

CITY OF SHORELINE
SHORELINE CITY COUNCIL
SUMMARY MINUTES OF BUSINESS MEETING

Monday, December 14, 2015
7:00 p.m.

Council Chambers - Shoreline City Hall
17500 Midvale Avenue North

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

ABSENT: None

1. CALL TO ORDER

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

2. FLAG SALUTE/ROLL CALL

Mayor Winstead led the flag salute. Upon roll call by the City Clerk, all Councilmembers were present.

3. REPORT OF CITY MANAGER

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

4. COUNCIL REPORTS

Councilmember Hall reported that 2016 Legislative Priorities were adopted by the Association of Washington Cities (AWC). He shared that a new element has been added to address Homelessness and Human Service issues, and said homelessness will be a main topic of a general session for AWC City Action Days Conference in January 2016. He reported that other Legislative Priorities include infrastructure funding, fiscal sustainability, emergency responsiveness, and open government. He reported that AWC also adopted their 2016 Budget.

Councilmember Roberts reported that the Sound Cities Association (SCA) adopted its 2016 budget and By-law amendments. He said the SCA Public Issues Committee made recommendations for appointments to regional committees. He announced that Councilmember McConnell was reappointed to the Domestic Violence Initiative Regional Task Force; Mayor Winstead was appointed to the Regional Law, Safety and Justice Committee, and to the Regional Water Quality Committee; and that he was appointed as an alternate to Puget Sound Regional Council Growth Management Policy Board. He reported that Councilmember Marlla Mhoon, City of Covington, was elected PIC Chair and that Councilmember Tola Marts, City of Issaquah, was elected Vice-Chair.

Mayor Winstead announced that Councilmembers McConnell, Salomon and Councilmember-Elect Keith Scully have been appointed to the City Council's Planning Commission Selection Committee to interview and recommend candidates to fill three Planning Commission vacancies.

Mayor Winstead reported that the City of Shoreline hosted AWC's Large Cities Advisory Committee on Human Services and addressed homelessness and affordable housing issues. She said over 75 people were in attendance and commented that the meeting informed AWC's Homelessness Legislative Priority. She reported attending an AWC Meeting and Dinner and shared that Deputy Mayor Eggen was honored for his work with the Sound Cities Association.

Mayor Winstead announced that tonight is Deputy Mayor Eggen's last City Council Meeting and recognized him for his dedication to the City of Shoreline and for his work on the Council. She stated that Deputy Mayor Eggen has served for eight years on the Council and on 23 regional committees, and said his work will have a lasting impact on the City. She shared that his work will continue as a newly elected Ronald Wastewater Commission Boardmember. She presented him with a plaque of appreciation on behalf of the City Council.

Deputy Mayor Eggen thanked everyone he has worked with over the years and noted that the City Council's decisions always focus on making the best decisions for the City of Shoreline.

5. PUBLIC COMMENT

Sarah Pelosi, King County Childcare Resources Homeless Childcare Program, commented that the Program will see a 50% budget cut effective February 1, 2016, and said families in the community will experience compounding hardships. She shared that 40% of children in shelters are under the age of 4. She said childcare offers needed services to children and a safe environment while their parents work to end their homelessness. She asked Councilmembers to consider this information as they proceed with next steps.

Janet Way, Shoreline Preservation Society, said she supports the efforts to end homelessness. She then read from a letter she said was submitted to City Council regarding the Comprehensive Plan Amendments.

Lance Young, Interurban Trail Preservation Society, thanked Councilmember Eggen for his service. He shared why he does not support reducing the time for public comment from people representing a non-profit organization. He then commented on the importance of the homeless issue, and said it's a social, economic, and financial issue. He commented on the state of Utah resolving homelessness and said the issue should be put on Council's Agenda in 2016.

Phyllis Johnson, Ronald United Methodist Church, shared a story about her grandfather who was homeless as a young man. She said that there are 355 homeless students in the Shoreline School District and called for action to address the situation.

6. APPROVAL OF THE AGENDA

The agenda was approved by unanimous consent.

