

CITY OF SHORELINE

SHORELINE CITY COUNCIL SUMMARY MINUTES OF REGULAR MEETING

Monday, July 31, 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.

(a) National Night Out Against Crime

Mayor Roberts read a proclamation declaring August 1, 2017 as National Night Out (NNO) Against Crime. Chris Goodman, Parkwood Neighborhood Association Chair and longtime NNO participant, accepted the proclamation. Mr. Goodman thanked staff and community residents for their contribution and participation in making NNO happen each year and for building stronger communities. Captain Mark Konoske, Shoreline Police, said NNO is a team effort of the Community, the Police Department, and Local Government, and they look forward to it every year.

3. **REPORT OF CITY MANAGER**

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

4. **COUNCIL REPORTS**

Councilmember McGlashan thanked staff for reconfiguring the intersection at Dayton Avenue and Carlyle Hall Road and said it functions much better.

5. **PUBLIC COMMENT**

There was not anyone wanting to make a public comment.

6. APPROVAL OF THE AGENDA

The agenda was approved by unanimous consent.

7. CONSENT CALENDAR

Upon motion by Councilmember Hall and seconded by Deputy Mayor Winstead and unanimously carried, 6-0 (Councilmember McConnell not present), the following Consent Calendar item was approved:

- (a) Adopting Resolution No. 412 Approving the 2017-2023 Parks, Recreation and Open Space Plan for the Purpose of State of Washington Recreation and Conservation Office Funding Eligibility**

8. ACTION ITEMS

- (a) Adopting Ordinance No. 786 - Park Impact Fees

Eric Friedli, Parks, Recreation, and Cultural Services Director, recalled the research Council requested staff to conduct in preparation of this meeting. He shared the three policy questions the Council will need to address are:

- Adopting Park Impact Fees based on size of unit or unit count.
- Adopting a higher Park Impact Fee rate than the rate recommended by staff.
- Changing the effective implementation date.

Councilmember Hall asked how the Park Impact Fee rates recommended by staff compare to other comparable cities. Mr. Friedli responded the recommended rates are at the median. He displayed a slide showing general development fees of Shoreline and other cities, and a table listing Alternative Park Impact Fee Rates with reductions at 0%, 25%, 50%, 60%, and 71%. Mayor Roberts asked if a 0% reduction would fund the growth to the park system needed to support increased density. Mr. Friedli replied no.

Councilmember McGlashan moved adoption of Ordinance No. 786 Park Impact Fees. The motion was seconded by Councilmember Hall.

Councilmember McGlashan said he appreciates staff's work on the project and is in agreement with staff's recommendation that accommodates more housing options and economic development, and urged Councilmembers to support staff's recommendation.

Councilmember Hall said he appreciates staff's outreach to stakeholders and their feedback throughout the process. He stated his support for the 71% reduction rate and said it places impact fee rates in the normal range for this region. He supports moving forward with the impact fee to have growth pay for growth with an effective date of January 1, 2018.

Councilmember Scully moved to amend Ordinance No. 786 to change the fee reduction rate to 0%. The motion was seconded by Councilmember Salomon.

Councilmember Scully pointed out a 0% reduction rate totals approximately \$66 Million in revenue, and less than what is needed to fund the Parks, Recreation, and Open Space Plan. He said it makes sense to have new development fund future park needs, and prevent current residents from having to fund new parks. He said a 71% reduction rate will result in a massive funding shortfall.

The motion failed 1-5, with Councilmember Scully voting yes (Councilmember McConnell not present).

Councilmember Scully moved to amend Ordinance No. 786 to adopt a park impact fee based on unit size as shown in the chart on slide #4 in the presentation. The motion was seconded by Councilmember Salomon.

Councilmember Scully said this amendment encourages the development of smaller and more affordable homes.

Councilmember Salomon said he wants to encourage development that has a mixture of housing units, and he questioned if impact fees based on unit count rather than size incentivizes multi-family apartments instead of studios.

Councilmember Hall agreed with Councilmember Salomon that a mixture of housing units is desired, and said the majority of Shoreline's future development growth will come from multi-family housing.

Councilmember Salomon explained that based on current land values, he does not foresee a developer buying land and then building a small house on it, therefore, he is leaning against the amendment.

