

**CITY OF SHORELINE**

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

Monday, September 28, 2009 - 7:30 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 7:30 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**

Julie Underwood, Assistant City Manager, provided reports and updates on various City meetings, projects, and events. She announced that Mayor Ryu and Councilmember McConnell were recognized at the "Women of Color Empowered" Luncheon for their political service. She stated that there will be some I-5 construction noise which will last until December and noted that residents can notify WSDOT to mitigate the noise levels.

Deputy Mayor Scott reported on his visit to Washington D.C. and his visit with Congressman McDermott and Senator Patty Murray, where he and the City staff requested \$5 million in federal funding for the Aurora Corridor Project. He expressed thanks to Senator Murray and Congressman McDermott for their support.

**4. REPORTS OF BOARDS AND COMMISSIONS**

Councilmember McGlashan said he attended the Community and Economic Development Steering Committee meeting in Michigan and will prepare a report for the next meeting.

Councilmember Eggen said he attended a training session sponsored by the North Human Services Association concerning the state of human services in 2010 for northern King

County and there was a fairly pessimistic economic outlook. He noted that the group is expecting further cuts in the King County budget. Mayor Ryu announced that City employees Rob Beem and George Smith are volunteers on this multi-jurisdictional group and they have prepared a hopeful "toolkit" for coping with these changes. One of the ways to cope is through partnering, she stated. Small things can make a big difference. Councilmember Eggen reminded the Council that the Public Issues Committee (PIC) will consider a recommendation to King County to only fund things identified in the state charter as county obligations. He noted that unless Council directs him otherwise, he intends to vote against the motion. Finally, he stated that at the Regional Policy Committee meeting they talked about the veterans/human services levy voted on in 2005-2006 and that the Center for Human Services (CHS) provides many of these services. He stated that he will request that CHS give the Council a presentation.

Councilmember McGlashan said the Lake Forest Park City Council passed a resolution to work with Shoreline on a connector trail between the Interurban Trail and the Burke Gilman.

## 5. GENERAL PUBLIC COMMENT

a) Arthur Peach, Shoreline, invited the public to participate in a walk at Greenlake Park to raise awareness about domestic violence. He said his sister, Marissa, was murdered by her fiancé. He read a proclamation against domestic violence by Governor Gregoire. He hoped that people can make time on Sunday to participate in the event. Mayor Ryu noted that Marissa graduated from Shorewood High School in 1991.

b) Jim Hardman, Shoreline, spoke on behalf of the 24 Fircrest residents that he represents. He stated that opponents of Residential Habilitation Centers often describe the poor conditions at the facilities but have no firsthand knowledge of them. He stated that the facilities have been improved. There is a tour of Fircrest on Friday, October 2 and questions can be directed to the Fircrest staff. He added that in his experience, 911 has never been called for police protection at Fircrest and negative reinforcement is not allowed there. He noted that all of the residents that were evicted in 2004 have all suffered, which led to a successful lawsuit brought against the state.

Deputy Mayor Scott inquired if the Fircrest staff will be able to provide evidence of the conditions. He stated that he was interested in seeing comparisons of the other facilities like Fircrest and comparisons to home-based facilities, include cost comparisons. Mr. Hardman replied that he didn't think the Fircrest staff could provide information concerning costs outside of Fircrest. He said in 2005 the Governor brought various groups together regarding long-term residences and she directed her office to come up with that comparison which was a very difficult thing to determine because of the differing programs and needs.

Councilmember Way asked Mr. Hardman if he had any knowledge of emergency situations and how the facility responded. She said she heard that Fircrest does well in crisis situations such as snowstorms, power outages, and floods. Mr. Hardman replied

that Fircrest has enough supplies and an emergency power system that can run for two weeks. However, they recently had to reduce their inventory due to budget cuts.

c) Maria Walsh, stated that her son, David, resides at Fircrest. She said she gathered some information for the Council and the public. She stated that under federal law, individuals with disabilities are lawfully entitled to a choice of where they want to live. She added that there are bundled costs in the private sector that don't show up, such as room and board, food, other training, and support services. She said she will provide a copy of the comparison study that was updated in January 2009 regarding community homes and RHCs. Additionally, the 2004 cost comparison and documentation shows the daily cost at Fircrest in 2008 was \$241.86.

Councilmember Hansen noted that another source of information on this issue is the United Cerebral Palsy Association.