7. CONSENT CALENDAR

Upon motion by Councilmember Hall by Councilmember Roberts and unanimously carried, 7-0, the following Consent Calendar items were approved:

- a) Minutes of Special Meeting of November 9, 2015, Workshop Dinner Meeting of November 23, 2015 and Business Meeting of November 9, 2015
- b) Approval of expenses and payroll as of November 20, 2015 in the amount of \$2,267,604.27

***Payroll and Benefits:**

Payroll Period	Payment Date	EFT Numbers (EF)	Payroll Checks (PR)	Benefit Checks (AP)	Amount Paid
10/25/15-11/7/15	11/13/2015	63753-63952	14136-14157	61824-61829	\$468,485.78
					<u>\$468,485.78</u>

***Accounts Payable Claims:**

Expense Register Dated	Check Number (Begin)	Check Number (End)	Amount Paid
11/10/2015	61702	61717	\$735.94
11/10/2015	61718	61732	\$19,908.99
11/10/2015	61733	61743	\$14,334.02
11/10/2015	61744	61760	\$265,999.13
11/18/2015	61761	61770	\$49,766.29
11/18/2015	61771	61785	\$122,300.22
11/18/2015	61786	61796	\$125,894.21
11/18/2015	61797	61809	\$1,024,200.84
11/18/2015	61810	61820	\$119,509.15
11/18/2015	61821	61821	\$2,490.71
11/19/2015	61822	61823	\$53,978.99
			<u>\$1,799,118.49</u>

- c) Adoption of Ord. Nos. 732 and 733 - Amendments to Title 12 of the Shoreline Municipal Code: Streets, Sidewalks and Public Spaces
- d) Adoption of 2016 State Legislative Priorities
- e) Authorize the City Manager to Execute an Amended Contract with the Law Office of Sarah Roberts for Prosecution Services Through 2016
- f) Authorize the City Manager to Execute a Contract with Code Publishing for Municipal Code Codification Services in an Amount Not to Exceed \$50,000

g) Authorize the City Manager to Obligate \$520,000 of Transportation Alternative Program Safe Routes to School Grant Funds for the Echo Lake Elementary Safe Route to School Project

8. ACTION ITEMS

a) Adoption of Ord. No. 730 - Comprehensive Plan Amendments

Steve Szafran, Senior Planner, reviewed the Annual Docket Process and said there are nine city initiated and one privately initiated Amendments. He then reviewed the following Amendments:

Amendment #1 – Add a Public Participation Plan.

Amendment #2 – Add Station Area Land Use Designation language to the Land Use Element.

Amendment #3 – Add language to identify the Landscape Conservation and Local Infrastructure Program (LCLIP) as a potential source to fund public improvements.

Mr. Szafran commented that staff and the Planning Commission are recommending that Amendment #3 be withdrawn because the current Comprehensive Plan will allow Council to move forward with the LCIP if they desire.

Amendment #4 – Amends Policy LU47 which considers annexation of 145th Street adjacent to the southern border of the City.

Mr. Szafran commented that staff and the Planning Commission are recommending this item be carried over to the 2016 Docket to allow time to complete the 145th Street Corridor Study.

Amendment #5 - Considers Amendments to the Point Wells Subarea Plan.

Mr. Szafran commented that staff is recommending this item be carried over to the 2016 Docket until the Richmond Beach Corridor Study is completed.

Amendment #6 – Amends the Parks, Recreation, and Open Space Element to include a park impact fee policy.

Mr. Szafran commented that staff and the Planning Commission are recommending that this item be carried over to the 2016 Docket until the completion of the Parks, Recreation and Open Space Plan.

Amendment #7 - Amends the Transportation Master Plan to remove a portion of Westminster Way as a designated truck route.

Amendment #8 - Adopt Level of Service Standards for transit, pedestrians, and bicycles.

Amendment #9 - Include service providers as entities the City will work with when

development occurs at Point Wells.

Amendment #10 - Study requirements for adding a volume over capacity ratio (VCR) of .90 to all Collector Arterial streets in the City.

Mr. Szafran commented that staff recommends that this work be included as part of the Transportation Master Plan Update and carried over to the 2016 Docket.

Councilmember Roberts moved Adoption of Ord. No. 730 – Comprehensive Plan Amendments. The motion was seconded by Councilmember McConnell.

Councilmember Roberts said he is supportive of the work that the Planning Commission has done and encouraged Councilmembers to adopt Ordinance No. 730.

