

CITY OF SHORELINE
SHORELINE CITY COUNCIL
SUMMARY MINUTES OF REGULAR MEETING

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

Council Chambers - Shoreline City Hall
17500 Midvale Avenue North

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

ABSENT: Deputy Mayor Winstead

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, with the exception of Deputy Mayor Winstead.

Councilmember McConnell moved to excuse Deputy Mayor Winstead for personal reasons. The motion was seconded by Councilmember Hall and pass unanimously, 6-0.

(a) Proclamation of Cesar Chavez Day

Mayor Roberts read a proclamation declaring March 31, 2017 as Cesar Chavez Day in the City of Shoreline. Melany Flores, Ricardo Pineda, and Michelle Morales-Lopez, members of the Shorewood High School Latino Club, accepted the proclamation. They thanked the Council for honoring Cesar Chavez, and shared he was a great hero that fought for civil rights for everyone and improved working conditions and wages for Latino immigrant farm workers. They talked about the importance of Mr. Chavez's nonviolence protests and said they are still in practice today. They spoke on the importance of preserving diversity and read Cesar Chavez quotations.

3. REPORT OF CITY MANAGER

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

4. COUNCIL REPORTS

Mayor Robert shared that King County Councilmember Rod Dembowski attended the City Council Dinner Meeting and invited him to the podium to say a few words. Councilmember Dembowski said he values the great partnership between King County and the City of Shoreline

and working together on issues related to transit, affordable housing, human services, Light Rail, the 145th Street Corridor, and environmental protection.

Mayor Roberts reported attending a Puget Sound Regional Council Executive Board Meeting. He said biannual budget recommendations were discussed and a 4% dues increase is recommended for 2018 to help build up reserve funds.

5. PUBLIC COMMENT

Christaino, Shoreline resident, grocery store manager, and UFWC 21 Member, talked about Secured Scheduling Regulations. He said it would help workers better meet their family commitments and personal obligations. He shared the 14 day advanced notice of a schedule change will benefit workers and urged Council to pass the proposal.

Kevin Sendall, Seattle resident, Shoreline Fred Meyer employee, and UFWC 21 Member, said his secure schedule allows him to live life outside of work, but shared many people are not so lucky. He talked about the negative impact to families that do not have secure scheduling and said the proposal would allow employees to plan their lives.

Margaret Willson, Shoreline resident, shared the Urban Land Institute is holding their spring meeting in May and read information on what the Institute does. She stated a session will be presented entitled "Making it at City Hall", and read the description. She thanked Planning staff for their recommendation to remove the density bonus from single family zoning in the Deep Green Incentive Program and urged the Council to follow their recommendation.

Sean Beavers, Seattle resident and Full Service Workers Alliance, commented that the Secure Scheduling Regulations will take away freedom and flexibility restaurants and coffee shops offer to employees. He said they were puzzled that the Seattle City Council did not get their message that they are not subject to abusive scheduling. He cautioned that the regulations would lead to unionizing restaurants, retail, and coffee shops, and asked Council to wait to see the impact it has on the City of Seattle.

Simone Barron, Seattle resident and Full Service Workers Alliance, spoke against the Secured Scheduling Ordinance. She said it has the potential to harm employees and negatively impact employers. She said flexibility is a sought after perk, a cornerstone of the services industry, and the Ordinance would limit the freedom of flexibility. She encouraged Councilmembers to speak to service workers and get their feedback before passing the Ordinance.

Sean David, Seattle resident and Full Service Workers Alliance, shared that the legislation is not to help workers but to help special interest groups. He asked the Council to consider the damaging effects the regulations would have on businesses, workers, and the Community.

Alex, Shoreline resident and UFCW 21 Member, spoke about the difficulty of scheduling lives around unpredictable work schedules. He shared the plight of grocery workers trying to balance their work life with unpredictable schedules. He said some workers are protected by union

contracts, but non-union members have challenges balancing it all, and asked the City to support a secure working schedule.

