

**CITY OF SHORELINE**  
**SHORELINE CITY COUNCIL**  
**SUMMARY MINUTES OF REGULAR MEETING**

Monday, October 15, 2018  
7:00 p.m.

Council Chambers - Shoreline City Hall  
17500 Midvale Avenue North

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

ABSENT: None.

1. CALL TO ORDER

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

2. FLAG SALUTE/ROLL CALL

Mayor Hall 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 Roberts said he attended the Sound Cities Association PIC Meeting and reported that the draft legislative agenda was sent to the Council last week and amendments were due soon. He also said that he would like feedback on the draft of King County's Affordable Housing Action Plan which has been shared with Council.

Mayor Hall said he and City Staff had a productive meeting with Standard & Poor's Bond Rating Representatives. Additionally, he said the exit conference with the State Auditor resulted in a completely clean report and he commended Staff for their excellent work. Finally, he noted he had shared the King County Cities Climate Collaboration Interests document with Council and welcomed comments.

5. PUBLIC COMMENT

There was no public comment.

6. APPROVAL OF THE AGENDA

**Councilmember Scully moved to consider adding an Action Item to discuss including The City of Shoreline’s support to an existing Amicus Brief in the case of Kunath v. City of Seattle. The motion was seconded by Councilmember Roberts.**

Councilmember Scully explained that this was an existing court case challenging whether cities can have an income tax. He said this matter is time-sensitive, and that he had erroneously understood that it would be on the agenda for discussion. Since it was not, he asked for it to be added tonight because the deadline for participation is before the next Council meeting.

Deputy Mayor Salomon said he did not feel this was a priority in light of the full agenda.

Councilmember McGlashan said he would need more information about the case before offering his support.

Councilmember Roberts said the City Attorney has reviewed the very straightforward brief that the City of Olympia is considering filing and he believes she would be able to give Council an overview if added to the agenda.

Mayor Hall commented that the evening’s agenda is full and that he felt it was not a priority to dedicate Council or Staff time tonight.

**The motion failed, 3-4, with Mayor Hall and Councilmembers McGlashan, Salomon, and McConnell voting no.**

Mayor Hall thanked Councilmembers Scully and Roberts for addressing the issue and recognized this meant the item would not come before Council. He apologized for the confusion around it being added to the agenda and said that even without Shoreline’s specific endorsement, the case was moving forward through The Association of Washington Cities’ advocacy.

Mayor Hall announced that Sound Transit asked if it would be possible for their presentation to be moved up earlier in the evening. He said if no Councilmember objects, the Study Items 9.a and 9.b will be reversed upon approval of the agenda.

**The revised agenda was approved by unanimous consent.**

7. CONSENT CALENDAR

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

- (a) Approving Minutes of Regular Meeting of September 10, 2018  
Approving Minutes of Workshop Dinner Meeting of September 24, 2018**
- (b) Adopting Ordinance No. 840 – Extending the Right-of-Way Franchise for Puget Sound Energy**

**(c) Authorizing the City Manager to Execute Change Order #8 to the Shreve Construction Contract (8682) for Construction of the Police Station at City Hall Project**

8. ACTION ITEMS

(a) Adopting Ordinance No. 844 – Authorizing the Acquisition of Real Property for the Purpose of Provision of Sewer Service Utility and Uses Related Thereto by Negotiated Voluntary Purchase, Under Threat of Condemnation, or by Condemnation

Margaret King, City Attorney, presented the Staff Report. She said that the Ordinance would authorize Staff to move forward with negotiations for the acquisition of reversionary interest in property that was previously deeded to the City by BSRE. She explained that the City has been in the process of assuming the Ronald Wastewater District, but ongoing litigation had delayed the final formal process. Ms. King communicated that the conveyance of the 2013 Quit Claim Deed had a provision stating that if the assumption was not completed by July 1, 2018, BSRE had the election to repurchase the pump station, which serves approximately 50 homes. She clarified that the notice did not have a defined timeline to the reconveyance, since formal assumption did not meet the established timeline. She reported that the City provided notice of the Condemnation Ordinance as required by State law and said that the maps show six parcels, rather than the original three, because of subsequent boundary line adjustments and parcel consolidation. She reviewed a recommended amendment to the Ordinance, which states that the City is only seeking to acquire all interests in the property that was transferred from BSRE to the City. She said that Staff had determined that retention of the station and associated facilities is in the best interests of the City and recommended adoption of the Ordinance with the amendment she described.

