

CITY OF SHORELINE

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

Monday, December 12, 2011
7:00 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 Winstead

ABSENT: None

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.

Mayor McGlashan invited Councilmember Scott and his family to the podium to commemorate his service on the Council over the past four years. Councilmember Scott addressed the audience.

3. CITY MANAGER'S REPORT

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

4. COUNCIL REPORTS

Mayor McGlashan announced that he attended the attended North Cities/Eastside Joint Caucus meeting of the Suburban Cities Association (SCA) and Councilmember Eggen was selected to be on the SCA Board.

5. PUBLIC COMMENT

a) Lance Young, Shoreline, on behalf of One World Outing Club, asked the City for some support regarding the Interurban Trail tree cutting issue.

b) Patty Pfeiffer, Shoreline, concurred with the previous speaker and said the issue has been dragging on for a few months.

c) Pat Murray, Shoreline, stated that SCL needs to change its behavior and inquired if there are any households that are eager to sign a petition to preserve the greenbelt along the Interurban Trail.

d) Tom Mailhot, Shoreline, on behalf of Save Richmond Beach, requested to change the Richmond Beach transportation level of service standard to level C, which fits with the City's T-1 transportation policy.

e) Jason Rothwell, Shoreline, discussed the SCL tree cutting issue along Interurban Trail (IT) and asked the Council to help them protect the trail.

f) Caycee Holt, Shoreline, said she is thrilled with the Transportation Master Plan (TMP) recommendations for Richmond Beach, adding that she supports an amendment to change policy T-39.

g) Judy Allen, Shoreline, said she is sad that the Surface Water Master Plan will be adopted without addressing Storm Creek/Boeing Basin. She noted that it is dangerous and if nothing is done there will be a disaster.

h) Tom Jameson, Shoreline, stated that the Council minutes don't get published timely and said there were some strange things going on with the agenda for the meeting.

i) Dennis Casper, Seattle, encouraged passage of the Transportation Master Plan and changing the level of service to level C, adding that it is important to have safer streets.

Ms. Underwood commented that the City is working with SCL on the Interurban Trail and waiting to see what they want to do. She said it may be addressed in the franchise agreement in 2014.

Councilmember Eggen stated that Mr. Young urged SCL to negotiate on tree height and inquired if there has been any feedback. Debbie Tarry, Assistant City Manager responded that SCL said they would be trimming the trees and wouldn't do any tree removal unless the tree in question is hazardous. Additionally, she said the City Attorney noted that the best way to address this is through the franchise agreement. However, Councilmember Eggen noted that 2014 is a long way away and there is concern in the community whether SCL can be trusted. Councilmember McConnell inquired if the City could ask SCL to write a letter and Ms. Tarry confirmed that the City did, but the question is whether SCL would abide by it.

6. APPROVAL OF THE AGENDA

Mayor McGlashan explained the proposal to change the agenda in order to hear item 9(c) before item 9(b). He also noted that there is an Executive Session after new item 9(b).

Upon motion by Councilmember Winstead, seconded by Councilmember Scott and unanimously carried, the revised agenda was approved.

7. CONSENT CALENDAR

Upon motion by Deputy Mayor Hall, seconded by Councilmember Eggen and unanimously carried, the following Consent Calendar items were approved:

- (a) **Minutes of Business Meeting of November 14, 2011
Minutes of Study Session of November 21, 2011**
- (b) **Approval of expenses and payroll as of December 2, 2011 in the amount of \$1,575,252.89**
- (c) **Motion to Authorize the City Manager to Increase the Johansen Excavating Contract Contingency by \$367,610 for a Total Contract Contingency of \$1,189,365 for the Aurora Corridor Improvement Project from N 185th to 192nd Streets**
- (d) **Motion to Authorize the City Manager to Enter Into a Contract with the Law Office of John Rongerude for Conflict Public Defense Services**
- (e) **Authorize the City Manager to Increase the Contract Contingency with HDR, Inc. for Construction Management of the Aurora Corridor Improvement Project (N 165th to N 185th Streets) by \$215,000 for a Total Contract Contingency of \$527,651**

8. ACTION ITEMS: PUBLIC HEARING

- (a) Public Hearing and Adoption of Ordinance No. 624 Establishing a Five-Year Exemption from Real Property Taxation for the Development of Multifamily Housing in Designated Target Areas

Dan Eernisse, Economic Development Program Manager, noted that he briefed the Council at the last meeting on this topic. He pointed out that there is also an alternate ordinance with a sunset clause that was drafted by the City Attorney.