Barbara Twaddell, Shoreline resident, expressed relief over staff's recommendation to not include a density bonus in R-4 and R-6 zones for the Deep Green Incentive Program. She shared it is not worth the minimum environmental benefit and that it could cause more harm. She said she hopes the Ordinance is approved with the recommended changes.

Leah Missik, Seattle resident and Built Green Manager, explained how homes are built green to be certified at the top tier of Emerald and 5 Star. She said on average Built Green 5 Star homes save 1,244 lbs. of carbon dioxide per year, and shared other environmental benefits and savings.

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, 6-0, the following Consent Calendar items were approved:

(a) Approving Minutes of Regular Meeting of January 30, 2017 and Minutes of Meeting of February 13, 2017

(b) Approving Expenses and Payroll as of March 10, 2017 in the Amount of \$2,555,777.25

***Payroll and Benefits:**

Payroll Period	Payment Date	EFT Numbers (EF)	Payroll Checks (PR)	Benefit Checks (AP)	Amount Paid
1/29/17-2/11/17	2/17/2017	70623-70844	14800-14818	66116-66123	\$719,001.98
2/12/17-2/25/17	3/3/2017	70845-71073	14819-14837	66240-66245	\$546,571.31
					\$1,265,573.29

***Wire Transfers:**

Expense Register Dated	Wire Transfer Number	Amount Paid
2/28/2017	1118	\$5,058.20
		\$5,058.20

***Accounts Payable Claims:**

Expense Register Dated	Check Number (Begin)	Check Number (End)	Amount Paid
2/14/2017	65992	65993	\$250.00

2/16/2017	65994	65996	\$135,060.97
2/16/2017	65997	66000	\$70,391.74
2/16/2017	66001	66014	\$60,331.30
2/16/2017	66015	66029	\$66,520.86
2/16/2017	66030	66037	\$160.79
2/16/2017	66038	66056	\$17,986.74
2/16/2017	66057	66074	\$23,522.50
2/16/2017	66075	66079	\$978.20
2/16/2017	66080	66080	\$105.75
2/22/2017	66081	66082	\$37,198.05
2/23/2017	66083	66083	\$1,234.44
2/23/2017	66084	66087	\$115,135.53
2/23/2017	66088	66097	\$34,442.74
2/24/2017	66098	66115	\$56,534.57
3/1/2017	66124	66128	\$36,916.10
3/1/2017	66129	66143	\$66,376.86
3/1/2017	66144	66158	\$36,775.04
3/2/2017	66159	66164	\$68,824.44
3/2/2017	66165	66178	\$40,224.37
3/2/2017	66179	66192	\$118,717.05
3/7/2017	66193	66204	\$138,350.16
3/7/2017	66205	66215	\$88,713.22
3/8/2017	66216	66223	\$15,073.03
3/8/2017	66224	66239	\$55,321.31
			<u>\$1,285,145.76</u>

(c) Authorizing the City Manager to Execute a Grant Funding Agreement for TIB Complete Streets

(d) Adopting Resolution No. 406 - Rejecting All Bids for the Bike Plan Implementation Project and Authorizing the Public Works Director to Make Further Calls for Bids in the Same Manner as the Original Call for Bids

8. ACTION ITEMS

(a) Appointing Parks, Recreation and Cultural Services/Tree Board Members

John Norris, Assistant City Manager, shared that John Hoey, Besty Roberston, and Christine Southwick terms on the Parks, Recreation and Cultural Services/Tree Board will expire in 2017. He said the City Council Subcommittee is recommending their reappointment to the Board to serve a second four year term, from 2017-2021.

Councilmember Hall moved to waive the Council Rules of Procedure Section 2.4 and reappoint John Hoey, Betsy Robertson, and Christine Southwick to the Parks, Recreation, and Cultural Services/Tree Board to serve their second four year term. The motion was seconded by Councilmember Salomon.

