

CITY OF SHORELINE
SHORELINE CITY COUNCIL
SUMMARY MINUTES OF REGULAR MEETING

Monday, March 20, 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 he and Councilmembers Hall, McGlashan, McConnell, and Scully attended the National League of Cities (NLC) Congressional City Conference held March 11 – 15, 2017 in Washington, DC. He said the major focus of the conference was strategizing to preserve the Community Development Block Grants. He shared that they attended several panel discussions and met with Senators Patty Murray and Maria Cantwell. Councilmember McConnell shared that she serves on the (NLC) Board of Directors and as Immediate Past President of the Asian Pacific American Municipal Officials Board. She said the Board expressed concern about the current administration and talked about the possibility of signing onto a letter to prevent the slashing of the Community Block Grant Fund and offering support for the Affordable Care Act. She said the Conference was well attended.

Mayor Roberts provided a recap of the City Council’s Dinner Meeting. He said they recognized and celebrated the graduation of the first CityWise participants, and provided an overview of the program.

5. PUBLIC COMMENT

Councilmember McGlashan moved to extend the public comment period time to allow the 19 people signed up an opportunity to speak. The motion was seconded by Councilmember Hall and passed unanimously, 7-0.

Laura Solway, Shoreline resident, spoke against homeless encampments, and identified challenges created by organized homeless advocates and homeless people.

Lori Theis, Shoreline resident, spoke about recent arrests of homeless men for raping women and children. She stated there are 10,000 homeless people in King County and 36% are deemed mentally ill. She asked who the next victim will be, and shared that she was a victim of an attempted rape by a homeless person. She said allowing homeless encampments in residential neighborhoods will do more harm than good.

Jon Moffat, Shoreline resident, shared a significant percentage of homeless people are from out of state, or came to Washington for recreational marijuana. He said Jeff Lilley, President of Seattle's Gospel Union Mission, proposed 90% of the homeless people are drug users, and pleaded for Council to not allow homeless encampments in residential neighborhoods.

Eugene McPhail, Shoreline resident and Haller Lake Methodist Church Homeless Coordinator, said his church has hosted Camp United We Stand on multiple occasions and he is not aware of any camp members being placed in Ronald Commons, or that Ronald Commons will be hosting any transitional encampments. He recommended the Municipal Code require 5,000 square feet for 35 people in an encampment. He shared that the country of Taiwan has ten times the population of King County but only one-tenth of homeless persons because of their commitment to provide homes to homeless people.

Margaret Willson, Shoreline resident, addressed a comment letter that quoted Edmond Burke, and questioned the suggestion that residents are in need of more enlightened representatives. She described the negative impact homelessness is having on the City of Seattle.

Dan Jacoby, Shoreline resident, suggested amendments to Ordinance No. 762 based on conversations he has had with transitional camp operators in Seattle and Edmonds, and clarified that he does not support backyard encampments.

Brad Lancaster, Shoreline resident, shared that he is surprised and appalled at the fear being expressed about transitional encampments and asked Council to vote against Ordinance No. 762 in its current form and start over. He said the statute singles out a group of people for intensive government oversight and he described how the ordinance negatively impacts homeless people.

Barbara Twaddell, Shoreline resident, thanked Councilmembers for listening to residents. She stated she supports the current version of Ordinance No. 762 and hopes it is approved by the Council.

Karmin Hallberg, Shoreline resident, said people who own, rent, and are homeless in Shoreline all have a right to live here and are an important part of the Community. She stated transitional encampments are not the solution but provide needed housing assistance.

Cynthia Roat, Shoreline resident and President of Seattle Cares, said the proposed square footage requirement to host encampments will be burdensome and is unnecessary. She asked the Council to consider the legal and federal implications of the Ordinance.

Roger Franz, Seattle resident, said he is a tent city camp advisor and thinks it is ridiculous to require a 7,500 square foot minimum lot size. He said he understands the intent to keep encampments out of single-family backyards, but there are other methods to achieve that goal. He said the square footage requirements needs to go.

Teri Potter, Shoreline resident, said she does not want tents in backyards without proper sanitation, and shared she is concerned about the unintended consequences of the proposed ordinance. She said the minimum square footage requirement might make it difficult to host an encampment on a church property. She suggested the City look into the portable pod housing that is being used in Portland, and soon to be tested in Seattle.

Carry Hadland, Shoreline resident, talked about the negative experiences his family endured from a transitional encampment being in close proximity to his home. He talked about the need for encampments to follow the rules, have a monitoring system, and he provided recommendations to host encampments.

Matthew Cobb, Shoreline resident, stated he supports Ordinance No. 777 Property Tax Exemption (PTE) in the Light Rail Station Subarea and asked the Council to vote in favor of this Ordinance. He shared why people have argued against PTE and addressed those issues.

