

CITY OF SHORELINE
SHORELINE CITY COUNCIL
SUMMARY MINUTES OF SPECIAL MEETING

Wednesday, May 22, 2013

Conference Room 301 - Shoreline City Hall
17500 Midvale Avenue North

8:30 p.m.

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

ABSENT: None

STAFF: Julie Underwood, City Manager; Debbie Tarry, Assistant City Manager; Ian Sievers, City Attorney; Jessica Simulcik Smith, Deputy City Clerk

1. CALL TO ORDER

At 8:30 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.

3. REPORT OF THE CITY MANAGER

Ms. Underwood did not provide any comments during this portion of the meeting.

4. COUNCIL REPORTS

None of the Councilmembers provided reports during this portion of the meeting.

5. PUBLIC COMMENT

- a) Pat Lessard, Shoreline, indicated her concern over the City of Shoreline's (City) lack of transparency and disappointment with its attitude of going along with developer.
- b) Tom Mailhot, Save Richmond Beach (SRB), said SRB appreciate the City's work on Point Wells over years but sees it heading down the wrong path. Now that SB5417 has passed, he urged Council to join SRB and Town of Woodway (Woodway) to reign in the scope of the proposed development.

- c) Bill Willard, Richmond Beach Community Association (RBCA), said RBCA shares some of the same concerns as SRB. He urged the City to not close the door on other options and requested that it join forces with RBCA, SRB, and Woodway to solve the problem.
- d) Ginny Scantlebury, Shoreline, said it does not appear that the Ronald Wastewater District (RWD) is going against its 2002 agreement with the City and this matter should be resolved by sitting down together instead of in the courts.
- e) Brian Carroll, Shoreline, Commissioner, RWD, said Woodway approached RWD two weeks ago with a proposal to transfer RWD's assets in Snohomish County in exchange for RWD being the long term sewage operator to Point Wells. He referred to a letter sent earlier in the week inviting the City to discuss options and asked the Council to consider this request and postpone the current course of action.
- f) Susan Will, Shoreline, encouraged the Council to postpone taking action because the Richmond Beach neighborhood is losing trust in the City. She warned that the City sends a strong message when it chooses not to join litigation and then when it does.
- g) Debbie Kellogg, Shoreline, said that the passage of SB5417 allows Woodway to annex Point Wells and then it will be able to take charge of its own utilities. She advised the City to sit down with RWD and Woodway to find a solution and that litigation should be the last resort.
- h) Tom Jamieson, Shoreline, said that the City may not recognize the serendipity that might exist as a result of SB 5417. The City should see SB5417 as an opportunity to work with Woodway to curtail the development of Point Wells to a reasonable scale.
- i) Janet Way, Shoreline, recalled that the City refused to join the citizens of Richmond Beach when they asked the City to stand with them in litigation against BSRE and now it appears the City is going against them and rushing into litigation with RWD. She urged the Council to move cautiously or it will disfranchise all people it wishes to serve.
- j) Jerry Patterson, Shoreline, requested a summary of discussion/events that prompted the special meeting. He asked that each Councilmember articulate their position and have honest dialogue prior to a vote being taken.

6. APPROVAL OF THE AGENDA

Upon motion by Councilmember Winstead, seconded by Deputy Mayor Eggen and unanimously carried, the agenda was approved.

7. ACTION ITEM

- (a) Authorizing the City Manager to file action to enforce the 2002 Ronald Wastewater

District (RWD) Interlocal Operating Agreement

Ms. Underwood apologized for the short meeting notice explaining that due to the nature of the item the meeting had to be called to act quickly. She informed the Council and audience that she had not received the RWD letter that Mr. Carroll referenced. She had been informed by the RWD General Manager that a letter was being sent, but the City had yet to receive the letter.

Mr. Sievers provided a brief summary of the staff report. He reviewed that in 2002 the City of Shoreline entered into an Interlocal Operating Agreement (IOA) with RWD that includes agreement for the City to assume RWD by 2017. On May 14, RWD held a meeting with an agenda item to enter into a Memorandum of Understanding (MOU) with the Woodway providing for the potential sale of assets in the Woodway Municipal Urban Growth Area (the Point Wells property) to Woodway. Staff believes this agreement is a direct breach of the 2002 IOA and recommends that Council authorize the City Manager to initiate enforcement action.

At 9:03 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). City staff attending the Executive Session included: Julie Underwood, City Manager; Debbie Tarry, Assistant City Manager; and Ian Sievers, City Attorney.

At 9:27 p.m. the Executive Session concluded and Mayor McGlashan announced that the Council would not be taking action on the agenda item and directed the City Manager to meet with RWD.

Deputy Mayor Eggen said he feels good about having the City Manager met with RWD and would also like to see the Shoreline and Woodway Councils sit down together.

Councilmember Hall said this special meeting was called in response to the impression that RWD was acting quickly. But now that the Council has had a chance to read RWD's letter, he said he feels confident the City can resolve the situation.

Councilmember Solomon said he feels there is less urgency than what he previously thought so there is not a need to take emergency legal action at this time. He shared his skepticism over the likelihood that the scale of the Point Wells development could be changed by Woodway annexing the property. He also commented that he would not feel comfortable with any oral agreement with Woodway on sharing tax revenue.

Councilmember Roberts said he supports working with RWD to honor the 2002 IOA. He is disappointed to hear the community is losing trust in its government and believes the City should work harder to improve communications with all its community partners.

Councilmember McConnell said she was concerned with the lack of transparency in some of RWD's recent actions and feels strongly about protecting the IOA.

Councilmember Winstead shared that the Council takes the IOA seriously and expects all parties to uphold the contract.

The Council directed the City Manager to sit down with RWD to work to resolve the situation.

8. ADJOURNMENT

At 9:37 p.m., Mayor McGlashan declared the meeting adjourned.

Jessica Simulcik Smith, Deputy City Clerk