Councilmember Hall stated there are great people working on the Parks Board and thanked them for their hard work and for volunteering their services. Councilmember McGlashan agreed and said he is always excited to see people volunteer to serve another term. Councilmember Salomon expressed gratitude for their services and said he heard complimentary things about them. He noted the applicant pool was impressive, thanked applicants for their interest in serving, and encouraged them to continue to serve the City in some capacity.

The motion passed unanimously, 6-0.

9. STUDY ITEMS

(a) Discussing the 2017-2019 City Council Goals and Workplan

John Norris, Assistant City Manager, provided a synopsis of Council's discussion on the 2017-2019 City Council Goals and Workplan that took place at the Strategic Planning Workshop held on March 3 and 4, 2017. He noted the Council's continued focus towards achievement of Vision 2029 and the determination that the Council Goals are still relevant. He explained amended language was added to Goal #2 and #3, and presented the proposed 2017-2019 City Council Goals are:

- Goal 1: Strengthen Shoreline's economic base to maintain the public services that the Community expects
- Goal 2: Improve Shoreline's infrastructure to continue the delivery of highly-valued public services
- Goal 3: Continue preparation for regional mass transit in Shoreline
- Goal 4: Expand the City's focus on equity and inclusion to enhance opportunities for community engagement
- Goal 5: Promote and enhance the City's safe community and neighborhood programs
And initiatives

Mr. Norris said the Goals and Workplan are scheduled for adoption on April 10, 2017.

Councilmember Hall commended staff for doing a good job of capturing the strategic planning discussion and for the work completed in preparation of the Workshop. He reaffirmed that Council is continuing in the same direction with these goals, and that action steps relating to mass transit were updated.

Mayor Roberts expressed thanks to staff and said the update to the goals are a good reflection of Council's discussion. He clarified the Goals will come back to Council for adoption on the April 10, 2017 Consent Calendar.

(b) Discussing Ordinance No. 760 - Amending the Shoreline Municipal Code to Implement a Deep Green Incentives Program

Miranda Redinger, Senior Planner, recalled the Council adopted the Climate Action Plan in 2013 with the goal of reducing the City's carbon footprint; performed a carbon wedge analysis to map

out how to achieve the goals; joined King County Cities Climate Collaboration in 2014; adopted the Living Building Challenge Ordinance in 2015; and shared other efforts and projects supportive of the Climate Action Plan. She provided an overview of the required criteria to achieve certification for living buildings, and reviewed proposed incentive packages. She stated the two incentive categories are a Fee Waiver or Reduction, and Exemptions or Departures from Development Standards; and the three tiers of incentives are:

- Tier 1 (100% incentives)-Living Building Challenge or Living Community Challenge
- Tier 2 (75% incentives)-Petal Recognition or Built Green Emerald Star
- Tier 3 (50% incentives)-LEED Platinum, NZEB + Salmon Safe, or Built Green 5-Star

Ms. Redinger presented other potential fee reductions, potential departures from required City building standards, penalties for non-compliance, and stated certification requirement review will be performed by a third party. She said staff's recommendations are to remove the option for a density bonus in R-4 and R-6 zones; maintain 35 foot height limit in R-4, R-6, and MUR-35, and allow potential 10 foot height bonus in R-8, R-12, R-24, R-48, and TC for solar access. She explained why the name changed from the Living Building Challenge Ordinance to Deep Green Incentive, and asked the Council their preference for a name. She shared the Ordinance is scheduled for adoption on April 17, 2017, and informed Council about the Green Building Speaker Series to help educate the Community about green initiatives and sustainability strategies.

Councilmember McGlashan asked what the density bonus in residential neighborhoods would be. Ms. Redinger displayed a table showing Project Tiers for detached and attached homes along with the lot size, depicting how much of a density bonus would be granted. Councilmember McGlashan shared he is not supportive of the density bonus in residential neighborhoods at this time.

