

CITY OF SHORELINE
SHORELINE CITY COUNCIL
SUMMARY MINUTES OF REGULAR MEETING

Monday, February 27, 2017
7:00 p.m.

Council Chambers - Shoreline City Hall
17500 Midvale Avenue North

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

ABSENT: None

1. CALL TO ORDER

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

2. FLAG SALUTE/ROLL CALL

Mayor Roberts 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

Mayor Roberts reported that Peter Rogoff, Sound Transit (ST) Chief Executive Officer, and ST staff members were guests at tonight's Council Workshop Dinner Meeting.

5. PUBLIC COMMENT

Pam Russell, Prince of Peace Pastor, shared that she met with Rachael Markle, Planning & Community Development Director, and agrees with the revisions to the proposed code language regarding transitional housing.

Jessica Cafferty, Shoreline resident, commented that she supports paid family leave, explained how it is beneficial, and encouraged the City to support a strong leave policy that all employees can enjoy when needed.

Maggie Humphreys, Washington State Director of Mom's Rising, offered support for a strong paid family and medical leave policy, and said the City has the opportunity to lead the nation by the example. She shared that 35 municipalities across the county have implemented strong family leave policies. She then read excerpts from a letter by Jenna, Shoreline resident and

Mom's Rising member, supporting paid family leave in Shoreline. She explained how paid family leave is good for families and businesses.

Erin Schadt, Shoreline resident, stated she supports the Property Tax Exemption (PTE) Program to encourage developers to build affordable housing, and believe it will encourage local developers to build in Shoreline.

Margaret Willson, Shoreline resident, read an excerpt from the Seattle Times on homelessness that proposed homeless people are attracted to the City of Seattle due to its homeless policies and services. She cautioned the Council against allowing backyard encampments, and said she does not want Shoreline to become a magnet to the homeless.

Arien Chernes, Shoreline resident, discouraged the Council from allowing homeless encampments in residential backyards, and advised getting homeless people connected to the services they need.

Pam Cross, Shoreline resident, agreed with comments made by Margaret Willson. She shared that Seattle Mayor Ed Murray is requesting \$275 Million in property tax to address homelessness and forming a taskforce to specify how to spend the money. She commended the Council on the City's transitional encampment process and stated Ordinance No. 762 should be adopted by the Council and implemented.

Brad Lancaster, Shoreline resident, expressed disapproval of the 7,500 square foot minimum lot size and the 150 square foot camp entrance requirements. He said the requirements reduce the number of sites where camps can locate, and the provisions still require school children to move in the middle of the school year. He said solving problems requires risks and he asked the Council to remove obstacles and not add new ones. He urged Council to reject the proposal and for staff to start over and make Shoreline safe for homeless people.

Jon Dykes, Shoreline resident, urged the City to be fair to all citizens and stated other Temporary Use Permits (TUP) require a fee, and therefore fees should be applied to TUPs for transitional encampments. He urged the Council to look closely at transitional encampments to protect the health and public safety of the Community.

Matthew Cobb, Shoreline resident, stated that he is a property owner in the 145th Light Rail Station Subarea, and shared that he and several other homeowners are under contract with a developer to build transit oriented development units. He said developers cannot move forward without the PTE Program being implemented in the Subarea.

Greg Logan, Shoreline resident, commented that The Highlands is in violation of its Conditional Use Permit. He highlighted the violations and shared the communication he has had with the City regarding this issue.

Gary Holton, Shoreline resident, stated he recently moved to Shoreline from Central Seattle and shared his experience with unregulated unlicensed encampments there, which became dump sites and caused problems for residents. He added that the regulated encampments were fine.

Sarah Stewart, Shoreline resident, urged Council to approve paid family leave, and shared how she had to leave her job so that she could spend time bonding with her child. She talked about the importance of bonding with a child.

Christopher Carter, Camp United We Stand resident, shared a story about a new camp resident evicted from her home because her disability payment is \$1,200 and her rent was raised to \$1,500. He asked Council to humbly search their hearts and do the right thing.

6. APPROVAL OF THE AGENDA

The agenda was approved by unanimous consent.