Councilmember Salomon asked if adopting level of service standards for bike and pedestrians proposed in Amendment #8 would lead to an increase in capital cost and asked how they will be funded. He questioned if a developer would have to pay more for these standards through traffic impact fees and if it will result in an increase in the cost of housing. He asked if the standards would lead to more biking and walking, and help meet the City's carbon reduction goals. Kendra Dedinsky, Traffic Engineer, explained that she is not sure of the funding source until multimodal level of service standard options are studied and stated that based on information from other jurisdiction there has not been an increase in the cost of housing. Ms. Dedinsky agreed that a multimodal standard will encourage the use of more biking and walking. Councilmember Salomon said he supports looking at this and seeing where the costs lie.

Deputy Mayor Eggen confirmed that the motion is just to study the amendments and stated he will be supporting the motion.

The motion passed unanimously.

- b) Authorize the City Manager to Execute an Agreement with Yakima County for Jail Service

Alex Herzog, Management Analyst, reviewed the Yakima County and Score Jail Contracts and advised that the two separate contracts would need to be independently acted on. He said the potential savings could be as much as \$200,000 annually. He shared that inmates with sentences greater than two to three days would be housed at Yakima and that the daily rate is \$54.75, which includes in house medical care and transportation to and from the jail. He said that the Agreement allows for visitation options, has an initial term of one year, and may be renewed for any successive period.

Councilmember Hall moved to authorize the City Manager to Execute an Agreement with Yakima County for Jail Services with the intent of transferring a portion of the City's sentenced inmates from SCORE to the Yakima County Jail. The motion was seconded by Councilmember McConnell.

Councilmember Hall commended staff on finding ways to reduce cost, and recognized the challenge of family visitations. He said he appreciates keeping the shortest sentences at SCORE.

Councilmember Roberts commented that he will not be supporting the motion and said he feels that inmates should be kept near family and friends to help with integrating them back into the Community. He pointed out that the City of Seattle has entered into an agreement with Snohomish County and said he would have liked for the City to have explored this option. Mr. Herzog responded that the City did look into entering into a contract with Snohomish County and explained that the daily rate was significantly higher, at \$88 per day. He also commented on Snohomish's ongoing inmate safety issues.

Councilmember Salomon commented that he remains concerned about the lack of access to Counsel and fears that the human attachment element is lost with video court and video conferencing. He said he will be voting against the motion.

Councilmember McGlashan asked how long Yakima's rate is guaranteed for. Mr. Herzog responded that the rate is locked in for 2016, and recalled that Mr. Ed Campbell, Director of Yakima County Corrections, indicated that a 3-5% increase is anticipated. Councilmember McGlashan said he will be supporting the motion and appreciates that Yakima County Jail will be providing transportation services which will keep an officer on the streets in Shoreline. He said it is important for the City to do whatever it can to keep cost down for citizens.

Deputy Mayor Eggen recalled previous in depth discussions by Council regarding utilizing the Yakima Jail. He said he is satisfied that the inmates will be provided good services and visitation options. He commented that \$200,000 is a huge savings that can be devoted to support other services.

Councilmember McConnell said she will be supporting the motion. She said \$200,000 is a significant savings and stressed the importance of not taking an officer off the street for inmate transport services.

Mayor Winstead said she will be supporting the motion and expressed that Mr. Campbell sufficiently addressed Council's concerns regarding Yakima Jail Services. She shared that the cost savings is huge and will provide dollars that can be used for other services.

The motion passed 5-2, with Councilmembers Roberts and Salomon voting no.

- c) Authorize the City Manager to Execute the First Amendment to the Agreement with SCORE for Jail Services

Councilmember Hall moved to execute the First Amendment to the Agreement with SCORE for Jail Services. The motion was seconded by Councilmember McGlashan and passed unanimously.

- d) Discussion of Homelessness Issues in Shoreline and Adoption of Resolution No. 379 Supporting King County's Declaration of Emergency Due to Homelessness Affecting

King County and the City of Shoreline's Commitment to Work with King County and Partner Agencies on Plans to Address Homelessness

John Norris, Assistant City Manager, introduced Mark Putnam, King County All Home Director; and Rob Beem, Community Services Manager. Mr. Norris shared that on November 2, 2015 King County declared a state of emergency due to homelessness. He explained that Deputy Mayor Eggen and Councilmember Roberts requested that this item be added to agenda to support the County's declaration, to help define homelessness, and to review what the City of Shoreline is doing to address homelessness.

