

CITY OF SHORELINE

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

Monday, September 4, 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 Salomon.

ABSENT: Councilmember Roberts

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 Roberts.

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

3. REPORT OF THE CITY MANAGER

Debbie Tarry, Acting City Manager, provided reports and updates on various City meetings, projects, and events.

4. COUNCIL REPORTS

Deputy Mayor Eggen discussed his attendance at a Suburban Cities Association (SCA) Caucus of the Growth Management Planning Council (GMPC) where the expansion of the urban growth area (UGA) boundaries was considered.

5. PUBLIC COMMENT

a) Ramona Graham, Center for Human Services Substance Abuse Director, thanked the Council for its support and announced that September is National Recovery Month.

6. APPROVAL OF THE AGENDA

Councilmember Hall moved approval of an amended agenda to have each public hearing item considered and voted upon following each public hearing. Deputy Mayor Eggen seconded the motion, which carried 6-0, and the amended agenda was approved.

7. CONSENT CALENDAR

Upon motion by Councilmember McConnell, seconded by Deputy Mayor Eggen and carried 6-0, the following Consent Calendar items were approved:

- (a) **Minutes of Special Meeting of August 6, 2012**
Minutes of Special Meeting of August 13, 2012

8. PUBLIC HEARING

- a) Resolution No. 331 Supporting Marriage Equality and Approval of Referendum 74

Debbie Tarry, Acting City Manager, introduced the item and provided the staff report. She highlighted that the resolution would express Council support for Referendum 74 concerning marriage equality. Ms. Tarry highlighted the background and history of the item.

Mayor McGlashan opened the public hearing.

- 1) Kate Beck, Shoreline, spoke in favor of Resolution No. 331 and how Referendum 74 would positively impact her life and family in terms of marriage equality.
- 2) Arthur Allen, Seattle, urged the Council to pass Resolution No. 331 and spoke in support of marriage rights and the emotional health of society.
- 3) Krista Tenney, Shoreline, spoke in favor of Resolution No. 331 and in support of pride, respect, and committed, loving families.
- 4) Nicole Vifian, Shoreline, spoke in favor of Resolution No. 331 because her gay and lesbian friends who have families and children should have the same privileges.
- 5) Jonathan Olson, Bellevue, spoke in favor of Resolution No. 331 and commented that Referendum 74 makes a difference because existing law (Referendum 71) is inadequate.

Mayor McGlashan closed the public hearing.

Councilmember Salomon moved to adopt Resolution No. 331 supporting the approval of Referendum 74. Councilmember McConnell seconded the motion.

Councilmember Salomon expressed support for the motion and noted that this referendum doesn't take away anything from traditional marriages. Councilmember Hall supported the item

and commented that he cannot find any rational reason for government to prevent people from getting married. Councilmember Winstead spoke in favor of the motion and thanked the speakers. Councilmember McConnell and Deputy Mayor Eggen both spoke in favor of the motion.

Mayor McGlashan provided summary comments in support of same sex marriage and Resolution No. 331. He thanked everyone for coming out and supporting it.

A vote was taken on the motion to adopt Resolution No. 331 Supporting Marriage Equality and Approval of Referendum 74, which carried 6-0.

- b) Resolution No. 332 Supporting Approval of the Automated Fingerprint Identification System (AFIS) Levy on the November 6 General Election Ballot

Ms. Tarry introduced Carol Gillespie, Regional AFIS Manager for the King County Sheriff's Office, who provided the staff report on the proposal to renew the AFIS Levy.

Ms. Gillespie highlighted the AFIS mission, explained the program, and its evolution. She detailed the regional support AFIS provides and the program customers. She highlighted what and where the King County Livescans are and discussed the new AFIS system which searches the entire handprint. She noted that AFIS is working on cold cases and was successful in helping solve the Shoreline rape case. Ms. Gillespie discussed funding and that the 2013 - 2018 levy is needed for continuing services. She noted that the levy is necessary to maintain the level of service status quo. She noted the initiatives and improvements that will be funded if the levy is approved and outlined what would occur if the levy fails.

Mayor McGlashan opened the public hearing.

- 1) Tom Jamieson, Shoreline, spoke in favor of Resolution No. 332.

Mayor McGlashan closed the public hearing.

Councilmember Salomon moved approval of Resolution No. 332 Supporting Approval of the Automated Fingerprint Identification System (AFIS) Levy on the November 6 General Election Ballot. Councilmember McConnell seconded the motion.