## 6. APPROVAL OF THE AGENDA

**Councilmember Hansen moved approval of the agenda. Councilmember McConnell seconded the motion, which carried unanimously and the agenda was approved.**

## 7. CONSENT CALENDAR

**Councilmember Way pulled item 7(c) from the Consent Calendar. There was Council consensus to move item 7(c) to item 8(a). Councilmember Hansen moved approval of the revised Consent Calendar. Deputy Mayor Scott seconded the motion, which carried unanimously and the following items were approved:**

- (a) **Minutes of Study Session of September 8, 2009  
Minutes of Business Meeting of September 14, 2009**
- (b) **Approval of expenses and payroll as of September 17, 2009 in the amount of \$6,538,657.99**

### **\*Payroll and Benefits:**

Payroll Period	Payment Date	EFT Numbers (EF)	Payroll Checks (PR)	Benefit Checks (AP)	Amount Paid
Prior period check voided and reissued			8975/9223		\$0.00
Prior period check voided and reissued			9098/9224		\$0.00
8/23/09-9/5/09	9/11/2009	30963-31165	9225-9264	41392-41400	\$412,941.77
					<u>\$412,941.77</u>

### **\*Wire Transfers:**

Expense Register Dated	Wire Transfer Number	Amount Paid
9/19/2009	1012	\$193,644.99

**\$193,644.99****\*Accounts Payable Claims:**

<b>Expense Register Dated</b>	<b>Check Number (Begin)</b>	<b>Check Number (End)</b>	<b>Amount Paid</b>
9/9/2009	41279	41294	\$79,088.79
9/10/2009	41279		(\$4,115.93)
9/10/2009	41295	41302	\$34,930.48
9/14/2009	41303	41318	\$40,170.54
9/14/2009	41319	41341	\$5,511,486.42
9/16/2009	41342	41367	\$71,925.67
9/17/2009	41368	41391	\$198,585.26
			<u><b>\$5,932,071.23</b></u>

**(d) Motion to Approve Neighborhood Mini-Grant Funding for Briarcrest  
Neighborhood Association and Innis Arden Club**

**(e) Motion to Authorize the City Manager to Sign an Agreement with the City  
of Seattle for the Implementation of the 2009 Recovery Act Edward Byrne  
Memorial Justice Assistance Grant Program**

**(f) Motion to Authorize the City Manager to Execute a Contract with NW  
Mechanical to Install the Solar Panel System on City Hall Parking Structure**

**(g) Motion to Authorize the City Manager to Execute a Contract with Wyser  
Construction Company for the Construction of the Richmond Highlands  
Baseball/Softball Field Improvements**

**8. ACTION ITEMS: PUBLIC HEARING**

**(a) Motion to Approve Property Acquisition at 17244 Aurora Avenue for the  
Aurora Corridor Project - 165th to 185th**

Ian Sievers, City Attorney, stated that the Council is asked to approve a tentative condemnation settlement for the Aurora Rents property. He noted that the appraisals were \$1.2 million apart, which was an unusual disparity compared to other takings on the first mile of the project. He noted that the project take and construction easement cut through four structures and the disparity in valuation considers those structures. He noted that the City's appraiser came up with a 90% depreciation, but their appraiser felt the depreciation should be closer to 50%. He stated that the City committed to a release of the temporary construction easement and the parties arrived at a tentative agreement of \$2,086,500.

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

**Councilmember Way moved approval of the property acquisition at 17244 Aurora Avenue for the Aurora Corridor Project - 165th to 185<sup>th</sup>. Councilmember McGlashan seconded the motion.**

Councilmember Way commented that this was a negotiated settlement and all parties seem to be in alignment. She hoped this represents a final resolution.

Mayor Ryu commented that the Council authorized a preliminary approval in March 2009 of \$1.6 million which included 10% on top of the appraisal at that time and now the City staff is asking for another \$480,000 to finalize the deal. Mr. Sievers replied that she is correct because the property owner gave the City possession and use, but it has to be finalized. Mayor Ryu discussed the taking on the west side, and on the east side the owner asked for a vacation of the red brick road and the City allowed it. However, she recalled that the City didn't mandate that he must move his business back in and that he could built up to six stories with appropriate setbacks. Additionally, the City allowed him to shift his property, allowing him to rebuild and now it's up to him if he wants to build or sell.

Councilmember Eggen commented that it seems like vacant land is more valuable than land with an old building on it. Mr. Sievers replied that it was more efficient to take all the buildings even though he had the option to remodel.

Councilmember McConnell commented that this was a very complicated issue and she thanked the City staff for working it out.

Councilmember Way looked forward to the Town Center design and visioning process and felt that keeping the red brick road in tact is a big part of that picture.