Councilmember McConnell arrived at 7:25 p.m.

The motion failed 1-6, with Councilmember Scully voting yes.

Deputy Mayor Winstead said she is pleased that the Park Impact Fee is moving forward because the park system will need to expand as density increases, and new growth can pay for that growth. She said she supports the January 1, 2018 implementation date.

Councilmember Salomon said he appreciates the grid staff prepared showing impact fee comparisons and that it helped with the policy decision making process. He said that although it would be nice to have 100% funding for the park system, he supports staff's recommendation.

The vote on the main motion, adoption of Ordinance No. 786 Park Impact Fees passed unanimously, 7-0.

9. STUDY ITEMS

- (a) Discussing Ordinance No. 788 - Development Code Amendment to Expand Use of Civil Fees and Other Fees Collected

Paul Cohen, Planning Manager, and Kristie Anderson, Code Enforcement Officer, provided the staff report. Mr. Cohen explained tonight's discussion is about expanding the use of Civil Fees and Other Fees collected through the Abatement Fund. He described what the Abatement Fund is currently used for, and said additional code enforcement expenses the Fund would support are training, extra legal assistance, and expert investigations. He reviewed the recommended language for the code amendment and said the Ordinance is scheduled for adoption on August 14, 2017.

Councilmember McGlashan confirmed that the City does not expend all the Abatement Funds, and asked if more abatement work can be done. Ms. Anderson explained how penalties are incurred and accrued, and said there are more abatement actions that could be taken, but explained it is a long legal process and is impacted by limited staff resources.

Councilmember Hall pointed out a word was omitted in the markup version of the Ordinance and recommended the City Attorney review the language again. Mayor Roberts confirmed that the item will be on the Consent Calendar.

- (b) Discussing the North Maintenance Facility Alternatives Analysis and Preferred Alternative and Discussing the 25th Avenue Ne Flood Reduction Project Alternatives Analysis and Preferred Alternative

Randy Witt, Public Works Director, introduced the format of the presentation. Noel Hupprich, Capital Project Manager, reminded Council of the status of the North Maintenance Facility (NMF) and the additional site development costs that caused the project to be placed on hold. He explained this initiated studying lower cost alternative sites, or confirming NMF as the best site location. He said the study determined short-term and long-term options. The short term option is to use Hamlin Yard, NMF, and the Ronald Wastewater District (RWD) Property; and the long term option includes two generic full program sites at NMF, Hamlin Park, or Keough Park. He reviewed the characteristics and costs for each location. He said staff's short term recommendation is for the Public Works Maintenance Division to remain at Hamlin Yard; locate the Stormwater Program with wastewater at the RWD Property; and use the NMF site for bulk storage, salt, decanting, sweeper spoils, dumpsters, and fueling for an estimated cost of \$150,000 in 2018. He said long term recommendations are to pursue the development of a full program site at Hamlin Park; fund the mitigation for a maintenance facility and use at Hamlin Park; and expansion of Brugger's Bog Park at the NMF site all for an estimated cost of \$340,000 in 2018, and \$17 Million in 2020 to 2023. He reviewed budgetary requirements, proposed funding, and the 5-Year Funding Goal.

Councilmember McGlashan confirmed that Parks Maintenance and Public Works Maintenance will remain at Hamlin Yard. Councilmember Scully asked if retrofitting Hamlin Yard, RWD, and adding the Brightwater location would provide sufficient capacity and what the combined

cost of retrofitting those three properties is. Mr. Witt responded that it would not be enough space for both departments, and said he would report back on costs. Mayor Roberts asked what elements would be missing if you included the backside of the NMF. Mr. Witt responded that they have not reviewed that option.

Mayor Roberts proposed that there are existing facilities to meet the City's needs and questioned the need to consolidate services. He asked if the short term options presented by staff could satisfy the City's long term requirement needs, and asked about the benefits of consolidation. Mr. Witt replied anything is possible but it would need to meet the Departments' needs. He said consolidation allows everything to be at one place; avoids the duplication of facilities and equipment; minimizes driving from site to site; provides dedicated conference rooms; and eliminates redundancy. He explained the benefits of having all the crew in one space, and said it allows for collaboration and better coordinated operations. He said Hamlin Yard could be used to better serve the Town Center.