- a) Kelly Rider, Seattle, on behalf of the Housing Development Consortium, urged stronger affordable housing requirements for the Property Tax Exemption (PTE).
- b) Tom Jameson, Shoreline, opposed the PTE extension because it is unfair and said that the intervention in the free market distorts the market.

Deputy Mayor Hall moved adoption of Ordinance No. 624 Establishing a Five-Year Exemption from Real Property Taxation for the Development of Multifamily Housing in Designated Target Areas Councilmember Roberts seconded the motion. Deputy Mayor Hall discussed the two versions of the ordinance and confirmed that the motion involves the version

presented in their packet which includes Section 5(D). He noted that it is a new program and discussed the five year sunset clause.

Councilmember Roberts suggested striking "and processed" from Section 5(D) of the sunset clause. Councilmember Eggen seconded the motion, which carried 7-0.

Councilmember Roberts inquired if it would be better to have a separate provision in the Code for sunseting. Deputy Mayor Hall said he liked the idea of codifying it even with a five-year sunset.

Deputy Mayor Hall moved to amend the Ordinance No. 624, Section 5(D) to read “No applications for the Multiple Family Tax Exemption shall be accepted after December 31, 2016 unless the City Council evaluates and extends the program.” Councilmember Eggen seconded the motion.

Councilmember Winstead supported the amendment and anything the City can do to boost economic development is good. Councilmember Eggen supported the five-year sunset and said it is important for government to always review the effects of law. Councilmember Roberts asked Mr. Eernisse about the probability developers using this exemption and Mr. Eernisse replied that he didn't think the amendment would deter them, but might actually create some urgency. Councilmember Roberts agreed with the sunset clause, but doesn't like the excess verbiage.

Councilmember McConnell asked about the staff recommendation to come back to Council annually to discuss the PTE program in general. Mr. Eernisse responded that he would like to review the program annually in order to keep the Council informed about development status.

Deputy Mayor Hall agreed that the extra verbiage is unnecessary, but wanted to create an expectation that the City staff will bring it to the Council yearly. Mayor McGlashan supported amendment.

A vote was taken on the motion on the table to amend Ordinance No 524, Section 5(D) to read “No applications for the Multiple Family Tax Exemption shall be accepted after December 31, 2016 unless the City Council evaluates and extends the program,” which carried 7-0.

Councilmember Eggen felt it appropriate for local government to take measures to make building easier due to the Growth Management Act (GMA) requirements. He expressed concern about how to get more affordability into this measure.

Councilmember Roberts inquired about the maximum rent limit for someone who was in the 60% threshold. Mr. Eernisse responded that an 80 percent threshold is \$55,000 and a 60 percent threshold is \$41,000. Councilmember Roberts discussed maximum rent limits and Shoreline's affordable housing stock ranges.

Deputy Mayor Hall commented that this program would not increase zoning, density, or development regulations; it merely responds to what the community wants in the Town Center

and Aurora Corridor area. He said this is one step to encourage people to develop where the City planned for it to go and advances the community's vision. He noted that because the City completed the frontage improvements on Aurora Avenue, developers don't have to pay for them. Form-based codes and tax exemptions provide an incentive for all development, including affordable housing.

Councilmember Eggen commented that he is looking forward to reviewing affordability in a year and encouraged Ms. Rider to work with Human Services to identify issues the Council might be able to address.

A vote was taken on the motion to adopt Ordinance No. 624 Establishing a Five-Year Exemption from Real Property Taxation for the Development of Multifamily Housing in Designated Target Areas, and adopting a new Municipal Code Chapter 3.27, as amended. Motion carried 7-0.

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

(a) Motion to Authorize the City Manager to Execute an Interlocal Agreement for Climate Collaboration with Participating King County Cities and King County

Mark Relph, Public Works Director, stated that this motion authorizes the City Manager to execute the U.S. Conference of Mayor's Climate Protection Agreement to formalize the regional partnership and collaboration. He added that the City staff sees value in this and has already accepted grant funding pertaining to this item.