Nicole Campbell, Shoreline resident, voiced support for Ordinance No. 777 allowing PTE in Light Rail Subareas to support property owners and protect them from unethical developer predators and practices.

Yoshiko Saheki, Shoreline resident, pointed out the fees Shoreline requires for development and said developers can only afford to purchase property that offers a PTE. She explained she is unable to expand her property to R-6 standards, and said the PTE will allow her to sell her home at a premium price. She stated that she is in favor of the sunset approach over the 500 unit cap option.

Pam Cross, Shoreline resident, described herself as a caring person, and said homeowners should not feel ashamed for their accomplishments resulting from their hard work. She opposed backyard encampments and said churches will still be able to host encampments under Ordinance No. 762.

Dave Sterner, Shoreline resident, shared he is against anything that will make it harder for churches or other responsible organizations to host encampments. He said restrictions on encampments will only spread out the problem. He shared a recent Seattle Report stated 89% of

the homeless are from King County and 8% are from out of the state. He advocated for helping the homeless to transition back to having a home and being a functioning member of the community.

Christopher Carter, Camp United We Stand member, asked Council to vote down the Ordinance. He said it breaks his heart to be called homeless and he also does not want to live with the homeless who break laws. He shared a story about another camp resident.

6. APPROVAL OF THE AGENDA

The agenda was approved by unanimous consent.

7. CONSENT CALENDAR

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

- (a) Approving Minutes of Workshop Dinner Meeting of February 13, 2017 and Special Meeting of February 27, 2017**
- (b) Authorizing the City Manager to Execute the 2017/18 King County Solid Waste Division Waste Reduction and Recycling Grant**

8. ACTION ITEMS

- (a) Adopting Ordinance No. 762 - Amending the Shoreline Municipal Code for Transitional Encampments

Paul Cohen, Planning Manager, and Kim Lehmberg, Associate Planner, provided the staff report. Mr. Cohen reviewed the direction provided by the City Council at the February 27, 2017 Council Meeting to refine “Managing Agency”; provide a definition of “Host Agency”; clarify “Intervening Structures”; revise setbacks; and add a 100 resident maximum and a 7,500 square foot minimum up to 15,000 square feet. He reviewed staff recommendations.

Councilmember Scully moved adoption of substitute Ordinance No. 762. The motion was seconded by Councilmember McGlashan.

Councilmember Scully stated the homeless problem is not going away. He said the Ordinance provides lawful parameters, respects homeless persons, and puts protections in place for residents. He stated he does not agree with the comments that regulations are not needed, and expressed that he is unsure of whether this Ordinance is right. He said it can be tested and corrections can be made later. He said camp residents’ behavior that negatively impact the quality of life of residents should be reported and appropriate codes should be enforced, but said that is not enough of a reason to ban transitional encampments.

Councilmember McGlashan said he supports the motion. He questioned if the minimum square footage requirements are for the property or the campsite. Mr. Cohen clarified the requirements are for the campsite. Ms. Lehmborg added that all churches would be able to host an encampment with the minimum requirement.

Councilmember Salomon asked if visitor curfew language is in the Ordinance, and if an encampment on a church's parking lot would require worshippers to park on the street. Ms. Lehmborg answered there is quiet time but not a curfew in the Ordinance. Mr. Cohen responded that the Temporary Use Permit (TUP) identifies hours of operation and the City noise code would apply. Ms. Lehmborg explained that the temporary use criteria requires the City to look at parking requirements for a church and determine whether the encampment would take up needed parking stalls. Councilmember Salomon asked if the minimum lot size and parking requirements would prohibit the Prince of Peace from hosting an encampment. Ms. Lehmborg responded it would not if they used their overflow parking stalls.

Councilmember Hall moved to add a definition of Host Agency to SMC 20.20.024 "Host Agency means a religious or not for profit organization that invites transitional encampment to reside on the land that they own or lease." The motion was seconded by Deputy Mayor Winstead.

Councilmember Hall stated the amendment provides clarity to the term "Host Agency".

Councilmember Scully stated he opposes the amendment, and shared that the goal should be to limit adverse impacts of the encampment and not focus on who owns the property. He said anyone could form a religious or non-profit organization and host an encampment so this amendment offers no protection to keep encampments out of single-family backyards, but it would prohibit them from going into commercial areas where impacts would be less. Mayor Roberts agreed.

Councilmember McGlashan stated he supports the amendment, and said religious and nonprofit institutions have the needed support to run encampments.

Councilmember McConnell asked if the definition for host and managing agency would exclude a private individual from hosting encampments in their backyard. Ms. Tarry responded that staff took Council's direction regarding the adequate amount of space to host an encampment, and that property be owned or leased by religious or non-profit organizations. She said the Ordinance is legally defensible but she cannot guarantee that it would prohibit encampments from going up in backyards.