Mr. Norris reported that the School District has identified 349 homeless students in Shoreline which is an increase of 160% from 5 years ago. He reported a 21% increase in the number of homeless individuals in King County's One Night Count. He said 750 people seeking shelter in locations across King County were identified as coming from Shoreline zip codes in 2014 which illustrates Shoreline is not immune from homelessness. He discussed homeless and affordable housing resources available in Shoreline.

Mr. Norris explained that Resolution 379 provides for: support for King County's declaration of emergency on homelessness; commitment to work with agencies to address homelessness; implementation of policies that encourage and incentivize affordable housing development; continued review of City policies and Codes that may create barriers for those experiencing homelessness; and calling on the State Legislature and Federal Government to prioritize the funding of programs to help those experiencing homelessness.

Mr. Putnam said 10,047 people are homeless in a given night and that 66 people died in 2015 in King County from homelessness. He explained that people of color tend to be affected more than white people. He then described Emergency Shelter Bed Accommodations, Transitional Housing, Rapid Rehousing, and Permanent Housing with supports, and the number of units available for each housing type. He conveyed that the County has increased housing units but said the number of people becoming homeless continues to increase. He reported that \$180 million dollars are spent annually to address homelessness.

Mr. Putnam talked about Utah's statewide approach to Chronic Homelessness and said they have seen a dramatic decline in homelessness. He showed how it compares to Washington State efforts. He described causes for homelessness and said they are present in King County. He presented King County's 2015-2019 Strategic Plan to End Homelessness, said the goal is to make homelessness rare, brief and one time, and then reviewed the strategies. He concluded with talking about the goal and efforts to end Veterans Homelessness by December 31, 2015.

Mayor Winstead opened Public Comment.

Brad Lancaster, Shoreline resident, said he wants to explore ideas that can address homelessness and advised that we stop ignoring the problem. He commented that the answers to homelessness rely on the Community and caring people. He said the City can help by removing legal barriers for citizens to care for the homeless. He thanked Deputy Mayor Eggen, Councilmember Roberts and City Manager Debbie Tarry for placing homelessness on the Agenda. He said when Council

reconvenes in 2016 that he will be back to bring ideas and make specific proposals to address homelessness.

Joe Wright, Shoreline resident, said he is very concerned with homelessness and shared that a member of his family was homeless. He commented on seeing homelessness on the Interurban Trail and said he has offered some homeless people a hot shower. He stated that's about all they can do. He commented that the discussion and declaration of homelessness as an emergency is a good start, and said he will return to see what follow up steps the City Council will take to address the issue.

Paula McCutchen, Pastor of Ronald United Methodist Church, commented that she was pleased to see the resolution on the Agenda declaring homelessness an emergency. She shared stories about homeless people. She asked for people to image the challenges of being homeless. She commented that rising rent is making it difficult for more people to keep their housing. She thanked the City Council for supporting the resolution and suggested that funding be added. She expressed that there is a need for developers to build affordable housing in Shoreline.

Kim Lancaster, Shoreline resident, commented that she currently has 15 homeless people living in her backyard. She shared that one family has four children with another one due next month and said they have been on housing lists for multiple years. She said the parents are amazing in keeping their family together.

Deputy Mayor Eggen moved to adopt Resolution No. 379 supporting King County's declaration of emergency due to homelessness affecting King County and expressing the City of Shoreline's commitment to work with King County and Partner Agencies on plans to address homelessness. The motion was seconded by Councilmember Salomon.

Deputy Mayor Eggen communicated that there is a perception that since King County's Services for the homeless are good that we are drawing in a lot of homeless from other areas that will keep the homeless problem at crisis levels. He stated that the data provided does not support this concept and asked Mr. Putnam for feedback. Mr. Putnam responded that statistics show that 85% of people surveyed are from King County zip codes. He pointed out that there is also no way to tell how long they have lived in the area. He talked about the influx of people moving to the Northwest looking for jobs. Deputy Mayor Eggen added that a minor change in a person's circumstances can render them homeless. He expressed appreciation that the City Council increased Hopelink's Rental and Utility Assistant funding by \$10,000 each, and urged Council to support the resolution.