7. CONSENT CALENDAR

Upon motion by Deputy Mayor Winstead and seconded by Councilmember McGlashan and unanimously carried, 7-0, the following Consent Calendar items were approved:

(a) Minutes of Special Meeting of January 23, 2017

(b) Approval of expenses and payroll as of February 10, 2017 in the amount of \$1,010,391.88

***Payroll and Benefits:**

Payroll Period	Payment Date	EFT Numbers (EF)	Payroll Checks (PR)	Benefit Checks (AP)	Amount Paid
1/15/17-1/28/17	2/3/2017	70404-70622	14779-14799	65986-95991	\$533,428.92
					<u>\$533,428.92</u>

***Accounts Payable Claims:**

Expense Register Dated	Check Number (Begin)	Check Number (End)	Amount Paid
2/2/2017	65911	65916	\$72,468.88
2/2/2017	65917	65925	\$46,062.08
2/2/2017	65926	65935	\$53,231.23
2/3/2017	65936	65944	\$32,787.55
2/8/2017	65172	65172	(\$186.15)
2/8/2017	65945	65945	\$186.15
2/9/2017	65946	65954	\$11,364.73
2/9/2017	65955	65964	\$17,873.89
2/9/2017	65965	65969	\$710.77
2/9/2017	65970	65975	\$110,411.75
2/9/2017	65976	65985	\$132,052.08
			<u>\$476,962.96</u>

- (c) **Authorize the City Manager to Execute a Contract in an Amount not to exceed \$94,268 with Stantec Consulting Services Inc. for Wastewater Code and Engineering Development Manual Review and Development and Financial Policy Review and Recommendations**
- (d) **Motion to Appoint a Member to the Shoreline Landmarks and Heritage Commission**
- (e) **Authorize the City Manager to Execute a Contract in the Amount of \$344,121 with Trinity Contractors Inc. for Construction of the Interurban/Burke-Gilman Connectors Project**
- (f) **Authorize the City Manager to Execute a Contract in the Amount of \$100,000 with EarthCorps to Provide Repair and Maintenance for Shoreline Parks and Surface Water Facilities**
- (g) **Motion to Authorize the City Manager to Execute a Contract in the Amount of \$183,687 with Pertect Inc. for Construction Management Services for the Meridian Avenue N and 15th Avenue NE Pavement Preservation Projects**

8. ACTION ITEMS

- (a) Adoption of Resolution No. 402 - Updating the City's Employee Handbook Including Adding Supplemental Paid Family Leave

Paula Itaoka, Human Resource Director, recalled Council's January 30, 2017 discussion regarding changes to the Employee Handbook, three new policies regarding workplace accommodations, a vape free workplace, and supplemental paid leave. She reviewed key policy elements and proposed amendments for supplemental paid family leave.

Deputy Mayor Winstead moved adoption of Resolution No. 404 Updating the City's Employee Handbook Including Adding Supplemental Paid Family Leave. The motion was seconded by Councilmember Scully.

Deputy Mayor Winstead commented that she is proud that the City of Shoreline is moving forward with this policy.

Councilmember Scully asked if the proposed policy addresses the concerns of the National Partnership for Women and Families (NPWF), and if it would provide 12 weeks of paid leave for FMLA and victims of domestic violence without an employee having to use existing vacation and sick leave. Ms. Itaoka answered that NPWF prefers a policy that has no limit on how often the benefit can be accessed, and that the proposed policy requires an employee to draw down paid and sick leave to a certain level before supplemental paid leave kicks in. Councilmember Scully said he is not supportive of this policy because he wants FMLA and domestic violence victims leave separate from paid and sick leave benefits.

Councilmember Scully moved to change the leave policy from 12 weeks of paid parental or family leave over a three-year period to 12 weeks of paid parental or family leave over a one-year period. The motion was seconded by Deputy Mayor Winstead.

Councilmember Scully stated the Amendment reflects what families do when planning for a family and if the policy is abused, it can be changed.

Deputy Mayor Winstead confirmed the policy will be reviewed in two years and stated people should be able to bond with their children and use FMLA for other qualifying events if necessary. Ms. Itaoka confirmed that the policy will be reviewed in two years.

Councilmember Hall stated his preference for staff's recommendation to allow employees to access the benefit every three years so it can be equitable among staff, not be a financial burden to the City, or adversely impact the delivery of city services.

Councilmember Salomon shared that he became a father for the first time two weeks ago and understands the importance of bonding with a child. He shared that as an employee of King County he has a paid parental leave benefit and will be supporting staff's recommendation for the City of Shoreline. He questioned how society will build a structure that values bonding with children and family, equal to the need to make money. He commented that the Resolution, as proposed, is one of the most progressive in the nation. He said he appreciates Councilmember Hall's comments and has observed first hand back fill issues in an organization, and because of this will be voting against the proposed amendment.

Councilmember McConnell stated she agrees with Councilmembers Hall and Salomon on the need to implement the policy with a more conservative time frame, and said she will be supporting staff's recommendation.

Councilmember McGlashan asked if the policy will be evaluated in one year. Ms. Itaoka replied the review period is at the Council's discretion. Councilmember Hall requested that staff report back to Council after one year.

