

CITY OF SHORELINE
SHORELINE CITY COUNCIL
SUMMARY MINUTES OF BUSINESS MEETING

Monday, August 8, 2011
7:00 p.m.

Shoreline City Hall – Council Chamber
17500 Midvale Avenue North

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

ABSENT: Councilmember Scott

1. CALL TO ORDER

At 7:00 p.m., the meeting was called to order by Mayor McGlashan, who presided.

2. FLAG SALUTE/ROLL CALL

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

Upon motion by Councilmember Winstead, seconded by Councilmember Eggen and carried 6-0, Councilmember Scott was excused.

3. CITY MANAGER'S REPORT

Julie Underwood, City Manager, provided reports and updates on various City meetings, projects, and events.

4. COUNCIL REPORTS: none

5. PUBLIC COMMENT

a) Budd Bennion, Shoreline, said his garage floor is sinking and wonders if surface water conditions will worsen if increased density is allowed in his neighborhood.

b) Jack Malek, Shoreline, on behalf of the Richmond Beach Community Association, thanked the Council for their support of the mini-grant program.

c) Janet Way, Shoreline, expressed concern about the Seattle City Light (SCL) tree removal process along Interurban Trail and spoke of the advantages of trees on water quality.

Councilmember Eggen inquired if the City's building codes take underground water into consideration and wanted to know if SCL will interact with the neighborhood at the upcoming

meeting. Ms. Tarry replied that the meeting between SCL and the City is this week and the public meeting for the neighborhood is on August 23. She noted that the City will know more after this week's meeting. Ms. Underwood clarified that the City staff will articulate the City's interests.

6. APPROVAL OF THE AGENDA

Upon motion by Deputy Mayor Hall, seconded by Councilmember Eggen and carried 6-0, the agenda was approved.

7. CONSENT CALENDAR

Upon motion by Councilmember McConnell, seconded by Councilmember Winstead and carried 6-0, the following Consent items were approved:

- (a) Minutes of Workshop Dinner Meeting of June 27, 2011
Minutes of Business Meeting of June 27, 2011
Minutes of Study Session of July 5, 2011
Minutes of Business Meeting of July 11, 2011
Minutes of Special Meeting of July 18, 2011

- (b) Approval of expenses and payroll as of July 29, 2011 in the amount of \$5,244,464.10

*Payroll and Benefits:

Payroll Period	Payment Date	EFT Numbers (EF)	Payroll Checks (PR)	Benefit Checks (AP)	Amount Paid
6/26/11-7/9/11	7/15/2011	40799-41019	10921-10970	47514-47519	\$437,966.99
					<u>\$437,966.99</u>

*Wire Transfers:

Expense Register Dated	Wire Transfer Number	Amount Paid
7/26/2011	1038	\$2,425.93
		<u>\$2,425.93</u>

*Accounts Payable Claims:

Expense Register Dated	Check Number (Begin)	Check Number (End)	Amount Paid
7/19/2011	47520	47538	\$110,449.37
7/20/2011	47539	47540	\$54,898.27
7/21/2011	47541	47543	\$54,265.37
7/21/2011	47544	47560	\$47,098.16
7/21/2011	47561	47562	\$3,628.26
7/21/2011	47563	47589	\$4,202,211.34
7/25/2011	47455	47455	(\$935,709.39)

7/25/2011	47590	47590	\$935,709.39
7/26/2011	47591	47608	\$47,505.58
7/26/2011	47609	47622	\$156,568.82
7/27/2011	47623	47625	\$85,568.42
7/28/2011	47626	47626	\$41,877.59
			<u>\$4,804,071.18</u>

(c) Appointment of Youth Member to the Parks, Recreation and Cultural Services Board

(d) Motion to Authorize the City Manager to Execute a Professional Services Contract with Windward Environments for development of the Boeing and Storm Creek Basin Plans and Associated Asset Inventory and Condition Assessment

(e) Approval of Neighborhood Mini-Grant for Richmond Beach

(f) Adoption of Ordinance No. 604 Granting a Non-exclusive Franchise to AboveNet Communication, Inc. for Ten years to Construct, Maintain, Operate, Replace and Repair and Underground Fiber Optic Telecommunications System In, Along, Under, Through and Below Public Rights-Of-Way in the City of Shoreline

(g) Adoption of Ordinance No. 601 Granting a Franchise to Comcast of Washington, LLC and Comcast of Washington IV, Inc to Operate a Cable System in the Public Rights-of-Way to Provide Cable Services in the City of Shoreline

Mayor McGlashan acknowledged Ellen Anderson in the audience, the youth member appointed to the Parks, Recreation and Cultural Services Board.