Councilmember Eggen moved to authorize the City Manager to execute an Interlocal Agreement for Climate Collaboration with participating King County cities and King County. Councilmember Scott seconded the motion. Councilmember Eggen stated that he is struggling with what this means and Mr. Relph clarified that it is the beginning of a process that will pull together resources and determine what the coalition can practically pursue. **A vote was taken on the motion to authorize the City Manager to execute an Interlocal Agreement for Climate Collaboration with participating King County cities and King County, which carried 7-0.**

(b) Motion to Adopt the 2011 Surface Water Master Plan Filed under City Clerk's Receiving No. 6536

Mark Relph, Public Works Director, Jesus Sanchez, Public Works Operations Manager and Brain Landau, Surface Water Manager provided a brief staff report.

Councilmember Roberts moved to adopt the 2011 Surface Water Master Plan Filed under City Clerk's Receiving No. 653. Councilmember Scott seconded the motion.

Councilmember Roberts spoke to the motion and noted that the Council will have to revisit it when Storm Creek and Boeing Creek basin planning is done.

Councilmember Eggen agreed and stated there are questions that haven't fully been answered. He inquired if the City should be helping private land owners with surface water problems in abnormal surface water environments. He said it does not seem reasonable that the City does not bear some level of responsibility.

Councilmember McConnell supported the motion but would like to see the completed basin report provided to the Council as soon as possible because of the concerns at Storm Creek.

Deputy Mayor Hall commented that he has concerns about the fee and fee study, including the basin plan. Mayor McGlashan supported the item. He stated that he understands that more study needs to be done and the assets need to be considered.

A vote was taken on the motion to adopt the 2011 Surface Water Master Plan Filed under City Clerk's Receiving No. 6536, which carried, 6-1, with Deputy Mayor Hall dissenting.

(c) Ordinance No. 615 Adopting a Revised Comprehensive Plan Transportation Element and Additional Transportation Projects in the Capital Facilities Element; Adopting a Revised Transportation Master Plan; and Amending Development Code Sections Regarding Road Dedications and Transportation Concurrency to be Consistent with the Transportation Master Plan, Including SMC 20.60.140, 20.70.010, 20.70.020, 20.70.120; 20.70.130, 20.70.220; and 20.70.320

Deputy Mayor Hall recused himself from this item and left the Council Chamber at 8:43 p.m.

Mark Relph, Public Works Director, Kirk McKinley, Transportation Services Manager, and Alicia McIntyre, Senior Transportation Planner, provided the staff report and recapped the background and process for updating the Transportation Master Plan (TMP). Ms. McIntyre addressed comment letters and comments about the level of service (LOS) in Richmond Beach. She noted that the Point Wells subarea plan establishes a maximum average daily traffic (ADT) of 4,000 for Richmond Beach Drive until mitigation is completed and financing is committed. She discussed the LOS on Richmond Beach and what each level means. Mr. Relph expanded the discussion and said LOS at an intersection is a calculation of delay, not a cap. He noted that the higher the LOS, the higher the delay. Ms. McIntyre discussed growth and transportation network LOS. She emphasized that the LOS C proposal is a significant change and pointed out that it would require an additional public hearing, delay the adoption of the TMP, the Comprehensive Plan, Development Code, and the development of the 2012 impact fee.

EXECUTIVE SESSION: Litigation: RCW 42.30.110(1)(i)

At 8:57 p.m., Mayor McGlashan announced that the Council would recess into an Executive Session for a period of 20 minutes to discuss litigation, per RCW 42.30.110(1)(i). At 9:20 p.m., Mayor McGlashan emerged and announced that the Executive Session would be extended for a period of 10 minutes, until 9:30 p.m. At 9:30 p.m., the Executive Session concluded and the Business Meeting reconvened.

Councilmember Roberts moved to adopt Ordinance No. 615 adopting a revised Comprehensive Plan Transportation Element and additional transportation projects in the Capital Facilities Element; adopting a revised Transportation Master Plan; and amending Development Code sections regarding road dedications and transportation concurrency to be consistent with the Transportation Master Plan, including SMC 20.60.140, 20.70.120; 20.70.130, 20.70.220; and 20.70.320. Councilmember Winstead seconded the motion.

