

CITY OF SHORELINE
SHORELINE CITY COUNCIL
SUMMARY MINUTES OF REGULAR MEETING

Monday, March 18, 2019
7:00 p.m.

Council Chambers - Shoreline City Hall
17500 Midvale Avenue North

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

ABSENT: Mayor Hall

1. CALL TO ORDER

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

2. FLAG SALUTE/ROLL CALL

Deputy Mayor McConnell led the flag salute. Upon roll call by the City Clerk, all Councilmembers were present with the exception of Mayor Hall.

Councilmember Scully moved to excuse Mayor Hall for personal reasons. The motion was seconded by Councilmember McGlashan and passed unanimously, 6-0.

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 reported attending the National League of Cities Conference. He shared highlights from the event and said he met with staff from Representative Jayapal's office and with Congressman Larson.

Councilmember McGlashan said that he appreciated that the Transportation Infrastructure Committee created a forum to discuss the infrastructure needs of individual cities at the National League of Cities Conference. He said he feels the federal government needs to think about an infrastructure package.

Deputy Mayor McConnell thanked the volunteers who were members of Shoreline's most recent CityWise cohort, and said she is grateful for their commitment to connecting community to City staff. She then read a statement expressing condolences for the recent injuries and deaths as the

result of shootings at two New Zealand mosques. She affirmed the City's commitment to being a welcoming, safe, and inclusive community.

5. PUBLIC COMMENT

Councilmember Roberts moved to extend public comment to allow all those signed up an opportunity to speak. The motion was seconded by Councilmember McGlashan, and passed unanimously, 6-0.

Carmen Tran, Shoreline resident and Shorewood student, shared information about the environment and the impacts of climate change, and asked Council to support Proposed Amendment #4 to the Comprehensive Plan.

Nara Kim, Shoreline resident and Shorewood student, voiced her support for Proposed Amendment #4 and urged Shoreline to become a leading figure in transforming the way local government approaches worldwide issues.

Maria Solano, Shoreline resident and Shorewood student, said climate change is a human rights issue and the biggest threat to her generation. She asked Council to support Proposed Amendment #4.

Joseph Irons, Shoreline resident, said he supports the proposed rezone of his property at 1510 and 1517 Northeast 170th Street. He said the property has been used as a business for a decade.

Melissa Irons, Shoreline resident, said she supports the rezone of her property at 1510 and 1517 Northeast 170th Street and shared details and comments on how their business positively impacts the City. She informed Council that mistruths are being spread about their property and business.

Venetia and Samaria Irons, Shoreline residents, asked the Council to support the rezone of their parents' property at 1510 and 1517 Northeast 170th Street. They said her parents are good neighbors and their family business depends on the rezone being approved.

Lee Keim, Shoreline resident, said she has concerns about climate change and its effects on the world for future generations and asked that Council support the Proposed Amendment #4.

Matt Orren, Shoreline resident, spoke about Irons Brothers Construction's commitment to the community and asked Council to support the potential rezone at 1510 and 1517 Northeast 170th Street.

John McCoy, Shoreline resident, spoke on behalf of Save Shoreline Neighborhoods, and said commercial zoning should not erode the integrity of what makes Shoreline neighborhoods distinct. He displayed a map of households who are opposed to the rezone of 1510 and 1517 Northeast 170th Street and asked Council to deny the proposed rezone.

Mark Rettmann, Shoreline resident, said he opposes the proposed rezone at 1510 and 1517 Northeast 170th Street and asked the Council to review all the submitted comments opposing the rezone and to instead enforce the existing code.

Yuna McCoy, Shoreline resident, shared the reasons she moved to Shoreline and urged the Council to vote no on the rezone request from Iron Brothers Construction.

Kristi Rettmann, Shoreline resident, shared the short and long term impacts of the proposed rezone at 1510 and 1517 Northeast 170th Street and asked Council to deny Proposed Amendment #3.

Diane McCoy, Shoreline resident, shared the reasons she moved to Shoreline in 1985 and said that the traffic from Irons Brothers Construction has changed her neighborhood, and that a rezone would permanently change the area.

Kelly Martinez, Shoreline resident, shared her concerns for the proposed rezone at 1510 and 1517 Northeast 170th Street and listed the negative impacts it would have on her neighborhood.

Dennis Heller, Shoreline resident, urged the Council to support expanding the proposed Community and Aquatics Center to include dedicated space for a Senior Center.