Mayor Hall asked about the compensation associated with the acquisition and referenced public comment on this question from Karr Tuttle Campbell. Ms. King said the City would determine the value of the property, which would reflect fair market value and might vary from the \$10,000 mentioned in the Quit Claim Deed.

Mayor Hall asked if there was any public comment for this agenda item. There was no public comment.

**Councilmember McConnell moved that City Council waive Council Rule of Procedure 3.5 and adopt Ordinance No. 844. The motion was seconded by Councilmember Chang.**

Mayor Hall explained that Rule of Procedure 3.5 specifies three readings of any Ordinance prior to action, and the opportunity for public comment offered was done to fulfill requirements for action.

**Councilmember Roberts moved to amend the main motion to include the recommended amendments to the motion and to Exhibit A. Councilmember McGlashan seconded the motion.**

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

Councilmember McGlashan asked if it was correct that although six parcels were listed, the final acquisition may not include them all. Ms. King confirmed this, and elaborated that the Ordinance does not institute condemnation, but merely gives authority to do so if needed.

Councilmember Roberts asked for the title status for the property. Ms. King said there was a tax parcel created, but that the associated easements that protect the flows to the pump station needed clarification. Ms. King said condemnation of easements is used for roads and to support infrastructures. Councilmember Roberts asked about the concern expressed in public comment about the size of parcel acquisition. Ms. King answered that the City was only interested in acquiring easements necessary for the benefit of the Wastewater Utilities' infrastructure.

Mayor Hall summarized, with confirmation from Ms. King, that although there are other entities who may have property interests on the included parcels, the action being authorized with this Ordinance would not extinguish any of those, but solely secure the easements required to operate the pump station. Mayor Hall expressed appreciation for the process behind this acquisition and recognized that sometimes action like this must be taken to protect the needs and rights of the community.

Councilmember Roberts asked if taking action would preclude any voluntary agreement that might be reached with the preexisting property owner. Ms. King assured Council that she would continue to work for an agreeable solution that would avoid condemnation.

**The motion carried unanimously, 7-0.**

(b) Adopting Ordinance No. 838 – Rezone at 14507 and 14511 Stone Avenue North

Miranda Redinger, Senior Planner, provided the Staff Report. She reviewed the application for the rezone of two parcels from Residential 48 (R-48) to Mixed Business (MB). She displayed images of the site, site plan map, vicinity, and zoning and Comprehensive Plan designations. She shared the process history and reminded Council of the Decision Criteria. She stated the Hearing Examiner recommended approval of Rezone Application PLN18-0019 and that Staff recommends adoption of Ordinance No. 838.

Prior to discussion, Mayor Hall reminded Council of the Appearance of Fairness Law and asked if any Councilmember had any ex parte communications. No Councilmember indicated they had any to disclose.

**Councilmember Roberts moved adoption of Ordinance No. 838. The motion was seconded by Councilmember McConnell.**

Councilmember Roberts commented that this rezone fits within the decision criteria and no concerns had been expressed.

Deputy Mayor Salomon said that he did not know if the residents of the apartment were aware of the potential rezone and voiced his concern that, while there were no imminent development plans, the rezone could drive an increase in property taxes, which might trickle down to affect the renters of the property. For this reason, he stated he would be voting against adoption of the Ordinance.

Mayor Hall offered that the he would be supporting adoption of the Ordinance because the Comprehensive Plan Designation of Mixed Use was already in place and the transition standards would provide larger setbacks for the neighbors.

Councilmember Chang reminded Council that public comment submitted to the Hearing Examiner supported the rezone.