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

Councilmember Scully moved to amend the definition of Managing Agency in SMC 20.20.034 with "Managing Agency meaning an organization that has the capacity to organize and manage a transitional encampment. A Managing Agency must be a State of Washington registered non-profit corporation; a federally recognized tax exempt 501(c)(3) organization; a religious organization as defined in RCW 35A.21.360; or a self-managed

homeless community. A Managing Agency may be the same organization as the Host Agency.” The motion was seconded by Councilmember Hall.

Councilmember Scully shared his concern about the original definition of managing agency.

The motion passed, 7-0.

Councilmember Hall moved staff's recommended language for intervening structures.

Councilmember Hall stated the recommended language provides some assurance that the intervening structures are site barriers.

The motion passed unanimously, 7-0.

Councilmember Salomon stated he agrees there is a need for a regulatory framework, and stated that his goal is to support transitional encampments at churches and religious institutions, non-profits organizations, and on large corner lots, but not in single family residential yards. He said the Council is attempting to meet the needs of people's right to have a place to live, and the rights of others to have quiet enjoyment of their property. He stated that he believes the Ordinance balances both of these interests, and said it will be monitored to see how it is working and can be revisited if it is not. He shared encampments are short to medium term places for people to have a safe place to live and are not a permanent solution. He said this action does not release the City Council from helping to find and support a permanent solution to homelessness. He said he is supportive of donating City owned properties for low income housing.

Mayor Roberts shared that he is supporting the Ordinance and is willing to evaluate the impacts. He shared that he values the people that reside at the encampments and that he has had good experiences visiting Camp United We Stand. He questioned if those religious institutions that want to host encampments will still be able to do so, and encouraged them to come back to let Council know if the Ordinance is working or not. He said he does not want to put forth adverse policy impacts. He said the Ordinance incorporates regulations into the Municipal Code that define expectations, and they are valuable even if there is not an issue right now.

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

(b) Adopting the 2017 Comprehensive Plan Amendment Docket

Steve Szafran, Senior Planner, and Paul Cohen, Planning Manager provided the staff report. Mr. Szafran reviewed the annual docket process and presented the following proposed docket amendments:

- Amendment 1 – Amend Policy LU47 which considers annexation of 145th Street adjacent to the southern border of the City.
- Amendment 2 – Amends Point Wells Subarea Plan and other elements of the Comprehensive Plan that may have applicability to reflect outcomes of the Richmond Beach Transportation Corridor Study as described in Policy PW-9. Also, Considers

amendments to the Comprehensive Plan that could result from the development of Interlocal Agreements as described in Policy PW-13.

- Amendment 3 – Update and amend the Parks, Recreation, and Open Space Element Goals and Policies and update of the Parks, Recreation, and Open Space Master Plan.
- Amendment 4 – Update the Surface Water Master Plan.
- Amendment 5 – Update the Street Master Plan of the Transportation Master Plan.
- Amendment 6 – Amend 185th Street Station Subarea Plan.
- Amendment 7 – Amend Comprehensive Plan to change wastewater services from the Ronald Wastewater District to the City of Shoreline as the City’s wastewater provider.
- Amendment 8 - Update the Comprehension Plan by amending Capital Facilities Element to incorporate by reference the Shoreline Fire District’s Capital Facilities and Equipment Plan so as to support the imposition of the fire impact fees as authorized by RCW 82.02.

Mr. Szafran explained that the Council is setting the final docket and said no Amendments are being adopted at this time. He said staff recommends all proposed Amendments be placed on the 2017 Draft Docket.

Mayor Roberts opened Public Comment and after seeing no one wishing to comment, he closed the Public Comment period.

Councilmember Hall moved approval of the 2017 Comprehensive Plan Amendment Docket with the inclusion of Amendment #7 that changes “Ronald Wasterwater District” to “City of Shoreline” throughout the Comprehensive Plan; and the inclusion of Amendment #8 that incorporates the Shoreline Fire Department’s Capital Facilities and Equipment Plan. The motion was seconded by Councilmember Scully.

Councilmember Salomon inquired about the Planning Commission’s recommendation to strike some of the language in Amendment #2, and asked what the effects would be. Mr. Szafran responded that there are no impacts because the Transportation Corridor Study will dictate any mitigations.

The motion passed unanimously, 7-0.

9. STUDY ITEMS

- (a) Discussing Ordinance. No. 776 - Designating Light Rail Station Subareas for Property Tax Exemption (PTE)

Dan Eernisse, Economic Development Program Manager, explained the purpose of the Property Tax Exemption Program, the availability and effectiveness of the program in Shoreline, and the number of units developed under it to date. He explained why staff is recommending providing PTE in the Light Rail Station Subareas.