**A vote was taken on the motion, which carried 7-0, and the property acquisition at 17244 Aurora Avenue was approved.**

- (b) Public hearing to receive citizens comments on Initiative 1033, concerning State, County, and City Revenue; and Motion to adopt Resolution No. 290, Opposing Initiative 1033 on the November 3, 2009 General Election Ballot Limiting State and Local Government Revenues

Debbie Tarry, Finance Director, provided the staff report. She noted that I-1033 was certified by the State of Washington Secretary of State on the November 3, 2009 ballot. The initiative proposes to limit growth of state, county, and city revenues. The limit, she explained, is a factor of local population growth and inflation growth. In Shoreline, she said, the General Fund pays for police services, parks, recreation, planning, code enforcement, human services, jails, facilities, and the City Clerk's Office. In 1992, Colorado adopted a similar measure that proved to be onerous to their local governments and voters suspended it in 2003 due to fiscal impacts. The Washington State Office of Financial Management, she pointed out, estimated the impact to the state's General Fund

to be \$5.9 billion by 2015, as it will adversely affect social/health services and trickle down to impact local school districts. The measure will take \$694 million from counties and \$2.1 billion from cities by 2015. If I-1033 passes it would take effect in 2010. She highlighted that this initiative would utilize the 2009 baseline, which is low. Therefore, if this low baseline is used over the next five years the budget gaps would increase by \$1 million each year. Ms. Tarry concluded her presentation by stating that a number of cities have adopted resolutions opposing I-1033.

Mayor Ryu opened the public hearing.

a) Elizabeth Beck, Shoreline, spoke on behalf of the Washington Education Association (WEA) and urged the attendees to join the organization, along with labor and healthcare organizations to oppose I-1033. She said this measure is a proven failure in Colorado. Since I-1033 would cap revenues at current recession-era levels, it would lock in the budget cuts for everyone. She stated that Legislature cut \$1.5 billion to K-12 and the Shoreline School District has already lost \$3 million in I-728 funding. She said this initiative would make the current health care crisis worse and limit growth in healthcare, education, social services, and prolong the effect of this national recession.

b) Gary Kingsbury, North Urban Services Alliance, stated the official position of the organization and said I-1033 will lock in historically low and inadequate funding levels. His organization opposes the measure and he encouraged citizens to vote against it.

c) Chris Roberts, Shoreline, expressed opposition to I-1033. He said citizens must press the Legislature to make meaningful tax reform. He urged every resident to vote against this initiative.

d) Bill Meyers, Shoreline, expressed support for I-1033 because it will put government on a more level playing field with the people. He said if government wants more funding, the voters can decide to give more or not. I-1033 empowers the taxpayers, who he said are wise enough to recognize special needs and reward good government. He clarified that the Colorado initiative was suspended. He said the Colorado initiative is a good example of why 1033 will pass, and he is disappointed the City didn't mention I-601, which was similar to I-1033. He stated that government cannot keep growing faster than the taxpayers' budgets. He said the City of Shoreline has increased taxes seven times this year. He said property taxes have increased 45%. He urged the City to increase its tax base by having more business and having higher density.

e) Mary Weaver, Shoreline, expressed support for I-1033. She stated that the City of Shoreline hasn't done much to cut back. She said the depression isn't really affecting Shoreline and that her bills keep going up.

f) Laethan Wene, Shoreline, supported the resolution.

Ms. Tarry noted that the City staff and Council reduced the budget by \$1.7 million by eliminating extra help and seasonal personnel. The City also reduced the training budget and reallocated some staff positions. Additionally, long-term maintenance and equipment replacement was not funded. There were also two positions eliminated and more than \$200,000 in other budget reductions. Ms. Tarry added that since 2000 the City has not raised the City's property taxes beyond the 1% allowed by the State. She noted that the City is using some savings, but the reserves will not cover the long term expenditures.

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

**Deputy Mayor Scott moved to adopt Resolution No. 290, opposing Initiative 1033 on the November 3, 2009 General Election Ballot limiting State and Local Government Revenues. Councilmember Hansen seconded the motion.**

Deputy Mayor Scott expressed that the comparison to Colorado is adequate enough for him to come to a decision. He stated that the residents in Colorado realized it was a mistake and he doesn't want the State of Washington to make the same mistake and learn from the Colorado initiative. He said this isn't going to work because it reduces the baseline in the midst of a recession. He said it is unfair to compare the responsibilities of raising a family to the responsibilities a Councilmember has for a City. He summarized that the City has few options and it will be faced with some tough choices.