**The motion passed 6-1, with Deputy Mayor Salomon voting no.**

9. STUDY ITEMS

(a) Update on Sound Transit ST3 145th/SR523

Nytasha Sowers, Transportation Services Manager, introduced Paul Cornish, BRT Program Director, and Kathy Leotta, SR 523 Project Manager, from Sound Transit and reminded Council of the two upcoming community workshops for the project. Ms. Sowers noted that the project has had concept refinements which are referred to in the Staff Report as the ‘Hybrid Concept’ and the ‘Repurposed Lane Concept’, and while the concepts are the same, the nomenclature differs from that used in the Sound Transit presentation.

Ms. Leotta and Mr. Cornish presented an update on the implementation of the ST3 Plan. Mr. Cornish thanked Shoreline Staff for their participation in the project and reiterated how important collaboration was to the decision-making process.

Ms. Leotta said that the project has reached a period of intense community engagement and technical analysis of the entire corridor and has consultants on board. She said that several corridor-wide open houses and workshops have been offered and displayed a record of the mixed levels of attendance. She listed the members of the active interagency working group and mentioned how the project benefits from this engagement, starting with support in getting the Ballot Measure out to the public.

Displaying graphics of the initial representative project as developed in the ST3 Plan, Ms. Leotta explained the designated route, which assumes bus queue jumps on 145<sup>th</sup>, completing gaps in business access and transit lanes on SR 522, and includes additional parking and an expansion of an existing transit center.

Ms. Leotta said the corridor-wide key considerations include: transit speed and reliability; impacts to property and traffic; non-motorized access; coordination with local plans; coordination with WSDOT and transit partners; and meeting cost and schedule expectations. She

said feedback included interest in transit priority improvements on 145<sup>th</sup>, need for pedestrian crossings, and concern over accessibility for all users.

Ms. Leotta reviewed the locations of the BRT stations, and the roadway elements of bus queue jumps and associated sidewalk improvements in the representative project. She then addressed the new refinements, explaining that the first refinement involves repurposing general-purpose lanes for BAT lanes and adding sidewalks. The second refinement involves shorter queue lanes and more sidewalks. She said intersection refinements and roundabout considerations will be included as options for the project.

Ms. Leotta said that next steps include additional community engagement and reporting, refining options, and continuing group meetings. She said they are on track for advancing to Phase II during the first quarter of 2019.

Councilmember McGlashan said he did not think repurposing an already existing lane to a BAT lane would work from SR 522 to 5th Avenue NE based on current traffic congestion. He asked if he understood correctly that there would be a designated bus lane from 15<sup>th</sup> Avenue NE to 5<sup>th</sup> Avenue NE and asked for details. Ms. Leotta explained that an additional westbound bus lane or lane repurposing were options. Councilmember McGlashan asked if Staff and Council would have opportunity for further comment before final decisions were made. Mr. Cornish assured Council that there would be continued venues for discussion with city leadership. Councilmember McGlashan thanked the voters and Sound Transit for supporting this highly beneficial project.

Deputy Mayor Salomon said that while he recognizes the need to be careful with property acquisition, the City needs to be bold in our vision for long-term, successful regional transportation.

Councilmember Roberts spoke to the long-term challenge of traffic and said if 145<sup>th</sup> (SR 523) does not support BRT, the whole project will be impacted. He said he felt full BAT lanes along the entire corridor were the only solution, both for traffic control and safety issues. He expressed concern with the high number of average daily trips and congestion already on 145<sup>th</sup>, and said it was important to get this section right and prevent bus delays. Ms. Leotta responded that they are looking carefully at this segment and are aware of the congestion in the interchange. She said that the having full additional lanes in each direction did not fit within the project budget.

Mr. Cornish agreed with Councilmember Roberts' observation of the significance of the 145<sup>th</sup> corridor and said they were exploring all possible options to make this critical area work.