Councilmember Eggen discussed the prioritization scheme for pedestrian projects and Mr. McKinley pointed out that it is located on page 217 of the TMP, which includes specific criteria. Ms. McIntyre added that any location that doesn't have a sidewalk is a safety concern. Mr. McKinley added that the policy is focused on land uses and transportation facilities that might tend to attract more pedestrians, which means more exposure and more risk. Therefore, areas with a proximity to schools, parks, transit, Town Center, Aurora, etc., were the main concerns. However, accident data is random.

Councilmember Eggen felt that the City was on the wrong track with the statistics being used. He noted that there isn't any measure as to whether a site forces pedestrians to walk closer to cars. He said that some features are redundant and it isn't clear if they attract pedestrians. He suggested adding a provision stating that "If current conditions force pedestrians to walk adjacent to road it would be a safety hazard." He suggested the City staff do more work on this and revise it. He asked the City staff what they would recommend going forward.

Mr. Relph responded that sites are scored subjectively and Ms. McIntyre worked with a steering committee on these criteria. However, the committee did not recommend a weighted system. He said there are practical scoring issues and suggested approving the TMP tonight, but allow for the possibility for a future amendment to TMP criteria. Ms. McIntyre added that there are lots of places where there is no sidewalk; this is new sidewalk.

Councilmember Eggen stated that the current recommended project doesn't have any safety issues and the scoring used to produce this map rated Project #98 in the top 7 or 8. Mr. McKinley responded that this project was recommended because it is public property; the City would not have to purchase any right-of-way, and it could be built next year.

Councilmember Scott pointed out that there has been discussion about that area before and asked what the safety issue is based on. Councilmember Eggen replied that it is based on the fact that there is a walking path six feet away from traffic.

Councilmember Eggen moved to direct the City staff to add the language to the Transportation Master Plan that would require additional scoring criteria if the current roadway conditions force pedestrians out near traffic. The motion died for a lack of a second. Councilmember Eggen noted that he will be unable to vote for the TMP if this is not addressed.

Councilmember Roberts inquired if there was a way to measure usage as a criterion and if there are policies for incomplete streets. He said he would like to see future policies dealing with both

of these. Mr. McKinley replied and discussed the sidewalks gap policy, noting that pedestrians are counted at intersections.

Councilmember McConnell hoped Councilmember Eggen votes for this and said his concerns can be passed onto the steering committee. Ms. Underwood added that the Council could move to have this item come back in 2012 and change the prioritization criteria. Councilmember McConnell wondered if it was possible to readjust the work plan during the retreat.

Councilmember Winstead expressed that there has been much process on this and said when she first saw it she wasn't terribly impressed that it was absolutely conclusive. She added that the Council could walk the proposed projects, too. Additionally, she pointed out that the Council adopted this project as part of the 2012 budget. She noted that this significant change will need a public hearing. She suggested adopting this and having the City Manager bring this back to the full Council for more discussion.

MEETING EXTENSION

At 9:59 p.m., Councilmember Scott moved to extend the meeting fifteen minutes. Councilmember Winstead seconded the motion, which carried 6-0.

Councilmember Roberts noted that Save Richmond Beach sent in a proposed amendment concerning LOS C at the meeting. Mr. McKinley responded that the TMP, as currently written, does not assume growth at Point Wells. Thus, Councilmember Roberts stated that changes to the LOS could lead to confusion and other complications for the City. He added that citizens who support LOS C should bring it up in future corridor studies. Councilmember Roberts spoke in favor of the TMP and the process, despite the added work needed.

Mayor McGlashan spoke in favor of the TMP.

A vote was taken on the motion to adopt Ordinance No. 615 adopting a revised Comprehensive Plan Transportation Element and additional transportation projects in the Capital Facilities Element; adopting a revised Transportation Master Plan; and amending Development Code sections regarding road dedications and transportation concurrency to be consistent with the Transportation Master Plan, including SMC 20.60.140, 20.70.120; 20.70.130, 20.70.220; and 20.70.320, which carried 6-0.

10. ADJOURNMENT

At 10:06 p.m., Mayor McGlashan declared the meeting adjourned.

Scott Passey, City Clerk