

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

Monday, June 21, 2010  
6:30 p.m.

Council Chamber – Shoreline City Hall  
17500 Midvale Avenue North

PRESENT: Mayor McGlashan, Deputy Mayor Hall, Councilmember Eggen, Councilmember McConnell, Councilmember Roberts, Councilmember Scott, and Councilmember Tracey

ABSENT: None

1. CALL TO ORDER

At 6:30 p.m. the meeting was called to order by Mayor McGlashan, who presided.

2. FLAG SALUTE/ROLL CALL

The Mayor led the flag salute. Upon roll call by the City Clerk, all Councilmembers were present with the exception of Councilmembers McConnell and Roberts. Councilmember McConnell arrived shortly thereafter, and Councilmember Roberts arrived at 6:45 p.m.

3. REPORT OF THE CITY MANAGER

Bob Olander, City Manager, provided reports and updates on various City meetings, projects, and events.

4. COUNCIL REPORTS

Councilmember Eggen reported on his attendance at two transit-related committee meetings: one held by the Regional Transit Council; and the other by the Regional Transit Task Force.

5. APPROVAL OF THE AGENDA

**Councilmember Tracey moved approval of the agenda. Deputy Mayor Hall seconded the motion, which carried unanimously and the agenda was approved.**

6. CONSENT CALENDAR

**Councilmember Eggen requested that Consent Calendar item 6(a) Ordinance No. 576 be moved to Action item 7(a). Motion carried 7-0 and the amended agenda was approved.**

7. STUDY ITEMS

(a) Ordinance No. 576 Adoption of Eminent Domain for the Aurora Corridor Project 165th to 205th Streets; waiving Second Reading per Council Rule 3.5(b)

**Deputy Mayor Hall moved adoption of Ordinance No. 576, adoption of eminent domain for the Aurora Corridor Project 165th to 205th Streets; waiving second reading per Council Rule 3.5(b). Councilmember McConnell seconded the motion.**

Mayor McGlashan called for public comment.

a) Wendy DiPeso, Shoreline, said it is unnecessary to use eminent domain and it should only be used on a case-by-case basis.

b) Jerry Drager, Woodway, stated he owns the building on 188th and Aurora Avenue North and received a letter from the City. He added that he doesn't know what the City is doing and what the letter is about.

There was discussion on whether the letter could be read by Mr. Drager.

Ian Sievers, City Attorney, read the letter and noted that the eminent domain letter is nothing different from what the City did in Aurora Corridor Phase 1 or in North City. He added that negotiations do not cut off once the ordinance is passed; it only clarifies things for property owners. He explained that there are three remaining properties that the City needs for the next half mile that are still under negotiations. This ordinance gives the property owners notice that Council is taking action regarding their property and the legal action that could follow. Mr. Olander stated that this ordinance is only for those properties that are still in negotiations. The City is on a timeline because there aren't voluntary possessions and use agreements, he said. There are strict federal and state guidelines which include appraisals, negotiations, and a complex set of processes to guarantee rights of property owners.

Councilmember McConnell said she has seen eminent domain work and it provides a lot of protection for the owner. She said although citizens get upset when they receive a legal letter, it is due process that helps owner get fair value. Councilmember Eggen commented that eminent domain is a highly-charged subject and putting it on the Consent Calendar is not something the Council would ordinarily want to do, especially for business owners. The letter is notification that the Council is considering authorizing eminent domain as an option, he explained.

Kirk McKinley, Transportation Services Manager, confirmed for Mr. Olander that Universal Field Services (UFS) has contacted and met with all the property owners including Mr. Drager. This process is to keep the project on track, he said, and the letter has to be worded according to federal guidelines. Councilmember Scott noted that negotiations preceded the letter and that staff met with property owners individually. He noted that negotiations will continue and eminent domain is used only when negotiations are exhausted, which he felt is reasonable.

Councilmember Roberts confirmed that passage of this ordinance doesn't raise costs for property owners when they negotiate. Mr. Sievers added that before the City starts a suit a notice of impasse is obtained and the City Attorney's office makes a final check-in with owner.

Councilmember Eggen pointed out that property owners feel they are negotiating under the threat of a lawsuit. Mr. Olander said UFS communicates with property owners early on in the process that eminent domain is a tool the City can use and may need to file actual litigation to meet court deadlines, but negotiations will continue throughout the process, he said.

Councilmember Scott commented that eminent domain is meant to keep the project on time and negotiations will be exhausted before any action takes place.

**Councilmember Tracey moved the previous question. Councilmember McConnell seconded the motion, which carried 7-0, and debate was closed on Ordinance No. 576.**

**A vote was taken on the motion to adopt Ordinance No. 576 Authorizing the Use of Eminent Domain for Acquisition of Certain Real Property to Construct the Aurora Corridor Project, N 165<sup>th</sup> - N 205<sup>th</sup> Streets, which carried 7-0.**

(b) North Corridor Light Rail Process

Joe Tovar, Planning & Development Services Director, and Alicia McIntire, Senior Transportation Planner, provided the staff report on the North Corridor Light Rail process. Mr. Tovar reviewed the background, conceptual plan, environmental review, and public education process. He noted that the cities of Edmonds, Lynnwood, and Mountlake Terrace want an I-5 corridor alignment. Ms. McIntire outlined the ST schedule/timeline and the alternative analysis. Mr. Tovar noted that the Comprehensive Plan (CP) does not state a preference for the alignment and can be amended later. He pointed out that there may be a need to have up to five alignments ready for federal consideration. The Transportation Master Plan (TMP) update is going on now, and a transit plan that includes light rail will be included. City staff concerns include the following: 1) no corridor preference has been chosen; 2) the City currently has very little ST service; and 3) the City doesn't have resources to lead the public process on this matter.