Councilmember Chang said she also did not see how repurposing the existing lanes would work and noted that it seems the project is getting smaller due to budget constraints, which will affect the outcome. She asked how the representative project differed from Shoreline's preferred alternative and what drove the change. Ms. Sowers cited three major ways the representative project differs. She said the preferred plan included the maintenance of general purpose lanes (fewer BAT lanes and queue jumps), two additional left turn lanes, and sidewalks along the entire corridor. Councilmember Chang asked how Sound Transit will determine what is 'good

enough' in meeting needs, and if there was a level-of-service (LOS) goal. Ms. Leotta said that while there was no specific LOS goal, they would look at travel times, how access is impacted, and how land use is supported, while staying within the budget. She reaffirmed the commitment to collaborative work. Ms. Sowers said that LOS's vary based on objectives. Ms. Leotta elaborated that evaluation is not straightforward because of the complexity of the project.

Councilmember McConnell reminded Sound Transit that Shoreline has collaborated on this project from its inception. She reaffirmed how critical the SR 523 corridor was to the success of the project and how it is already congested. She said she fears that projections do not adequately account for the potential traffic increase, and expressed that Seattle needs to be a more active partner in the discussions. Ms. Leotta affirmed that Seattle was an active participant in planning and said she appreciated Shoreline's recognition of the traffic problems on SR 523 and commended the work being done to mitigate them.

Councilmember Scully said it was never his understanding that ST3 would pay for the entire project. He said he would rather have Sound Transit avoid short-term fixes and improve as many segments they can at 100 percent right. Then any gaps can be filled in later as funding is available. Additionally, he echoed the sentiment that eliminating a general-purpose lane was not a good option, and he expressed disbelief that roundabouts would be beneficial. Mr. Cornish responded that the State requires an intersection evaluation process, and the consideration of roundabouts is one of the steps.

Mayor Hall emphasized the regional expectation is that this project will add capacity, but the refinements do not reflect this. He stated this project needs to be looked at as part of a system. SR 523 is a major thoroughfare that bottlenecks because it has not had the same capacity improvements that SR 522 has benefited from. He pointed out backups also occur at the I-5 Interchange and commented on the danger of having 145<sup>th</sup> Street westbound and eastbound traffic both making a left at opposite ends of the bridge. He said he felt it is critical to create safe and easy access for traffic heading east to the Station, which would best be done with a bike/pedestrian bridge.

Deputy Mayor Salomon echoed Councilmember Scully's recognition of the possibility of getting State funding to support improvements that would help avoid shortchanging the project. He asked for details of Seattle's involvement. Ms. Leotta said Sound Transit also wants buses to be able to function effectively and that they have expressed concern with pedestrian safety. She reported that they have generally had positive reactions to bus queue jumps. Mr. Cornish said Seattle and Shoreline have been given the same evaluation criteria and Seattle is a supportive participant and is active in helping define the project goals. Deputy Mayor Salomon asked about Seattle's level of involvement with property acquisition. Ms. Leotta replied that minimizing property acquisition is preferred. Mayor Hall commented that when a project is going to increase capacity for buses, it is likely to have impacts on property and that since there is not going to be a Light Rail Station at 130<sup>th</sup> Street, BRT on 145<sup>th</sup> Street needs to work.

Councilmember McConnell emphasized that now is the time for action and mentioned the importance of this project and the need for State funding. She said Seattle needs to recognize the part property acquisition plays in the project's success. She mentioned the sacrifices the residents

of Shoreline have accepted as part of the project. She said if financial accommodations must be made, she would prefer it be in ways that could be easily remedied during later phases.

Mayor Hall thanked Sound Transit for their work and their willingness to listen to comments from Council and the public.

(b) Presentation of the Proposed 2019-2020 Biennial Budget and the 2019-2024 Capital Improvement Plan

Debbie Tarry, City Manager; Sara Lane, Administrative Services Director; and Rick Kirkwood, Budget Supervisor; gave the Staff Report. Ms. Tarry thanked the Administrative Services Department for their hard work in developing the first biennial budget. She commended Mr. Kirkwood and Grant Raupp, Budget Analyst, for the integration of budget software tools that will streamline the process moving forward.