Councilmember Hall commented that the declaration of homelessness as an emergency is a first step on what needs to be done. He expressed the need to continue to work with the County and the State to help the Legislature address funding for homelessness. He talked about the domino effects that policy decisions have on Human Services in shifting funding from one human service need to meet another. He explained that this approach resulted in the City of Shoreline having to step in to back fill funding for the Senior Center. He said he hopes the Legislature will modify the tax system so it does not unfairly punish the people at the very lowest end of the economic

spectrum and implement a system where those that can, pay a little more to help take care of those in need in our Communities.

Councilmember Salomon commented that creating affordable housing is one of the most important approaches that can be used to assist with homelessness. He pointed out that the City of Shoreline is currently working with developers to incentivize them to create below market rate housing and he advised looking at the tax system as a whole. He noted the increase in high paying tech jobs in the area that have resulted in increasing rents. He commented that the people who are benefiting from the infrastructure and economic development that allows companies to thrive should be encouraged to pay a bit more to help those that are suffering.

Councilmember Roberts agreed that this is an important first step in addressing homelessness. He recommended using the City's surplus property for affordable housing instead of putting it on the market. He suggested bringing in A Regional Coalition for Housing into the discussion to provide ideas on building low income housing. He asked how cities may unintentionally criminalize homelessness and how to reduce making homelessness a criminal activity. Mr. Putman responded that reducing ordinances and policies that increase the cycle of criminalization and homelessness will help, and provided an example of Boise, Idaho's "No Sit or No Lie Down" Ordinance. He said All Home and Sound Cities Association will be hosting a meeting to share best practices and that All Home is developing action steps to work with Cities to review policies that may be impacting people that are experiencing homelessness. He added that the Federal Government is also making a clear argument that cities should not criminalize homelessness. Councilmember Roberts asked if a review of Shoreline's ordinances and policies that may criminalize homelessness has been placed on the City's Workplan. Mr. Norris responded that it is not a specific Workplan item and said the first step is having the discussion at the staff level.

Councilmember McGlashan said he supports the resolution and that the most important part of the resolution is the continued commitment to incentivize affordable housing development and reviewing those policies that create barriers. He requested a report that identifies directions the City can start going in to address homelessness early in 2016. Mr. Norris responded that this can be an item for the Goal Setting Workshop Agenda.

Mayor Winstead asked what cities can do to assist with homelessness and if it is harder to house families. Mr. Putnam responded that All Home is looking to shift resources towards interventions that get people housed, and said it is not more difficult to house families.

Councilmember Salomon described a scenario of how homelessness is criminalized. He said that the County does have the 1811 Eastlake Project to help with homelessness. He questioned the ability of a small city to find land and revenue to provide housing. He recommended working regionally with multiple jurisdictions and cities to find land and a revenue base, then adjusting some of the legitimate public safety ordinances, and that it will save money in the long run. He asked if All Home can help. Mr. Putnam answered affirmatively. He mentioned that Compass Housing opening in Shoreline will help and said the Downtown Emergency Service Center will be opening Interbay Supportive Housing that will provide affordable and permanent housing for 97 Chronically Homeless households. He shared funding sources used to fund affordable

housing developments and said that Seattle utilizes a housing levy which funds 30-40% of a project. He recommended pairing social services outreach with law enforcement and Park's staff, for a multidisciplinary outreach approach. He said family homelessness is terrible and homeless kids are unconscionable, but there is just not enough housing. He said families could be prioritized and pointed out there are 400 families across King County that are homeless and waiting for housing, and another 180 that are in emergency shelters.

The vote on the main motion passed unanimously.

At 9:01 p.m. Mayor Winstead convened a recess for five minutes and at 9:06 p.m. she reconvened the meeting.

e) Discussion and Adoption of Resolution No. 380 Amending the Council Rules of Procedure Relating to Public Comment

John Norris, Assistant City Manager, provided the staff report for adoption of Resolution No. 380 amending the Council Rules of Procedure relating to Public Comment. He said the amendment strikes the rule allowing speakers five minutes when representing the official position of a State registered non-profit organization or agency or a City-recognized organization. He explained that the rule change was initially discussed at the 2015 Council Goal Setting Workshop. He said the amendment will standardize the public comment time limit for individuals and individuals representing groups to three minutes and that it has also been recommended by the City Attorney.