The Council and staff discussed various considerations associated with light rail, including preferred alignments, cost to taxpayers, ridership, parking, impact on neighborhoods, and the location and number of light rail stations in Shoreline. Mr. Olander responded that the purpose of the discussion is to obtain general Council direction for City staff to proceed and to verify that the Council wants ST to come through Shoreline, and that the priority is for two stations. Mr. Tovar added that the City staff would also like affirmation by the Council that the Town Center Plan and other land use plans can be further amended as light rail develops.

(c) Transportation Master Plan: Transit and Light Rail

Kirk McKinley, Transportation Services Manager introduced Alicia McIntire, Senior Transportation Planner, who provided a status report on the Transportation Master Plan (TMP). She discussed high capacity transit and the current issues with Metro including current service allocations. She reviewed cross-country service, Bus Rapid Transit (BRT), light rail, and the

possibility of improving/expanding transit service in Shoreline. She explained the current Metro Transit service allocation and reduction policies, which are not based on demand and do nothing to enhance service hours in Shoreline.

There was Council discussion about service allocations. Councilmember Eggen stated that the Suburban Cities Association (SCA) has insisted that temporary reductions be treated as permanent. This has led to a net loss of transit service to the west side. He said he opposed this at the meetings and King County needs to support more hours on the west side. He said the City wants transit to improve with more connecting routes. Councilmember Roberts said he generally supports all the recommendations. Deputy Mayor Hall expressed support for most of the recommendations. He said he wants the transit system to be based on ridership and demand rather than geographic inequity. He also stated that bus rapid transit is scheduled to stop at all signalized intersections, but that isn't his idea of rapid transit.

There was Council discussion about the Aurora Village Transit Center and the possibility of moving it back onto Aurora Avenue. Councilmember Tracey discussed the two-zone system and advocated for changing the fare system. Councilmember Eggen noted that fare simplification is on the Regional Transit Committee's work plan. Councilmember Roberts said the arbitrary division of service routes based on different jurisdictions doesn't make sense and suggested the Council advocate for merging all three transit agencies. Deputy Mayor Hall and Councilmember McConnell concurred. Councilmember Scott supported the recommendations and suggestions by the Council.

## RECESS

**At 8:21 p.m., Mayor McGlashan called for a three minute break. The meeting reconvened at 8:25 p.m.**

## **8. PUBLIC HEARING**

(a) Public hearing to receive citizens comments on the Proposed 2011-2016 Capital Improvement Plan (CIP); and public hearing to receive citizens comments on the Proposed 2011-2016 Transportation Improvement Plan (TIP)

Debbie Tarry, Finance Director, and Mark Relph, Public Works Director, provided a brief staff report on the Capital Improvement Plan, noting that a public hearing on the Plan is required prior to Council adoption. The goal is to adopt these items on June 28, 2010. Ms Tarry stated that there are new additions to the TIP, including sidewalks, which are not currently funded. The TIP totals \$114 million.

Mayor McGlashan opened the public hearing.

a) Robert Allen, Shoreline, described the surface water and erosion problems associated with Storm Creek and urged the Council to include an erosion plan in the CIP.

b) Rich Gustafson, Shoreline, urged the Council to take the leadership role to ensure the connectors from the Burke Gilman Trail to the Interurban Trail are completed.

c) Judy Allen, Shoreline, thanked the Council and City staff for visiting the erosion site at Storm Creek and urged the Council to fund this project before something dramatic happens.

Mayor McGlashan closed the public hearing.

Debbie Tarry continued her presentation from last week, starting with General Capital Fund Revenue Sources. She reviewed the Park bond projects, unfunded projects, and the City facilities major maintenance fund. Ms. Tarry announced that the allocation of funds for the west, central, and east sections of the City is fairly even.

Mr. Olander responded regarding some public comment items and stated that Mayor McGinn is also interested in connecting the Burke Gilman and Interurban Trails. Additionally, Lake Forest Park has come to agreement with the City on the Burke Gilman Trail. Dick Deal, Park, Recreation and Cultural Services Director, responded to questions about the south connection through Seattle and the east connection to Burke Gilman Trail. He said the trail connections have been identified and that there is a trail corridor study group working the issue and some results should be seen this fall.

Councilmember Eggen inquired about the Storm Creek erosion study. Brian Landau, Surface Water Manager, responded that part of the project will start in the 4<sup>th</sup> Quarter of 2010 with a basin plan. This will lead to plans for scoping, prioritization, individual projects, and then funding. However, the hydraulic analysis will precede other actions.

Councilmember Eggen commented on Sunset Elementary and asked if the funds have been lost or if the plans are on hold. Mr. Deal replied that there was a plan to request funding, but it would have taken an agreement with the school district to pursue them. Nonetheless, the district wasn't comfortable proceeding so no request was done. Councilmember Roberts inquired about the likelihood of getting a grant if half the funding isn't there. Mr. Deal replied that the City will work with the community and look for opportunities. Mr. Olander added that it is worthwhile keeping Sunset identified as a project. Mr. Deal noted that the community still has access to open turf areas there.

Councilmember McConnell wanted assurance that the City has immediate funding if there is a crisis in Storm Creek. Ms. Tarry responded that there is funding identified if there is an emergency. Councilmember Eggen added that the Lake Ballinger/McAleer Creek forum identified the area for basin mapping. Mr. Landau added that the proposed flood plain mapping study that was in the basin plan was purely a flood plain study and the McAleer basin plan will identify specific projects and issues specific to Shoreline. Deputy Mayor Hall noted that only 10% of taxpayer money comes back to Shoreline for flood control. He encouraged the City staff to look into the allocation formula.

## 9. ADJOURNMENT

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

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Scott Passey, City Clerk