Ms. Tarry shared the Budget Principles, which reflect the community and Council priorities, encourage long-term financial sustainability, and are built on the City's Financial Policies. She displayed the Council's Budget Priorities and the Organizational Goals of the City. She said the balanced budget covers two years and includes the operations and capital budgets. She shared that Standard and Poor's had rated the City's economic environment stable and awarded a bond rating of AA+. She pointed out the impact of electricity cost increases and the State legislative changes in prevailing wage methodology. She said the Budget includes personnel and service related recommendations which cover cost of living increases, an in-house landscaping division, and the conversion of three extra-help positions to regular part-time positions. She highlighted some of the Service/Program recommendations, including increasing Human Service contributions, Diversity and Inclusion enhancements, Residential Development, Infrastructure and Environmental Management, and funding for Continuous Improvement and Organizational Development. She said the Capital Improvement Plan shows reductions in projected Real Estate Excise Tax revenue, which meant reassessing recommendations. Ms. Tarry said that using implementation of Master Plans as a guideline, the projects include Sound Transit Mitigation and Development Funded Projects.

Ms. Lane said that her report was a preview for the detail to be presented in upcoming weeks. She showed a chart depicting where the money comes from, with the majority of the \$174.737 Million generated by taxes and intergovernmental revenues. She explained that the Budget has an anticipated surplus, which results in a growing fund balance. She said the property tax budget for 2019-2020 is \$26.969 Million and is one of our major revenue sources with an annually adjusted tax rate. She shared the Property Tax Levy Allocations, stating that The City receives 12 cents on every dollar. The budgeted costs for personnel were reviewed, which includes additional FTEs, adjustments to project staffing, the addition of Unified Landscaping, the conversion of Extra Help to Regular Employees, the City's Compensation Policy, and Health/Retirement increases. She said Shoreline's staffing level is in the middle-range when compared to neighboring cities, with 2.8 FTEs per 1,000 residents.

Deputy Mayor Salomon asked about the wide range of staffing levels throughout the region, and Ms. Lane assured him that the numbers are an accurate reporting of the variances.



Councilmember Roberts said he thinks the increase in our staffing is a result of a conscious choice to convert Extra Help positions to Regular status and bringing in contracted services, and perhaps other cities rely more heavily on contracted support. Mayor Hall reflected that our City values a high level of service, and our staffing intentionally supports that.

Ms. Lane compared the ten-year forecasts of the baseline operating budget as presented at 100 percent of projections and in contrast, using a model more in line with historical expectations. She gave a broad overview of the Capital Improvement Plan, with Roads Capital requiring 79% of the \$43.58 Million forecast. She said Surface Water Utility, as an enterprise fund, is budgeted at \$19.1 Million, which supports the Surface Water Master Plan. The Wastewater Utility's budget of \$4.92 Million includes operating costs, with a new allocation of City Overhead in this biennium.

She shared the locations to view for online and print versions of the budget books and reviewed the in-depth budget presentation schedule for upcoming Council meetings. She concluded by saying that the Proposed Biennial Budget supports Council Goals and the Community vision, does not satisfy all the community's needs, helps maintain a strong fiscal position, maintains and improves public works, and provides quality service levels.

#### 10. EXECUTIVE SESSION

At 8:53 p.m., Mayor Hall recessed the meeting into an Executive Session for a period of 10 minutes as authorized by RCW 42.30.110(1)(b) and RCW 42.30.110(1)(i) to consider the selection of a site or the acquisition of real estate by lease or purchase and to discuss with legal counsel matters relating to agency enforcement actions or litigation. The Council was not expected to take final action following the Executive Session. Staff attending the Executive Session included Debbie Tarry, City Manager; John Norris, Assistant City Manager; and Margaret King, City Attorney. The Executive Session ended at 9:03 p.m.

#### 11. ADJOURNMENT

At 9:06 p.m., Mayor Hall declared the meeting adjourned.

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Jessica Simulcik Smith, City Clerk