Councilmember McConnell stated she will be supporting the recommendation to remove the density bonus in residential neighborhoods and said the Community is not ready in any way to look like Seattle.

Councilmember Hall stated he does not support density bonus in residential neighborhoods, and shared that future growth should live near Light Rail for transportation benefits. He shared that 50% of carbon emissions come from the transportation sector and the rest of the carbon footprint comes from buildings. He pointed out the energy savings in apartment building is much greater than a free standing home. He said incentives to build more housing in existing residential areas should not be promoted. He is uncertain if he supports a departure from open space and lot coverage standards, and asked that an amendment be prepared to remove them from the Ordinance. He shared that height is experienced by neighbors therefore he does not support a height bonus in R-4, R-6 and R-8, and he prefers retaining the 10,000 minimum lot size to promote good development that fits in with the neighborhood.

Councilmember Scully agreed with Councilmember Hall's comments. He also recommended the City focus more on 3 and 4 Star certifications. He shared that Shoreline is not the place where super high end homes are being built and said he would rather see an improvement in the overall

quality of buildings. He agreed to not have density or height bonuses in MUR-35 zones and below, and said he does not see a huge impact to the neighborhood for the height bonus at MUR-45 and above. Ms. Redinger replied that the City should be rewarding what can be scaled and said a six story building is usually where efficiency reaches its maximum.

Councilmember Hall clarified that he supports a height bonus in R-12 and above.

Councilmember Salomon commented on the need to do right by the environment and to fight climate change in the most efficient and effective ways possible. He agreed with Councilmember Hall on the need to focus on transit oriented development and low carbon transportation options like Light Rail. He said Deep Green is a little of a departure from those ideas, and he is skeptical it will scale to the point where it really makes a big difference. He asked if the models serve some benefit to inspire people to get involved. He said he supports the Ordinance as described by Councilmember Hall.

Mayor Roberts questioned whether it is worth trying to achieve these energy efficient buildings instead of enacting incremental improvements to the Development Code, like making all roofs ready for solar installation regardless if an incentive is provided; or requiring more electric vehicle charging stations in new construction contributing to environmentally sustainable practices. Ms. Redinger responded that the Regional Code Collaboration is a group the City works with on new multi-family and commercial construction and wiring for electric vehicle charges has been adopted in the Code. She explained that the Code keeps raising the bar for energy efficiency requirements.

Mayor Roberts asked if it is standard practice to give the Director authority to modify green building standards at their discretion. Ms. Redinger explained the design review process and said there is director discretion. Mayor Roberts asked if there is a parking reduction in addition to the other parking reductions in the Code. Ms. Redinger responded there is not and said less parking reductions are available in the Deep Green Building Program.

Ms. Tarry clarified that staff will bring back amendments to remove the density bonus from R-4 and R-6 zones, add a height bonus for zones R-12 and above, remove open space and lot coverage incentives, and provide a clarification on the how parking reductions authorized through director discretion would be used in areas outside of MUR zones.

Councilmember McGlashan asked what bonuses and code departures would drive more deep green building development in Shoreline. Ms. Redinger responded that she will research it and report back to Council.

At 8:43 p.m. Mayor Roberts convened a five minute recess, and at 8:48 p.m., he reconvened the meeting.

- (c) Discussing External Workforce Secured Scheduling Regulation Discussion;
Sponsored by Councilmembers Salomon and McConnell

Alex Herzog, CMO Management Analyst, shared about the genesis of Secure Scheduling and said the goal is to improve consistency, predictability, and livability for retail and service employees' work schedules. He reviewed provisions from four different models and the Secure Scheduling regulations adopted by the cities of Seattle and San Francisco. He discussed the steps needed to implement Secure Scheduling in Shoreline and potentials impact to the City.

Councilmember Scully stated he supports all of Seattle's proposals and having regional standards. He stated he is concerned about enforcement and likes the private right of action and protection being available to workers if they chose it.