Councilmember Salomon said he does not think the duplication factor is problematic, and driving from point A to B would not take long in a city of this size. He has the same questions as Councilmember Scully regarding the use of Hamlin Yard, RWD, Brightwater, and then using the NMF for Brugger's Bog restoration and stream habitat enhancement.

John Featherstone, Surface Water Engineer, shared that the 25th Avenue NE Flood Reduction Project addresses flooding of Ballinger Creek. He provided a historical overview of flooding in the area and said there have been sixteen flooding incidents since 2001. He said the Lyon Creek Basin Plan recommended it as a priority project and it is included in the Surface Water Master Plan as a priority project. He talked about pipe conditions and capacity, and the need to replace the pipes. He noted the 25th Avenue NE System and the NE 195th Street Culvert are undersized. He displayed a picture of the area and said a portion is owned by the Washington State Department of Transportation (WSDOT) and the other portion by the City of Lake Forest Park.

Mayor Roberts asked who is responsible for the NE 195th Street Culvert. Mr. Featherstone responded that the culvert is owned by Lake Forest Park. Mayor Roberts pointed out that WSDOT was issued a court order to make culverts fish passable and asked if NE 195th Street Culvert is on their list. Mr. Featherstone replied that it is not on their list.

Mr. Featherstone reviewed stakeholder outreach and feedback received regarding the project, and said there was consensus that if the conveyance system was touched, then the creek would require daylighting. He reviewed objectives and challenges with replacing the NE 195th Street Culvert, and said the 25th Ave NE Alternative Analysis recommendations are:

- Alternatives 1 and 2: Daylight Ballinger Creek and install Culverts within the 25th Avenue NE right-of-way; and replace the NE 195th Street Culvert.
- Alternative 3: Daylight Ballinger Creek within the City's NMF property; Daylight channel and Culverts along 25th Avenue NE south of NMF; Alternative 3-1 daylight more along west side; or Alternative 3-2 more along the east side; and replace NE 195th Street Culvert.

- Alternative 3A: Daylight Ballinger Creek within the School District's Aldercrest Annex property; Daylight channel and culverts along 25th Ave NE east side south of Aldercrest Annex; and Replace NE 195th Street Culvert

Mr. Featherstone said staff is recommending Alternative 3 with phased implementation to eliminate flooding up to the 100-year event, restore the creek, and provide an amenity to the Community. He reviewed short-term and long-term phasing proposals and financial impacts.

Councilmember Salomon said he does not have a good sense of how the creek flows and asked if the creek is daylighted downstream where it flows into Lake Washington. Mr. Featherstone explained how the creek flows and said it is generally daylighted with the exception of where it crosses roadways, and said it is a partial fish passage barrier. Councilmember Salomon asked if all phases of the projects need to be done to improve fish passage. Mr. Featherstone responded that performing upstream improvements will improve the habitat, but the flooding would not be solved until the NE 195th Street Culvert is replaced.

Councilmember Hall stated that any culvert that blocks salmon from getting to their spawning grounds need to be replaced, and that replacing the NE 195th Street Culvert is someone else's responsibility. He said the City could assist WSDOT in getting a grant, and perform the upstream work that will also benefit Lake Forest Park in their grant process. He said the No Action Alternative will result in WSDOT and Seattle Public Utilities taking further action at a certain point. He said it is not unreasonable to invest in upstream improvements and leave NE 195th Street to another day.

Councilmember McGlashan asked about expanding Hamlin Yard to accommodate all of the services and questioned what the NMF would be used for if stormwater improvements are done. Mr. Witt responded that you can make the stormwater improvements and have maintenance activities occur in the front, closer to Ballinger Way. Councilmember McGlashan said he is supportive of the maintenance consolidation, but he does not think it is feasible due to land constraints.

Mr. Witt reviewed the coordinated recommendations which locates the Maintenance Facility in Hamlin Park, develops the NMF Property as an expansion of Brugger's Bog Park, and reviewed the order of work.

Councilmember Hall said he appreciates the creative alternatives, and seeing if all the needs are met along with corresponding financials. He said he likes getting the same functionality for less cost if it is desirable. He said the tradeoff between restoring wetlands and streams for removing trees is difficult, but noted restoring wetlands and streams has a broader set of ecological functions than the forest.

