

**CITY OF SHORELINE**

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

Monday, July 16, 2012  
7:00 p.m.

Council Chamber - Shoreline City Hall  
17500 Midvale Avenue North

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

**ABSENT:** Councilmember Salomon

**1. CALL TO ORDER**

At 7:03 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 Salomon.

**Upon motion by Councilmember Winstead, seconded by Councilmember Roberts and carried 6-0, Councilmember Salomon was excused.**

**3. REPORT OF THE CITY MANAGER**

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

**4. COUNCIL REPORTS**

Councilmember McConnell reported on her Domestic Violence Initiative Committee meeting. Councilmember Hall reported on the Puget Sound Partnership and the King County Regional Solid Waste Policy Committee meeting. Councilmember Roberts reported on the Suburban Cities Association (SCA) Public Issues Committee meeting. Deputy Mayor Eggen supported having a future Council meeting to discuss landfill and waste to energy technology as well as sewer overflows. Councilmember McConnell responded that the combined sewer outflow plan was a major topic at the Regional Water Quality meeting. Mayor McGlashan reported on his meeting of the Washington Mayor's Transportation Forum.

**5. PUBLIC COMMENT**

a) Philip Dawdy, Seattle, urged the Council to vote no on a collective gardens amendment if introduced because designated provider regulations don't apply to collective gardens.

b) Kurt Boehl, Seattle, on behalf of A Green Cure Wellness Center, discussed the taxes generated by collective gardens and pointed out that they have not created the crime and problems people envisioned.

c) Laura Healy, Lake Stevens, said the City of Lake Stevens is watching what Shoreline does about collective gardens and urged the Council not to adopt an amendment.

d) Sean Green, Shoreline, commented that amendment E of the proposed ordinance falls outside the City's jurisdiction, and limiting a business to 20 people within 30 days contradicts the business license and state law.

e) Jon Hansen, Seattle, commented favorably on Shoreline in general, Richmond Beach in particular, and the improvements on Aurora Avenue.

#### 6. APPROVAL OF THE AGENDA

**Councilmember Hall moved to approve the agenda, seconded by Councilmember Winstead. Deputy Mayor Eggen moved to remove item 7(b) from the Consent Calendar and place it as item 9(c). A vote was taken to approve the agenda as amended, which carried 6-0.**

#### 7. CONSENT CALENDAR

**Upon motion by Councilmember Roberts, seconded by Councilmember Hall and unanimously carried, the following Consent Calendar item was approved:**

**(a) Adoption of Ordinance No. 645 to Reclassify the Purchasing Officer to Central Services Manager, the Facilities Maintenance Worker II to Senior Facilities Maintenance Worker, a Finance Technician to a Buyer and an Engineering Technician to a Traffic Signal Technician within the City's Classification and Compensation Plan**

#### 8. ACTION ITEMS: PUBLIC HEARING

(a) Public Hearing to receive citizens' comments on Resolution No. 329: 2013-2018 Transportation Improvement Program (TIP)

Kirk McKinley, Transportation Manager, provided the staff report on the proposed TIP and presented a slideshow which identified the highlights.

**Mayor McGlashan opened the public hearing. Seeing no one wishing to provide public comment, Mayor McGlashan closed public hearing.**

9. ACTION ITEMS: ORDINANCES, RESOLUTIONS AND MOTIONS

- (a) Adoption of Resolution No. 329: 2013-2018 Transportation Improvement Program

**Councilmember Roberts moved adoption of Resolution No. 329, the 2013-2018 Transportation Improvement Program. Councilmember Hall seconded the motion.**

Councilmember Roberts spoke in favor of the Resolution and said this program will greatly benefit the City. Councilmember Hall expressed support and said he appreciated the additional information on unimproved rights-of-way, which will be opportunities to improve pedestrian linkages. **A vote was taken on motion to adopt Resolution No. 329, the 2013 – 2018 Transportation Improvement Program, which carried 6-0.**

RECESS

**At 7:41 p.m., Mayor McGlashan called for a five minute break. The meeting reconvened at 7:46 p.m.**

- (b) Adoption of Ordinance No. 643 Adopting as a Permitted Land Use Collective Gardens for the Growing and Distribution of Medical Cannabis, Amending Chapter 20.40 of the Shoreline Municipal Code and Declaring an Emergency

**Councilmember Salomon joined the meeting via telephone.**

**Councilmember Winstead moved to adopt Ordinance No. 643 adopting as a permitted land use collective gardens for the growing and distribution of medical cannabis, amending Chapter 20.40 of the Shoreline Municipal Code and declaring an emergency. Councilmember Roberts seconded the motion.**

Paul Cohen, Planning Manager, provided the staff report. He noted that this legislation adopts permanent regulations in the development code.

Responding to Councilmember Hall's request for a reading of RCW 69.51A.085 related to collective gardens, Councilmember Winstead read the relevant section. Councilmember Hall noted that ten qualifying patients may participate in any single collective garden at any time and everything else from that section flows from that limited number of patients. He said having thousands of people participating in a collective garden is not contemplated by the code. He pointed out RCW 69.51A.100 and suggested having a 15-day waiting period because the draft ordinance is outside the law.