Councilmember Salomon inquired about the forty-nine "no bail wants" and Ms. Gillespie replied that it is when someone is wanted and no bail is set based on an egregious crime. Councilmember Salomon added that these types of resources are needed to have a safe community. Deputy Mayor Eggen spoke in support of Resolution No. 332 and Mayor McGlashan provided summary comments in favor of the measure.

A vote was taken on the motion to approve Resolution No. 332 Supporting Approval of the Automated Fingerprint Identification System (AFIS) Levy on the November 6 General Election Ballot, which carried 6-0.

- c) Resolution No. 333 establishing a Community Renewal Area (CRA) for Aurora Square Area Economic Development

Ms. Tarry introduced Dan Eernisse, Economic Development Manager, who provided the staff report. He noted that this is the first step in the Community Renewal Area (CRA) process, which is defining the CRA area to be considered and the specific plan comes later. He explained that Aurora Square qualifies as being defined as an economic blight because it economically underperforms because of a defective street and pedestrian layout, multiple owners, old and obsolete buildings, and acres of underutilized paved area. He noted that eminent domain will not be used in this situation and there is no plan for affordable housing. He added that no property rights will be violated or affected with the creation of a CRA. As far as the current owners of Aurora Square go, he noted that three of the current property owners have been silent, two have been supportive, three are cautiously supportive, and the other two oppose the CRA.

Mayor McGlashan opened the public hearing.

- a) Rick Stevens, Shoreline Merchants Association, expressed concerns about the adequacy of the public hearing notice on this item and the potential use of eminent domain related to CRAs.
- b) Krista Tenney, Shoreline, expressed concerns about impacts such as traffic and parking but was undecided about the measure.
- c) Paul Leavitt, Lake Forest Park, supported the resolution, characterizing it as an outstanding opportunity for the Aurora Square properties.
- d) Tom Jamieson, Shoreline, expressed concern that the resolution leaves the door open to eminent domain and contains no language about preserving property rights.
- e) Peggy Mayer, on behalf of the NW School, commented that the goals of the CRA aren't really in the NW School's best interest because the school isn't a retail property.
- f) Tony Dondero, Shoreline Lake Forest Park Patch, noted that the City has no local newspaper, adding that he wrote a story on August 13 about the CRA.
- g) Terry Green, Shoreline, spoke in favor of working together with the community and stronger verbiage against eminent domain in the resolution.
- h) Lindsey Amtmann, Shoreline, commented that Aurora Square can greatly benefit economically from a CRA and the City can benefit from less impervious surface.
- i) Audrey Cooper, Shoreline, urged the Council to reject the CRA because of the lack of strong language against eminent domain and some businesses don't want to be involved.

Councilmember Hall moved to adopt Resolution No. 333 establishing a Community Renewal Area (CRA) for Aurora Square Area Economic Development. Deputy Mayor Eggen seconded the motion.

Ian Sievers, City Attorney, responded to an inquiry from Councilmember Hall and stated that the Council cannot pass a resolution to prevent a future City Council from utilizing eminent domain. He added that eminent domain could only be used if a future ordinance allows it as part of a specific CRA plan and project; however, tonight's action would only designate a CRA.

Councilmember Hall expressed confidence that this action does not involve property rights or eminent domain, but it does involve a significant opportunity for jobs and the economy in partnership with private property owners. He stated his strong desire to include the Washington State Department of Transportation (WSDOT) property in the CRA.

Councilmember Salomon commented that CRA is a net gain for willing participants and a non-coercive, cooperative, and mutually beneficial method to enhance economic development for Aurora Square property owners. He pointed out that the language expressly states that eminent domain is not authorized by this resolution. He clarified that the Council's primary goal is not seeking more revenue, but he expressed concern about including owners against their will.

Councilmember Salomon moved to amend Resolution No. 333 to exempt the NW School from the establishment of a Community Renewal Area (CRA) for Aurora Square. Deputy Mayor Eggen seconded the motion.

Councilmember Salomon and Deputy Mayor Eggen spoke in favor of the motion. However, Deputy Mayor Eggen noted that he felt if they both were included it would benefit them in the future. Councilmember McConnell and Mayor McGlashan discussed scenarios concerning exclusion and adding them later versus inclusion and opting out later. Councilmember McConnell felt the property owners would be making a mistake to exclude themselves from the CRA due to future grant opportunities, profitability, and the development of Aurora Square.