8. UNFINISHED BUSINESS

(a) Surface Water Master Plan - Level of Service and Rate Discussion

Mark Relph, Public Works Director, Jesus Sanchez, Operations Manager, and Brian Landau, Surface Water Manager, provided the staff report, which included highlights of the Surface Water Master Plan and staff recommendations regarding the level of service (LOS) and rate structure for the utility. Staff requested Council feedback for incorporation into the draft 2011 Surface Water Master Plan update.

Mr. Relph highlighted that this is a surface water utility, not a groundwater issue. He added that groundwater and the issues surrounding it are not part of this utility. Deputy Mayor Hall inquired if a building could be built in an area that has groundwater issues, bogs, and marshes. Mr. Tovar replied that such areas are defined as critical areas, and developers are not permitted to, nor do they want to build on them. He added that the Development Code does not address surface water and it is normally coordinated through the Public Works Department.

Councilmember Eggen clarified that the City has no way to determine if more construction will divert more water onto Mr. Bennion's property. Ian Sievers, City Attorney, noted that there is a

current lawsuit on appeal from a plaintiff that claimed that the City diverted an excessive amount of groundwater onto their property. He said the City does not feel that there is a common law obligation for the City to control groundwater.

Councilmember Eggen said he is not comfortable with the City ignoring an area where he has heard there have been water problems. Yet, he is not convinced that the City can do anything to alleviate the current problem either. Mr. Tovar replied that this subject did come up in the Planning Commission and the determination was that it was outside of the City's scope of regulation. Councilmember Roberts inquired if the City has a responsibility to regulate how much water is being put into an area. Mr. Tovar explained that the federal government and state have communicated to the cities that the water must go into the ground, and the City does not have knowledge of what occurs to the water once it goes into the ground. Mr. Relph responded that the state is empowering cities to capture and put that water into the ground. Mr. Landau discussed exemptions to LID requirements and the fact that site conditions prevail.

Mr. Sanchez discussed the purpose of the Surface Water Master Plan (SWMP) Update, the recommended LOS, additional regulatory requirements, and having a higher level of emphasis on maintenance and operations. He also discussed the associated rate structure for the next six years, flood reduction, water quality protection, and habitat preservation.

Mr. Landau then discussed the asset inventory management program and the policy issues that were conveyed to the Council on May 2, 2011. He noted that the current surface water policy has been focused on fixing existing drainage problems and meeting regulatory requirements. He also discussed being a part of a regional monitoring effort and having the City reviewing the Code. He highlighted what it would take for the City to attain LOS 1 and 2 and recommended LOS 1. LOS 1 meets the anticipated changing regulations in NPDES 2012, has a moderate annual surface water maintenance fee increase, and a 1.5 FTE increase in City staff. He noted that Shoreline surface water fees fall in the middle of other jurisdictions at \$130/year per parcel. He also noted that 64 percent of surface water revenue comes from residential. He concluded that LOS 1 balances competing objectives.

Mayor McGlashan inquired if other cities have a flat or progressive/graduated fee schedule for surface water. Art Griffith, the City's consultant from SAIC, replied that Seattle, Bellevue, and Bellingham charge a rate depending on lot size, while most others have flat fee and group lots into different ranges.

Councilmember Eggen inquired if the City's new NPDES permit is the primary motivation for increasing the costs and services under the surface water master plan. He also wondered if it can be done with current staffing. Mr. Sanchez responded that the new NPDES brings in new regulatory requirements, but the City is also looking at asset inventory and condition assessment. All this, he emphasized, drives the resource need. Councilmember Eggen inquired if it would be a long-term need, and Mr. Sanchez replied that it would be long-term and that the City will have to manage the information to determine those needs.

Councilmember Roberts said he likes the idea of changing the way we think about lots and lot sizes. He inquired if it makes sense to save money by investing more now on maintenance rather

than waiting 10 or 15 years. Mr. Relph replied that the City staff is trying to determine what is underground, its condition, and its life expectancy. This is what the asset inventory system will help City staff determine. Mr. Sanchez added that the next stage is becoming proactive rather than reactive. Councilmember Robert concluded that he favors the higher LOS and said there is a need to prioritize repair and maintenance.

Councilmember Eggen inquired if any utilities have a strategy to accumulate a fund to do projects over time rather than going into debt. Mr. Relph responded that he has been involved with projects that are done using a utility reserve fund, but the City does not have to go into debt to do a project.

Mayor McGlashan commented on the Aurora Project and inquired if the current status gives the City some indication of the condition of the surface water system. Mr. Relph replied that the project has revealed that the system is poor and inadequate in size. He added that the surface water system throughout the country has been a second-class utility and neglected for decades and all local communities are trying to get make improvements.

9. ADJOURNMENT

At 8:07 p.m., Mayor McGlashan declared the meeting adjourned.

Scott Passey, City Clerk

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