**Councilmember Hall moved to amend Ordinance No. 643 to insert "Section E: No substitution of members of a collective garden in less than fifteen days is allowed where any fee or charge is paid to the garden or a garden member for the delivery of medical cannabis." Deputy Mayor Eggen seconded the motion.**

Mayor McGlashan spoke in favor of the motion. Councilmember McConnell did not support the amendment. She inquired why the City has allowed them to exist without giving them the ability

to run their businesses. Councilmember Winstead did not support the amendment. She noted that the law is imperfect, but she didn't interpret the law in the same manner as Councilmember Hall. She felt the regulations in place are good. Councilmember Roberts added that he did not support the amendment and that it is not appropriate for the development code. Councilmember Salomon noted that he would not support the amendment. Deputy Mayor Eggen said that he did not support the amendment and felt the ordinance is consistent with state law.

**A vote was taken on the motion to amend Ordinance No. 643 to insert Section E, which failed, with Councilmember Hall and Mayor McGlashan voting in the affirmative.**

Councilmember Hall said he will vote against the main motion because collective gardens are supposed to be about providing safe access to medicine, not about business profits and retail sales.

Councilmember Salomon said he supports the main motion.

Mayor McGlashan commented about the large amount of tax revenue generated by collective gardens but the City only sees a small portion of the revenue. He also expressed concern about the armed robbery that occurred at the collective garden in North City and the buffers on the map. He said he doesn't believe in adopting a moratorium and felt the country should legalize it.

**A vote was taken on the motion to adopt Ordinance No. 643 adopting as a permitted land use collective gardens for the growing and distribution of medical cannabis, amending Chapter 20.40 of the Shoreline Municipal Code and declaring an emergency. Motion carried 6-1, with Councilmember Hall dissenting.**

#### RECESS

**At 8:12 p.m., Mayor McGlashan called for a five minute break. The meeting reconvened at 8:18 p.m.**

(c) Authorizing the City Manager to Increase the HDR Contract Contingency for the Aurora Improvement Project - North 165th to N 185th Streets

**Deputy Mayor Eggen moved to authorize the City Manager to increase the HDR contract contingency for the Aurora Improvement Project - North 165th to North 185th Streets by adding \$100,000 to the previously awarded amount. Councilmember McConnell seconded the motion.**

Deputy Mayor Eggen said he pulled this from the Consent Calendar because it represents the fourth time the Council has amended it and the net increase is \$550,000 of the original \$3.2 million. He asked Mr. McKinley to explain the increase. Mr. McKinley explained that the 4 amendments keep HDR engaged in the project since there have been several delays due to a joint utility trench, issues with Seattle Public Utility connections to the trunk lines, contaminated soils, issues with Seattle City Light converting utilities from overhead to underground, and delays due to design changes. He also noted that the delays added about six to eight months to the original

completion timeline. Therefore, it is important for the City to keep the team and engineer of record funded as the project continues. He noted that the amendment tonight is to work on the \$3.9 million claim received from Marshbank Construction for post-construction. Deputy Mayor Eggen clarified that the previous amendments were due to delays and Mr. McKinley responded that resources are added when they are needed. Deputy Mayor Eggen inquired if the City of Shoreline has made any change orders and Mr. McKinley replied that the City hasn't and that most of the revisions were related to underground electrical power.

**A vote was taken on the motion to authorize the City Manager to increase the HDR contract contingency for the Aurora Improvement Project - North 165th to North 185th Streets by adding \$100,000 to the previously awarded amount, which carried 6-0.**

## 10. STUDY ITEMS

### (a) Discussion of the Juvenile Justice Facility Levy

Scott MacColl, Intergovernmental Relations Manager, was joined by Jim Burt, Major Project Manager for the King County Facilities Management Division, and Paul Sherfy, Chief Administrative Officer. Mr. MacColl noted that the levy is to replace the existing juvenile justice facility in central Seattle and the amount is for about \$208 million over nine (9) years. He noted that King County has placed a ballot measure on the August primary. He stated that it would mean a tax of \$25 per year for a median homeowner in King County resulting in a total of \$350,000 per year.

Mr. Burt discussed the history of the planning effort, lessons learned, and the current options study. He said the final recommendation is to build the new courthouse and detention on the existing Alder site.

Councilmember Hall confirmed with Mr. MacColl that this is purely informational and expressed concerns about the levy contents.

There was Council discussion about division of the property, property values, need for the facility, site development issues, and timeliness of the levy. Ms. Underwood said the Council could direct staff to return with a resolution next week, adding that staff would have to issue a public hearing notice because this requires ten (10) day notice. Councilmember Roberts expressed concern about the lack of lead time for Council to consider this and felt that making a recommendation wouldn't impact the measure anyway.