Mayor Roberts stated he will be supporting the Amendment because life is unpredictable, and the first week of interacting with a child is the most important. He shared a story about a friend becoming a foster parent and their bonding challenges. He pointed out that since there are limitations on how the leave can be used, he does not think it will be abused.

Councilmember McGlashan stated he does not think the policy will be abused but noted if three or four employees take leave at the same time it could have major fiscal impacts on the City, especially if employees take 12 weeks of leave every year. He agreed with Councilmember Hall that once a year may be too much, and stated he will not be supporting the Amendment.

Deputy Mayor Winstead commented that there are no guarantees when employees are going to need to be out and that she is baffled by why a limitation is needed. She stated she trusts the employees not to abuse the policy.

Ms. Tarry shared that no one thinks the policy is going to be abused. She stated the goal was to bring forward a policy that is equitable to all employees and also accomplishes city business while being responsible with taxpayer dollars.

Councilmember McGlashan stated he changed his mind and will be supporting the Amendment with the caveat that it is reviewed by the Council in 18 months.

Ms. Itaoka reviewed FMLA and paid leave statistics, and cost projections if the policy were in effect in 2016.

The vote on the Amendment passed 5-2, with Councilmembers Hall and McConnell voting no.

Councilmember Hall moved to change the leave time from 12 weeks per year to six weeks. The motion died for lack of second.

The vote on the main motion, as amended, passed unanimously, 7-0.

9. STUDY ITEMS

- (a) Discussion of Ord. No. 762 - Code Amendments for Transitional Encampments

Rachael Markle, Planning & Community Development Director; Paul Cohen, Senior Planner; and Kim Lehmborg, Associate Planner, provided the staff report. Mr. Cohen provided background and reviewed the Planning Commission's deliberation process and recommendations regarding Ordinance No. 762 Transitional Encampments. He stated the Council provided staff direction at the January 30, 2017 City Council Meeting regarding parcel and encampments, size and setbacks, and requested clarification of host and managing agencies. He shared that staff met with religious and not-for-profits organizations and stated that some thought the proposed language was fair, and some offered recommendations to further improve the language. He reviewed staff's proposed changes to Ordinance No. 762 are:

- SMC 20.20.024
 - Host Agency: Religious or not for profit organization that invites a transitional encampment to stay on the land that they own or lease.
 - Managing Agency: Managing agency means a religious or City-recognized non-profit organization or other type of organization approved by the City to manage a transitional encampment.
- Neighborhood Meeting SMC 20.30.045
 - "shall be conducted by the applicant"
- Temporary Use Permit SMC 20.30.295
 - Maximum 100 camper population
 - Camp area min. 7,500 sf / max. 15,000 sf (not including setbacks and existing buildings.)
 - 1-50 campers require min. 7,500 sf

- 50-100 campers = 150 sf of area per camper (100 campers = 15,000 sf camp area)
- All setbacks -10 ft.
- May reduce setbacks to 5 ft. with
 - Topographic changes
 - Intervening on-site structures
 - Distance from neighbor structures, and/or
 - Vegetation screening
- Screening to meet setbacks except existing screening or structures that act as screening
- Members of encampment rather than security personnel responsible to monitor activity

Mayor Roberts said people are asking why the City cannot ban homeless encampments in single-family zones. Ms. Markle responded that churches are located primarily in single family zones and they have religious freedoms protected by federal law.

Deputy Mayor Winstead requested staff provided better criteria for what a city recognized nonprofit organization is.

Councilmember Salomon stated he supports regulated transitional encampments on larger properties, like churches, but does not feel they are appropriate for backyards. He asked why the Code cannot be more explicit about this, and if it can be accomplished with overlay zoning with specifications. He asked if any churches will be prevented from hosting a transitional encampment if they adhere to the 7,500 square foot minimum lot size requirement. He said he does not want to exclude any churches from hosting encampments, and asked if the structure is included in the lot size calculation. Ms. Markle responded overlay zoning was considered, but the City does not know where all the religious institutions are located or where they might locate in the future, and said it would be a substantial effort to develop an overlay zone. Mr. Cohen shared that the Prince of Peace Church would be able to host a transitional encampment because of their adjoining property. Ms. Markle shared that the structures are included in the lot size calculations. Ms. King stated the new regulations will allow all the churches and nonprofit organizations that have hosted encampment in the past to continue to host them.

Councilmember Scully stated that he is troubled by the definition in SMC 20.20.024(H) and the narrow scope of host agency, and added that the managing agency language should encourage resident to manage themselves. He concurred with Councilmember Hall's recommendation to calculate setbacks from an inhabited structure. Mr. Cohen responded that staff reviewed that option and it was decided that administration and enforcement would be problematic.