Councilmember Scully stated he supports all staff recommendations and believes the PTE program should be provided in the Light Rail Station Subareas. He said he would prefer a sunset date rather than a unit cap.

Councilmember Hall shared that through the Subarea planning process it was anticipated that changes to the areas would take years, and said he was concerned about sending mixed messages and adversely impacting economic development investment efforts in other parts of the City. He shared that after more thought, and understanding that we live in a regional and competitive market place, he feels development in Shoreline can support a nominal competitive process. He thanked Council for giving him the opportunity to think about this and said he no longer has concerns.

Deputy Mayor Winstead stated she agrees with staff's recommendations, expressed surprise to see development starting to happen, and said it does not make sense to deny PTE in the Station Subareas. She stated she likes the affordability clause and that it will be in place for 99 years. She said she would like to see a sunset date rather than unit cap, and the year 2021 makes sense.

Councilmember McGlashan stated he supports staff's recommendations, and asked if the cap count is for each Subarea, and if Phase II is automatically excluded. Mr. Eernisse replied it would be limited to Phase I because of the sunset clause.

Councilmember McConnell stated she supports staff's recommendations as proposed. She expressed the need to compete with Seattle, and shared the economy cannot be controlled and this is why development is moving so fast. She said she wants to capitalize on the market and stated she prefers the sunset clause.

Deputy Mayor Winstead asked when the Ordinance will be coming back for Council Action. Ms. Tarry responded the Ordinance with a 2021 sunset clause can be brought back on the April 10, 2017 Consent Calendar.

(b) Discussing the Puget Sound Drainage Basins Plan

Uki Dele, Surface Water Utility and Environmental Services Manager, and Erin Nelson, consultant, provided the staff report. Ms. Dele shared that five basin plans have been completed since 2009 and the results of those plans can be found at Shorelinewa.gov/basinplan. She said tonight's discussion focuses on the results of the Puget Sound Drainage Basin Plan consisting of Richmond Beach, Innis Arden, Edmonds Way, Highlands, and West Lake Washington Basins. She presented a chart depicting the City's stormwater management efforts and shared that work is currently being done on the Surface Water Master Plan.

Ms. Nelson reviewed the Puget Sound Drainage Basin Planning Elements and said primary issues found were that 10% of pipes are in poor condition. She identified flooding and drainage issues and that there are lack of easements for pipes not in the right-of-way. She reviewed a list of recommended projects totaling \$13 Million and the stormwater pipe repair and replacement projects. She shared the next steps are to move pipe and repair projects into the pipe repair and replacement program and prioritize capital improvement projects in the 2017 Surface Water Master Plan Update.

Ms. Dele shared that a condition assessment was performed on 30% of the City's pipes and 16% were found to be severely defective and will be addressed in the Master Plan. She shared 109 will be addressed through Surface Water Small Drainage Projects and the Stormwater Pipe Repair and Replacement Programs, and provided a breakdown of the projects. She shared that Thornton Creek is the largest basin, with 42 miles of pipe, and she anticipates defective and deteriorating pipes. Ms. Dele concluded with reviewing next steps.

Councilmember McGlashan asked if anticipated impacts have been identified on pipes that will be effected by the construction of Light Rail and if Sound Transit included this in their environmental work. Ms. Tarry responded that Sound Transit is not required to assess the condition of the pipe but they would need to replace pipes if they dig them up.

Councilmember McGlashan asked if the flooding problem on Springdale is affecting homes. Ms. Nelson replied the flooding has affected homes in the past.

Councilmember Hall asked if the data collected today will enable the City to look at pipe lifecycles to develop an annual strategy to keep up with maintenance and repairs. Ms. Dele responded yes.

Councilmember Salomon asked if the culverts shown in the slideshow could be made fish passable. Ms. Nelson responded that a number of the culverts that cross under the railroad are not fish passable, and said it is the railroad's culvert to fix. She explained why the cost of fixing it might not be worth the benefit, and said she does not recommend reengineering a stream that is in its natural state. Councilmember Hall commented that he would want to focus on removing manmade barriers to anadromous fish.

Mayor Roberts asked what the overall condition of the Puget Sound Drainage Basin is in comparison to the other basin plans and what the general life span of the report is. He confirmed that more investments will be needed for pipe replacement. Ms. Nelson responded the condition of the pipes were similar to the other basins. Ms. Dele responded that a plan would be done between every 5 to 10 years, and identified in the Master Plan. She said she anticipates additional financial impacts.

10. ADJOURNMENT

At 9:30 p.m., Mayor Roberts declared the meeting adjourned.

Jessica Simulcik Smith, City Clerk