### (b) Discussion of the Ten (10) Year Financial Sustainability Plan

Robert Hartwig, Administrative Services Director, discussed the purpose of the Ten (10) Year Financial Sustainability Plan, noting that it addresses Council Goal #1. He highlighted the specific steps in the proposed timeline and the City staff recommendations which are to move through a City staff and Council process and report the results to the community.

Mr. Hartwig responded to Councilmember Roberts concerning how the City staff will review the data and noted that each department will be broken down into their services and cost them out. Additionally, it will be determined what other levels of service can be provided. He confirmed that it's not zero-based budgeting. Mr. Hartwig added that the community likes what the City is doing and that will be the base level of service. Ms. Underwood stated that it is more like priority-based budgeting rather than incremental or zero-based budgeting. She noted that it breaks down mandated versus discretionary services. She added that the Council review process will identify how this plan is communicated to the public. Councilmember Roberts said the public might not see inconspicuous items and has concerns that priority budgeting might not identify what the real priorities are. He said he might prefer a zero-based budget approach or just building the budget from the ground up because this is a long term strategy geared towards sustainability.

Councilmember Hall discussed the work of the long range financial committee and said he felt comfortable with continuing with the assumption that most of the community wants to maintain the same level of service. He said the options for closing the gap have been outlined. These options are the voter approved tax rate increase and the reduction of costs through finding efficiencies. However, he noted that the City hasn't been successful in growing its tax base. He said he is looking to see what level the expansion of the tax base would have to be if the goal is to preserve the current level of service with the currently authorized tax rates.

Deputy Mayor Eggen stated there hasn't been a huge improvement in the funding picture for the City of Shoreline. He also added that as a result, there will be huge cuts to Metro service and a statewide vote to improve transportation will not help Shoreline. He added that it will probably be another year of low assessed values, so the issue of budgeting to optimize resources is clearly the thing to do. He endorsed Councilmember Hall's suggestion, thanked Mr. Hartwig for laying out the process, and said he would volunteer for a Council subcommittee.

Mayor McGlashan confirmed with Ms. Underwood that the Council would adopt the plan when it is completed. He added that he agreed with the process.

(c) Discussion of the 2012 - 2013 City Workplan

Debbie Tarry, Assistant City Manager, provided the staff report and the background of the City Workplan. She noted the limited personnel and financial resources of the City. She highlighted that the workplan encompasses the adopted Council goals, Council and community priorities, city operations, organizational performance and capacity building, and on-going City services. She noted that the employee survey showed that the employees are looking at the leadership to identify the priorities. She highlighted the leadership team's criteria for new initiatives and gave some examples of items beyond the current workplan. She asked for Council feedback on the City Workplan.

Councilmember Roberts wanted to know if the City Clerk's Office can handle the current level of public records requests. Scott Passey, City Clerk, responded that the City Clerk's Office does have adequate capacity, and Ian Sievers, City Attorney, added that the City can provide records in installments in order to manage time and workload.

Councilmember Hall commented favorably on staff's criteria for new initiatives and stated that it creates predictability. He communicated that if the City staff is forced to prioritize from the existing work plan, the N 145th Street acquisition should be dropped. Additionally, there are low impact development requirements for the new sidewalks the City wants and we have a direct funding problem because the City can't match the grant funding. He said the operational things fall within the City Manager discretion, but enhancing the City's online documentation isn't as critical as some of the other items. He discussed improvements to the utility yard/maintenance facility and if it needs to get done he felt the funding for asset management and basin planning should be reduced. The important issues, he felt, were economic development, station area planning, finishing Aurora Avenue North, and consolidating governance, i.e. acquiring Seattle Public Utilities water.

Councilmember Winstead noted that N 145th Street may not be a high priority and she still wants the City to move forward on low impact development for sidewalks. She felt the workplan would be a great tool. Councilmember McConnell felt the Council needs to focus on economic development and would also like to see the City staff recommendations on the priorities.

Councilmember Roberts said it is a responsibility for the Council to be cognizant to the agenda of the City staff and how much time and effort it takes to do something. However, he stated that the Council shouldn't be timid in changing or voicing its opinion on priorities. He felt that if an opportunity arises, then 145th Street could be incorporated into the plan. He stated that it is up to the Council to direct Councilmembers to rank the priorities based on Council consensus and cautioned against making broad statements on what to take off the plate until all options are investigated.

Deputy Mayor Eggen wondered if acquiring N 145th Street is a nice idea that would improve things for the neighborhood versus an investment that is necessary to get people to the proposed N 145th Street light-rail station. He also wondered if low-impact developments are opportunities to leverage sidewalk funding.

Ms. Tarry stated that City staff is looking for a way to have a dialogue about balancing the workload. She added that not including police in the workplan was not an oversight because the intent was to address priorities that deal with City staff as opposed to contracted services.

Mayor McGlashan wrapped up the discussion and Ms. Tarry noted that the City staff is anticipating having everything completed by August.

## 11. ADJOURNMENT

At 9:51 p.m., Mayor McGlashan declared the meeting adjourned.

---

Scott Passey, City Clerk