Councilmember McGlashan asked how it would be decided that a setback can go from ten to five feet, if requiring 20 foot setbacks will prevent church properties from hosting encampments, and expressed concern about the square footage per person requirement. Mr. Cohen responded the reduction from ten to five feet is at the director's discretion. Ms. Lehmberg responded that reducing the setback will allow all churches to host encampments. Ms. Markle responded that the square footage requirement applies to the aggregate size of the camp area, and said staff will review the language for any ambiguities.

Councilmember McConnell commented that her neighborhood expressed concern about camping in city parks, and asked if the proposed regulations make it difficult for a homeowner to host a homeless encampment in their backyard. Mr. Cohen confirmed that overnight camping is prohibited in city parks. Ms. Markle responded that a lot would have to be very large to host an encampment and there is a lot of responsibility in hosting an encampment.

Councilmember Hall stated that the new language provide more predictability, and that reducing setbacks from 20 to 10 feet, and allowing discretion is good. He said he is pleased to hear that the church issues to host encampments have been resolved. He noted that the definition for nonprofit organization is ambiguous and said he would like to see more work on it. He cautioned on the need to prevent this effort from turning into for-profit transitional encampments, and finding a way to ensure the organization's mission or intent is to help the homeless.

Deputy Mayor Winstead responded to public comment related to putting up barriers to homelessness, and shared that the City works to connect people with services. She communicated that the City is a funding partner on the Ronald Commons project, and that city property at 198th Street will be devoted to affordable housing. She said the City is committed to helping people the right way, and noted that permanent housing is the solution and not putting them in tents.

Councilmember Salomon recalled people have recommended the City connect people with services and that tents are not the solution. He said that it is easy to say but difficult to accomplish. He said transitional encampments provide stop gap measures and are a service to some people. He said he recognizes the value in making it possible for transitional encampments and simultaneously looking out for the interest of individual homeowners.

Councilmember Hall commented there is a need for transitional and temporary housing today, and pointed out the goal of the region is to make homelessness rare, brief, and one-time. He stressed the importance of working with other elected officials to end homelessness.

Mayor Roberts commented that he would like to enable businesses to host encampments. He agreed that a better definition is needed to identify a City recognized nonprofit organization, and would like to address the language regarding identifying structures. Councilmember Hall commented that he is comfortable with the language used, and ask if staff can create a substitute Ordinance that includes staff and Council's recommended language changes for final deliberation.

(b) Discussion and Update of the 147th/148th Non-Motorized Bridge and Preferred Alternative

Nyasha Sowers, Transportation Services Manager, and Nora Daley-Peng, Senior Transportation Planner, provided the staff report. Ms. Daley-Peng stated they have studied five non-motorized bridge options and shared two preferred alternates were selected with recommended refinements. She presented the preferred alternatives are 148th Street Bridge with reconfigured ramps and stairs to touch down at the Station on the Plaza side, and the 147th Street option with adjustments to bridge alignments to shorten the distance to get to the Station and reconfigured ramps and stairs to touch down at the Station at the Plaza Level. She reviewed baseline walkshed

refinements, and shared that the 147th option had a modest increase in walkshed of approximately 3.5 minutes, and the 148th Street option had the largest increase of approximately 2.4 minutes. She reviewed bridge cost estimates and explained why staff is recommending the 148th Street Bridge crossing refined option.

Councilmember Hall commented that he is good with staff's recommendation, and said other agencies, like King County, should be added to the funding partnership list. He said he hopes the City is able to negotiate installing center piers to support the bridge with the Washington State Department of Transportation.

Councilmember McGlashan asked about a letter received regarding moving the bridge further north. Ms. Daley-Peng said the letter was reviewed and explained that current ingress and egress for the 148th Street Bridge option is through church property, and the letter asked the City to work with the churches to fit the bridge in between the church parcels. Councilmember McGlashan asked if consideration should be given for the bridge to be as far north of the 145th Street Bridge as possible, and further moving the walkshed north. Ms. Daley-Peng replied a 149th Street Crossing was analyzed and said there was not enough room under the guideway to accommodate a bridge.

Mayor Roberts commented that the consensus of the Council is the 148th Street Bridge Preferred Alternative, and asked when staff will be contacting property owners that will be impacted. Ms. Daley-Peng stated that staff was looking for Council's preferred alternative, and will contact them after scoping the project, awarding a contract, and starting the phase design process. Deputy Mayor Winstead said staff should be very upfront with the impacts on the churches, and then partner with them to make it work.

10. ADJOURNMENT

At 9:01p.m., Mayor Roberts declared the meeting adjourned.

Jessica Simulcik Smith, City Clerk