Councilmember Salomon commented that the current economy provides less opportunity for upward mobility since the birth of the Labor Movement in the 1800s. He stated studies reveal from the past hundred years if you are born into a certain wage class, you live and die in that class, and he said that is a huge concern for him. He shared a story about his extended family immigrating to this country, and the need to renew the promise of America. He provided the example of a single parent in a low wage job attempting to go to school, but being unable to commit to school because of the irregularity of their work schedule. He said Secure Scheduling will help in this matter, and he would like to see the City implement regulations similar to Seattle for consistency. He asked Councilmembers for their feedback on enforcement mechanisms.

Councilmember McConnell commented that she would like to hear if Secure Scheduling works or not. She said it is difficult for workers to have a balanced life if they are unable to have a set schedule. She expressed concern about the management of the Ordinance and said she is not sure she wants to regulate this in an ordinance. She recommended that the City let employers know they need to treat employees with respect and not hold them hostage to an unpredictable schedule.

Councilmember Salomon explained that the private right of action allows workers to seek justice for rights that have been violated through the court system and the ability to ask for damages. He said it is self-enforcing because it is initiated by the worker and would not require the City to enforce the Code.

Councilmember McGlashan expressed interest in hearing from both sides on this issue. He shared that he has worked jobs that are flexible and enjoyed it. He asked why would an Ordinance be implemented but not enforced. He asked if this is an issue in Shoreline or if we are doing it because Seattle is. He said he understand the benefits of Secure Scheduling but he hesitates putting another regulation on businesses that could potentially hinder economic development, and he is unsure if this is necessary.

Councilmember Scully commented if an employer is already providing Secure Scheduling they are in compliance and will be fine and explained the remedy process in Fair Labor Standard Act Cases. He requested information on existing mechanisms of enforcement and stated he would not be willing to divert resources from other programs for enforcement.

Councilmember Salomon said provisions in the Ordinance allow employees to seek volunteers for shift swaps which provides workers with flexibility in their schedules. He said the Council

needs to speak for people who cannot speak so easily for themselves. He noted the Ordinance only applies to the larger employers.

Mayor Roberts stated this is part of a larger problem within this economic climate and that over the last twenty years there has been wage stagnation and a decrease in upward mobility. He said Secure Scheduling would reset the scale of power of employee versus the power of employer and he is happy to be having this discussion. He said there are a lot of good elements in Seattle's Ordinance, and there are some elements that are concerning, for example, the way Seattle differentiate between employees. He said all employees need to be treated equally. He expressed concern with private right of action, and said it works great in practice but he feels it perpetuates haves versus have nots. He commented on workers having the ability to access and be aware of the law, the barriers to get to private right of action, and the cost of securing a lawyer. He said a lot of outreach and proactive enforcement by the City would be needed for Secure Scheduling to be successful, and he is uncertain the City can address these issues with current resources.

Councilmember Salomon stated that law students could take these cases and finding legal representation would not be difficult. He said he does share concerns about what the damages would be and that the Ordinance could be written to say what damages are.

Councilmember McConnell stated she does not want to devote more staff time to this issue at this time.

Councilmember Hall stated that predictability in scheduling and income is very important and he understands the issue and its impact. He shared he sees great value in moving in this direction, and suggested using the opportunity to listen and learn more and see if the Seattle model is right. He commented on contemplating scenarios where Secure Scheduling would not benefit some employers. He expressed concern about enforcement, said he wants to learn more about it and he is not sure the City is ready to move forward with an Ordinance.

Councilmember McGlashan said he is comfortable with staff doing more research and seeing what Seattle comes up with.

Ms. Tarry said if the Council wants to see how the process is going in Seattle that data would be available around January of 2018 and staff can report back then.

10. ADJOURNMENT

At 9:23 p.m., Mayor Roberts declared the meeting adjourned.

Jessica Simulcik Smith, City Clerk