Councilmember Way concurred with Deputy Mayor Scott. She felt I-1033 will be very onerous on the City and the community. She noted that based on the pie chart slide, Shoreline will be handicapped, as will all other governments. She urged the residents to consider the impact carefully when they vote.

Councilmember Hansen said he has some sympathies with the proponents of 1033, but he supports the resolution. He said the measure limits the City's ability to provide services. He felt the City isn't providing too many services right now and there are many more demands. This initiative would lock the City down and it doesn't allow any flexibility in making decisions. He summarized that this initiative is not reasonable and has unintended consequences.

Councilmember Eggen concurred. He said the proponents of this issue make good points, but the ever-increasing costs are an issue. The real point in this bill, he stated, is the "freezing" of revenues from one year to the next. This would make agencies more vulnerable to an economic downturn and limits government's ability to provide services.

Councilmember McConnell commented that she cannot believe any city would vote to support I-1033.

Mayor Ryu said the City needs to be fiscally responsible and keep the budget in check. She felt that voters would backfill cut services, but backfilling costs a lot of money. She supported the resolution and noted that representatives are elected to make decisions for

their citizens. However, initiatives serve the role of putting the elected on notice, but nonetheless, she is in favor of Resolution 290.

Councilmember Hansen commented that he would like to see property tax reform, especially with regard to seniors, but I-1033 doesn't address that at all.

**A vote was taken on the motion, which carried 7-0, and Resolution No. 290 was passed.**

RECESS

At 9:02 p.m., Mayor Ryu called a five minute break. The meeting reconvened at 9:08 p.m.

(b) Public hearing to receive citizens comments on the Proposed Use of 2010 Community Development Block Grant (CDBG) funds; and Motion to Authorize the City Manager to Execute the Contracts to Implement Approved Programs and Projects

Rob Beem, Community Services Manager, stated that the City is in the mid-cycle on human services funding. He noted that a public hearing is required to ask citizens to comment on the proposed use of funds. The expenditures were proposed by a citizen committee a year ago and the City is looking at receiving approximately the same amount of funding it received last year; \$360,000, to be allocated in five different areas. He stated that the City staff recommends Council approval.

Mayor Ryu opened the public hearing. There was no one wishing to provide public comment on this item.

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

**Councilmember Eggen moved to adopt the 2010 Community Development Block Grant (CDBG) plan in accordance with Attachments A and B and authorize the City Manager to execute the contracts to implement approved programs and projects. Councilmember Hansen seconded the motion.**

Councilmember Eggen said he reviewed this item and concluded that there is reason to revise it. He wanted to know how long the City can preserve the housing set-aside. Mr. Beem replied that the City can hold it about 18 months before some purpose is ascribed to it because the City cannot accumulate a lot of money right now. Councilmember Eggen commented that there are consortiums the City could join. Mr. Beem highlighted that ARCH helps package projects for cities. However, the City cannot join ARCH based on its current status.



Councilmember Hansen asked if this 2010 recommendation is supposed to reconcile the total. Mr. Beem replied that it only reconciles a portion of the senior center funding and the rest is funded with General Fund monies.

Councilmember McGlashan commented that at the Community and Economic Development Steering Committee meeting, he was told about Senator Dodd's Livable Communities Act and it looks like there will be an increase in CDBG funds federally. He explained that there are new bills that have proposed set-asides for HUD, DOT, EPA, and sustainable community initiatives. He wanted to know where the funds would go if the increases go to our three organizations. Mr. Beem replied that if the increases are more than 10% above estimates, they need to go back through a decision-making process. Mr. Beem said the set-asides end up being a mixed blessing for the City because sometimes they are greater than the amount of the increase. The City could see a loss if we're not one of the communities chosen to use the set-aside; the City would see a net loss in the overall CDBG.

Councilmember Way asked for copies of Councilmember McGlashan's materials and wondered if there were any conservation or sustainability aspects the City could use to encourage livable communities-type projects. She felt these potential allocations can encourage jobs and economic development. Councilmember McGlashan replied that he thought Senator Dodd's bill is intended to create cross-jurisdictional or regional partnerships, and the funds are tied to that.

Mayor Ryu agreed that the Council should adopt this as it only costs the City \$6.70 per person. She commented that she is glad the City can continue to support human services and related a story about a senior center service recipient. She said this funding allows seniors to age in place and she hoped the City can keep funding this through 2010.

**A vote was taken on the motion, which carried 7-0, and the 2010 Community Development Block Grant (CDBG) plan was adopted.**

9. ADJOURNMENT

At 9:28 p.m. Mayor Ryu declared the meeting adjourned.

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Scott Passey, City Clerk

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