Justin Sakounthong, Shoreline resident, shared his frustration with the impact of Irons Brothers Construction on his neighborhood. He asked the Council to deny the proposed rezone of 1510 and 1517 Northeast 170th Street.

Allison Sakounthong, Shoreline resident, said she is concerned for the safety of her street should the rezone at 1510 and 1517 Northeast 170th Street be approved.

Kaye Pethe, Lake Forest Park resident, thanked the Council for the ongoing support of the Senior Center and said it is a true asset to the neighborhood.

Helju Coder, Mukilteo resident, identified as an employee of All City Electric and endorses Irons Brothers Construction for their mindful, safe practices.

Brian Ellsworth, Shoreline resident, said he opposes the proposed rezone at 1510 and 1517 Northeast 170th Street because he is concerned about preserving the small neighborhood feel of the street.

Ann Lynch, Shoreline resident, said she is in support of Proposed Amendment #4, and impressed upon Council the severe impact of climate change.

Yoshiko Saheki, Shoreline resident, shared her concerns about the proposed rezone of 1510 and 1517 Northeast 170th Street and listed the timeline of the zoning violations by Irons Brothers Construction.

Lois Harrison, Shoreline resident, spoke to the negative impacts of climate change and said she is in support of Proposed Amendment #4.

Joshua Tubbs, Seattle resident, said as an employee he wants Council to know that the Irons Brothers are good employers and community members.

Carter Case, Shoreline resident, spoke in favor of the proposed updates to the Climate Action Plan and asked Council to support clean air and clean water.

Mary Haanen, Shoreline resident and Shorewood student, spoke in favor of Proposed Amendment #4, stating drastic change is needed to protect the environment.

Sandra Distefano, Shoreline resident, said that she opposes the proposed rezone of 1510 and 1517 Northeast 170th Street and shared reasons for her opinion.

6. APPROVAL OF THE AGENDA

The agenda was approved by unanimous consent.

7. CONSENT CALENDAR

Upon motion by Councilmember Roberts and seconded by Councilmember Scully and unanimously carried, 6-0, the following Consent Calendar items were approved:

- (a) Approving Minutes of Special Workshop Dinner Meeting of March 4, 2019**
- (b) Authorizing the City Manager to Execute a Construction Contract with Westwater Construction Company in the Amount of \$831,865 for the Meridian Avenue N and N 155th Street Intersection Phase Changes Project**
- (c) Authorizing the City Manager to Execute a Contract with Otak, Inc. for On-Call Surface Water Engineering and Environmental Services in an Amount Not to Exceed \$150,000 Annually**
- (d) Adopting Ordinance No. 852 – 2019-2020 Biennial Budget Amendment for Sidewalk Projects**

8. STUDY ITEMS

- (a) Discussing the 2019 Comprehensive Plan Amendment Docket

Steve Szafran, Senior Planner; and Rachael Markle, Director of Planning and Community Development; delivered the staff presentation. Mr. Szafran reviewed the rules of Comprehensive Plan Amendments as defined by the State Growth Management Act. He explained the process in which items are added to the Docket and said that the purpose of the presentation is to give Council information, so they can decide if any of the proposed amendments should be studied or not. He said that there were four proposed amendments submitted for the 2019 Docket, and that

there was an additional amendment proposed by the 32nd District Legislators that Council may choose to add.

Mr. Szafran said the Planning Commission recommended including the following two items on the 2019 Docket:

1. Change the land use designation and zoning of two parcels at 1510 and 1517 NE 170th Street from Medium Density Residential to Mixed-Use 2 (Land Use) and Residential-8 to Community Business (Zoning).
2. Amend the language in Natural Environmental Goal V to limit greenhouse gas emissions to 1.5° C of global warming above pre-industrial levels.

Mr. Szafran stated the Planning Commission did not recommend consideration of the two proposed carry-over amendments, one related to the annexation of 145th Street (SR523) and the other to consider amendments to the Point Wells Subarea Plan. He then explained that the amendment requested by the 32nd District Legislators is to amend Comprehensive Plan Figure LU-1 Land Use Designations to change the portion of the Fircrest Campus identified as surplus from Campus to Mixed-Use 2, and to change its zoning from Campus to Mixed Use 2. He concluded with outlining the process Council would take to establish the final 2019 Docket.

Councilmember Chang recused herself from the discussion on Recommended Amendment #1, citing a personal relationship with the father of one of the applicants.

