroyed. He added that inventory is done regularly.

Mr. Olander commented that in the example the Council was given, the research person had access to weaponized material, but they aren't doing that at this facility as it is an entirely different situation.

Councilmember Way asked why there are security measures in place if the building is not vulnerable to radiological destruction. Mr. Dwyer replied that they don't want the operation upset; any interruption can interfere with the mission of the lab.

Mr. Olander commented that good laboratory practices are for their employees and to ensure basic safety precautions.

Vince Santo Pietro, Shoreline School District, commented that there is a much bigger chemical inventory in the high school with some radiological material. He added that the Shoreline School District is undergoing a risk assessment, too. He felt the laboratory is nothing to worry about.

Councilmember McGlashan said the report never stated there wasn't any risk. However, the assessment says the risk is basically minimal.

Councilmember Hansen said he is a member of the Local Hazardous Waste Committee in King County and they are amazed at what is in high schools.

Councilmember Eggen noted that the amounts are miniscule, but this was worth doing to ensure there wasn't any risk. He said his main concern has always been the biologicals and the security risk associated with them. He questioned if the laboratory has redundancy in the area and if they have the capacity to do it. Mr. Knowles commented that he was a part of the Laboratory Response Network (LRN) network/mutual aid agreement where backup and capacity are in place.

Mr. Nicholson said the stakeholders are a very talented group and commented that he is in his 40th year in the surety and insurance field. He assured the Council that the stakeholders went through an extensive process with PHL and are very satisfied with the outcome.

Mayor Ryu asked what the long-term expansion goal is for PHL. She pointed out that the facility is 70,000 square feet now and wondered if they plan to acquire more land.

Mr. Knowles stated that they plan for adding another 10,000 gross square footage, which is about 7,500 square feet of workable space divided between half laboratory and half receiving/storage. Their 20-year plan is starting now and they hope the stakeholder group can continue, but there isn't a detailed plan. However, they are trying to brainstorm and hope to have that plan by June or July 2009.

MEETING EXTENSION

At 8:27 p.m., Mayor Ryu called for a five minute recess. The Council meeting reconvened at 8:34 p.m.

(b) Scope of Work Plan for Updating the RB Zoning District

Mr. Olander stated that the City is in the midst of completing the Vision and Framework Goal process. The Council undertook interim regulations for the RB zone and instituted a moratorium. He felt it would be beneficial to postpone implementation of permanent regulations until the Vision and Framework Goals are done. He pointed out that it isn't fair or legal to continue the moratorium indefinitely, but it could be extended for several more months.

Mr. Tovar concurred, noting that it makes a lot of sense to adopt the Vision first. He said you could bring back the final work program, including the docketing and the decision on Point Wells, at the February 24 meeting. The City staff can show how they all fit together on the City Council and Planning Commission work plans.

Councilmember McGlashan supported postponement and said there were a lot of residents who mentioned density at the community conversations. He said if this item proceeds, it precludes listening to community on growth and density. Deputy Mayor Scott agreed.

Councilmember Eggen commented that the Council is deciding on how to proceed at this meeting. He said when he asks questions he never seems to get answers from the community. He said there is an abundance of input from people regarding density, but there are questions that won't get addressed. He didn't know how the Council will get the complete picture based on visioning when that wasn't highlighted as an issue to discuss. He felt the Council should listen to the public comment tonight.

Mayor Ryu called for public comment.

a) Dennis Lee, Shoreline, commented that the problem with density is people are afraid and don't trust it. He said it hasn't been done through a process of planning in this City. However, he said doing this through framework goals is good idea. He felt that density should be creative and sustainable. He stated that high density is needed, but lots of other things have to happen first. He communicated that a review means quantifying the Comprehensive Plan. He said there is no hurry to build now, but planning is important.

b) Les Nelson, Shoreline, said visioning is general and asked how it will provide the appropriate level of detail needed. He said the current moratorium allowing 110 units is a developer-oriented proposal. He agreed the City wants to encourage development in defined areas, not along all three miles of Aurora Avenue. He encouraged starting with R-36 and R-48 and then moving on from there.

c) Dwight Gibb, Shoreline, felt that good planning involves comprehensive thinking. He asked if density can be differentiated from other factors. He said that page 27, paragraph 4, of the staff report recognizes this. He said he supports density in defined areas. He noted that the language also says the density should go to 110, but that seems to be a contradiction. He supported postponing this so the City can do some planning.

d) Wendy DiPeso, Shoreline, thanked staff for taking a step back and noted that this can be an opportunity to bring the community together. She urged the City to invite small business owners and residents adjacent to Aurora Avenue to provide input on where to target density.

e) Bill Bear, Shoreline, pointed out that the term “neighborhood character” gets used a lot, but if it’s undefined then it doesn’t carry much weight. He suggested the City create a Shoreline map showing units of completeness, or balance with the Comprehensive Plan, as opposed to density. He said the City needs clearly defined metrics, but the term density is not a useful tool.

Mr. Olander added that another reason to consider this is that the City has been focusing on residential densities, but what we’re really talking about are commercial and retail zones. He felt the residential densities shouldn’t drive the land uses.

Councilmember Eggen stated that there was a plan discussed on how to support the City’s economic development goals; now is the time to start asking questions. He said he would hate to lose the momentum by not working on regional business issues until visioning and framework goals are completed. He proposed that parallel processes take place.

Deputy Mayor Scott asked for an example of an item the Council can work on that cannot wait for the Vision.

Councilmember Eggen replied that the Aurora Square property needs some attention. He said the Council could work on how it wants the regulations to look, whether they would be totally regulatory or include an incentive component. These, he concluded, will not be informed by visioning.

Councilmember Way said something as big as Aurora Square is bound to be something people are interested in. She didn’t think it was a good idea to put off all conversation, just the ultimate scoping on RB.

Mayor Ryu said she is very interested in an incentive-based system for developers who want to do a really good job.

Councilmember Way noted that Mr. Nelson talked about planning and where the density will go. She suggested thinking of it in terms of segments. She said there are a number of areas most sensitive to density, and adjacent to them the issue of trees comes into play. She pointed out that trees also provide transitions and can inform the RB process.

Councilmember McConnell agreed the Council should have more detailed discussion after the visioning process.

Councilmember McGlashan commented that there will not be many opportunities for 110 units per acre along Aurora Avenue. He said he would like to hear from the community, and the Council has heard from other stakeholders at the vision meetings.

Mr. Olander commented that the Planning Commission can continue discussing some aspects of land use, and they can check back with the Council.

There was Council consensus to postpone this item until February 24, 2009.

7. ADJOURNMENT

At 9:15 p.m., Mayor Ryu declared the meeting adjourned.

Scott Passey, City Clerk

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