Mayor Winstead opened Public Comment.

Janet Way, Shoreline Preservation Society, said she opposes the amendment and that it goes against Council Goal #4. She expressed concern on the direction that it is taking. She said it does not enhance public participation and is unnecessary and damaging to the City's standing with its citizens. She commented that allowing nonprofits to have 5 minutes to present, inform staff, and provide public information on an array of issues has been beneficial. She listed non-profit organizations that have presented at City Council Meeting and recalled when public comment was allowed after each item. She requested that the City Council delay the action to reduce the time for public comment.

Tom Mailot, Shoreline resident, commented that the public comment period is an important part of the City Council meeting. He said Councilmembers are elected to represent the people and should take the time to listen to the citizens' concerns. He said they should feel honored when a resident comes to talk to them. He commented that the Agenda item has not followed the normal process. He said the content of the Resolution was only made available three days ago, that the staff report contained little about why it is needed, and that no time is provided for Councilmembers to consider comments or questions raised by the public or from Council discussions. He asked that the Council delay action until the City has time to follow the normal process.

Councilmember Hall moved adoption of Resolution No. 380. The motion was seconded by Councilmember McGlashan.

Councilmember Hall commented that he appreciates the comments received regarding public comment. He shared that he has carefully considered this item and thought about it over the past eight months. He shared that the Rules have changed because communication is changing and reviewed the various ways citizens are able to communicate with Councilmembers. He said far more comments are received over email and through the website. He spoke about the 1st Amendment to the United States Constitution, shared that everyone should be treated equally, and said a corporation or organization should not be given special privileges.

Councilmember McGlashan agreed with Councilmember Hall and said he looks at it as an equity issue. He provided an example of a speaker that said he was speaking on behalf of an agency and was allotted 5 minutes to speak. However, this particular speaker did not represent the agency in his comments. He added that it is then unfair to limit an individual who wants to speak on a particular item to 3 minutes. He commented on receiving emails from agencies regarding an item and the redundancy of the agency reading that same email at Public Comment. He questioned what gives an agency the right to speak on a topic for five minutes and an individual, speaking on the same topic, three minutes.

Councilmember Roberts moved to waive the Confidential Attorney Client Privilege on a memo dated December 11, 2015. The motion was seconded by Councilmember Hall.

Councilmember Roberts commented that the memo has value to the public.

Councilmember Salomon said he is not comfortable with waiving attorney-client privilege without support from the legal department. Councilmember McGlashan concurred.

Margaret King, City Attorney, said she would like to go into executive session to fully advise on the pros and cons of waiving attorney-client privilege. She added that the memo in question was written in such a way that any risk is minimal.

The motion passed, 6-1 with Councilmember McGlashan voting no.

Councilmember Roberts shared that the December 11, 2015 memo written by the City Attorney provides an interpretation of the 1st Amendment as it relates to the United States and Washington State Constitution in regard to Public Comment and read excerpts from the memo.

Councilmember McConnell stated that she will not be supporting the motion due to a short public notice. She shared that agencies come to the meetings to be on television to reach the Community, and said her preference would be to increase time for everyone. She talked about the importance of treasuring public trust.

Councilmember Salomon said he does feel there is problem with the current Rules and commented that equity can be reached without reducing public comment time.

Mayor Winstead stated that there has been a concern since 2006 about City recognized organizations and providing them with the privilege of extra time to speak. She commented about agencies stating they are representing the official opinion of a group when they have not

had time to consult with the organization about the matter, and said it is clearly their personal opinion.

Councilmember Roberts stated that he will support the motion but expressed that it would have been better for the next Council to discuss, allowing Councilmember Scully the opportunity participate in the discussion.

The Main motion passed 4-3 with Deputy Mayor Eggen and Councilmembers McConnell and Salomon voting no.

9. ADJOURNMENT

At 9:39 p.m., Mayor Winstead declared the meeting adjourned.

Jessica Simulcik Smith, City Clerk

DRAFT