Mr. Eernisse responded to Council comments and questions, noting that it could be difficult to include these properties later.

There was continued discussion and the Council made the following points:

- The amendment could exclude the NW School from improvements in the future.
- The Council needs to look at the big picture.
- The NW School would be well-served to be at the table so that it has an equal voice when capital improvements are proposed.
- The City shouldn't tell them what's right for their school.
- Having the NW School and WSDOT at the table would allow them to ensure the CRA doesn't affect their goals and mission. Both entities would be able to opt out at a later date.
- The NW School is attached more to this CRA than the neighborhood, and whatever impacts the CRA will impact them.

Responding to a suggestion to allow the NW School to respond, Councilmember Hall suggested opening public comment to all speakers. Mr. Sievers concurred, adding that comment should be limited to the scope of the motion on the table.

Councilmember Winstead moved to suspend the rules to continue hearing public comment on this item. Councilmember Salomon seconded the motion, which carried 6-0.

Mayor McGlashan reopened the public hearing.

a) Fredrick Carter, President of the Board of NW Schools, expressed concern that the CRA would obligate them to substantial capital expenditures on the site.

b) Rick Stevens, Shoreline Merchants Association, suggested the Council listen to the people who own the properties.

c) Tom Jamieson, Shoreline, suggested having a second hearing so that absent members of the proposed CRA have an opportunity to speak.

d) Peggy Mayer, NW School, stated that the Council advice is making them pause. She wondered if NW School could be excluded at a later date if the CRA includes it now.

Mr. Eernisse responded to the comments and stated that the only thing he could imagine is a low impact development (LID) proposal where one owner would want something like sidewalks and all the owners would have to pay for it if they are in the CRA. Mr. Sievers added that with an LID they could be drawn into a capital investment with the other parties but there could be a second opt out point depending on the scope and impact of projects. Mayor McGlashan clarified that the resolution only gives staff direction; it does not obligate property owners in any way.

Councilmember McConnell commented that LIDs usually go out ten or more years and they usually have little financial impact on property owners. She concluded that she doesn't support exclusion of NW School and WSDOT from this.

Deputy Mayor Eggen expressed concern about LID impacts and asked if non-profits have exemption from property taxes. Mr. Sievers replied that it's a matter of whether there is a special benefit for a particular property.

Councilmember Winstead moved to close debate, seconded by Councilmember Salomon. A vote was taken on the motion, which carried 5-1 with Mayor McGlashan dissenting and debate was closed.

A vote was taken on the motion to exempt the NW School from the establishment of a Community Renewal Area (CRA) for Aurora Square, which failed 2-4, with Deputy Mayor Eggen and Councilmember Salomon voting in the affirmative.

Councilmember Salomon moved to amend Resolution No. 333 to exempt the Washington State Department of Transportation (WSDOT) from the establishment of a Community Renewal Area (CRA) for Aurora Square. The motion died for a lack of a second.

Mr. Sievers responded regarding the comment about the public hearing notice. He explained that a higher level of public notice is required when the CRA plan is adopted under RCW 35.81.060, but that isn't what the Council is doing at this meeting.

Councilmember Salomon confirmed that the NW School could withdraw from the CRA at a later date.

Councilmember Winstead read from the Comprehensive Plan and noted that Aurora Square is underperforming, not just in taxes and dollars. She said Aurora Square is failing the community and there is a lot of work that needs to be done.

Councilmember Salomon thanked Mr. Eernisse for addressing the concerns directly. He noted that the opportunity for the CRA is greater than his disagreements about NW School. He stated that there is an urgency to adopt the CRA today and there is a lack of faith by many private sector participants in the resoluteness of elected governments to do something bold or forward-thinking.

Deputy Mayor Eggen expressed support and wants to make sure this isn't going to be a heavy-handed effort.

Deputy Mayor Eggen moved to amend the Resolution No. 333 by inserting "Whereas, the City of Shoreline respects private property rights and wants to work with the property owners in Aurora Square in a cooperative fashion". Councilmember Hall seconded the motion, which carried 6-0.

Mayor McGlashan provided summary comments and supported the resolution.

A vote was taken on the motion to adopt Resolution No. 333 establishing a Community Renewal Area (CRA) for Aurora Square Area Economic Development as amended, which carried 6-0.

10. ADJOURNMENT 9:00

At 9:41 p.m., Mayor McGlashan declared the meeting adjourned.

Scott Passey, City Clerk