Councilmember Scully said he believes Alternative 3-2 is the right way to proceed. He said he is not sure about spending \$2.2 million to replace the NE 195th Culvert because it is the responsibility of Lake Forest Park. He stated he is unsure about the environmental tradeoffs because although he understands the desire to consolidate, he is not convinced that it is

necessary. He said he does not want to cut trees or take a park out of the system, and would like to exhaust other possibilities at existing sites first.

Deputy Mayor Winstead recalled the tour of the NMF and Hamlin Yard, visualizing conditions, and recommended another tour. She said it would be helpful to see the confined spaces that the departments are currently housed in. She believes it will be great to see staff at one or two site locations, and explained the cost efficiency of keeping people together. She said she prefers Alternative 3-2 and wants to do whatever the City can within the confines of the Budget. She talked about the benefits of having dedicated conference rooms, and encouraged working with Lake Forest Park to get them to replace NE 195th Street Culvert.

Councilmember Salomon said he agrees with Councilmember Scully. He said it is difficult for the City to pay for Lake Forest Park's responsibility, but it also pains him to do improvements upstream and not see the NE 195th Street Culvert project get done. He said discussing taking away a portion of a park for a City maintenance facility while talking about expanding the park system is contradictory. He supports Deputy Mayor Winstead's recommendation of another tour. He said he does not want to pay \$5 million to have the facilities located in one location to resolve logistical problems, like driving from point A to B.

Councilmember McConnell said Hamlin Yard is inadequate to house both the Public Works and Parks maintenance teams and that the NMF could be sold for a profit if needed. She urged consolidation as much as possible to support collaboration, creativity, and time efficiency. She said she does not have a problem repurposing Hamlin Park to accommodate the expansion of Hamlin Yard because the park is underutilized.

Councilmember McGlashan pointed out that the 25th Street Sidewalk Project was removed from the priority list, and recommended staff look for grants to move the project up and get it done sooner.

Councilmember Hall said he is comfortable going through to the next steps, taking a tour of the facilities, looking at sizes, public access, and environmental benefits, and what scenario is more beneficial. He said he would like to move forward with the process.

Mayor Roberts said he is not convinced that consolidation makes the most sense. He asked staff to provide consolidation and non-consolidation cost comparisons. He asked how much space is usable at the back of the NMF and what it can be used for. He said he is unsure that building a new facility is a City priority, or worth the cost, when residents will be asked to approve bonds for a new aquatics center and sidewalks. He said he also wants to see the ecological comparison of restoring a stream versus losing some of the forest in Hamlin Park.

Councilmember Hall recommended moving forward with the feasibility of expanding Hamlin Yard; deciding if the City should have one utility yard for stormwater, wastewater, public works, and parks; designing what it would look like; and evaluating the benefit of consolidation versus non-consolidation.

Mayor Roberts confirmed that Council wants to move forward with Alternative 3-2 phased implementation approach, and agreed with staff's short term recommendations. Councilmember Hall recommended looking for funding from the Water Resource Inventory Areas (WRIA) 8 and other funding options.

Councilmembers commended staff for the work put into the staff report and for the creative alternative proposals.

10. EXECUTIVE SESSION

At 9:14 p.m., Mayor Roberts recessed into Executive Session for a period of 10 minutes as authorized by RCW 42.30.110(1)(i) to discuss with legal counsel matters relating to agency enforcement actions, or litigation, and announced that the Council is expected to take action. Staff attending the Executive Session included City Manager Debbie Tarry, Assistant City Manager John Norris, and City Attorney Margaret King. The Executive Session ended at 9:24 p.m., and Mayor Roberts reconvened the Council Meeting.

Councilmember Salomon moved to authorize the City Attorney, under the direction of the City Manager, to file an appeal of the Snohomish County Boundary Review Board's July 11, 2017 Findings and Decision, and to take all necessary and appropriate steps to defend that appeal before the Superior Court. The motion was seconded by Councilmember McGlashan, and passed unanimously, 7-0.

11. ADJOURNMENT

At 9:26 p.m., Mayor Roberts declared the meeting adjourned.

Jessica Simulcik Smith, City Clerk