It was confirmed that by not considering the amendment to the Point Wells Subarea Plan no current or anticipated decision-making activity on the parcel would be jeopardized. Mr. Szafran said that Ordinance No. 845 protects the City from this possibility, and that the permitting timeline would be long enough that amendments could be made, if needed.

Councilmembers pointed out that any decision making around Recommended Amendment #1 would be focused on Land Use designation and zoning criteria, and not on the applicant's personal or business character and references. It was also clarified that tonight's discussion is focused on whether to add items to the Docket to be studied at a later date, and there would be no decisions to approve or deny the actual amendments tonight.

Councilmembers Scully and Robertson spoke against including Recommended Amendment #1 on the Docket, while other Councilmembers said they felt the amendment was worthy of being added to the Docket for additional study and discussion.

Councilmember Robertson asked what changing the language in Recommended Amendment #2 would mean in terms of implementation. Ms. Markle replied that, should the amendment be placed on the Docket, the City would look at this question and the research findings would be part of the City's analysis.

Councilmember Scully said he supports adding the new item request by the 32nd District Legislators to the Docket. Councilmember Roberts pointed out the property owner has not begun

the process of rezoning the parcel, and expressed concern with the process being proposed. He said he has no problem with the substance of the research, but he does not think the City Council should start the process of rezoning a property without the permission of the parcel owner. Councilmember McGlashan said he feels it is important and appropriate for the City to initiate action. Councilmember Scully generally agreed with Councilmember Roberts in that the City should not do the State's work for them, but stated he feels it is important to proactively study a land use change at this location in preparation for State action. Deputy Mayor McConnell said that she would also like to include the item on the Docket.

Ms. Tarry summarized that it was her understanding that Councilmembers have requested City staff to draft amendment language to remove Recommended Amendment #1 and to add the new Amendment request from the 32nd District Legislators.

- (b) Discussing Amendment # 1 to the City's 2017 – 2027 Comprehensive Garbage, Recyclables, and Compostables Collection Contract with Recology CleanScapes Inc. and Proposed Ordinance No. 858 Amending SMC 3.01.500 Solid Waste Rate Schedule to Reflect the Amendment to the Contract with Recology CleanScapes Inc.

Randy Witt, Director of Public Works; delivered the staff report. Mr. Witt introduced Kevin Kelly, General Manager of Recology, as a guest presenter, and explained that the purpose of the amendment is to reduce the contamination levels for recyclables and compostables, to support cost-effective recovery, and to support advancements at the Material Recovery Facility (MRF) that improve material quality. Mr. Witt reviewed the current Solid Waste Collection Contract highlights and shared general customer data. He explained the current challenges with recycling, which include improper disposal/contamination and the current halting of exports to China, and noted Recology has been pursuing new markets, enhancing their operations and equipment, and is focusing on customer outreach. He reported no clear market alternatives have been discovered and it is extremely difficult to meet China's minimum contamination standards.

Mr. Witt explained the contamination reduction plan and elaborated on the proposed steps to audit and reduce the contamination at the customer level. He said Recology's monitoring efforts would include visual pad inspections and monthly reporting to the City. He shared the proposed rate and fee schedule increases and reminded Council that this contract amendment would be effective on June 1, 2019 and requires passing Ordinance No. 858 to amend the Solid Waste Rate Schedule.

Councilmember Scully said he understands the need for the fee increase but he does not support the compliance program because he does not feel it will win customer buy-in and improve recycling efforts. He said his preference is to increase fees and address the compliance standards at the MRF while focusing on customer education and working toward long-term improvements.

Councilmember Roberts agreed that work is needed on both packaging and education, but he does not feel the proposed level of education is enough and recommended more education before tagging and fines are imposed. He asked for details on recycling plastic film from packaging and envelopes. Mr. Kelly shared the reasons behind refusal of plastic bags and plastic film.

Councilmember Chang said the proposed warning system seemed reasonable to her and asked how well the warning and tagging programs worked in Seattle. Mr. Kelly responded that there is not a lot of good data on the successes of the project, but that components of the proposed approach for Shoreline have been implemented in other cities, and most customers are responsive to the feedback. When asked, he said the warning tags could be available in multiple languages to support understanding, and he explained that the revised rates were established through a financial audit process. Mr. Witt described the conversations between the Recology customer cities that contributed to setting the new fees.

In general, the Council expressed understanding for the price increase. The opinion was expressed that tagging bins and refusing collection seems punitive and counterproductive. Mr. Kelly explained that if recycling was determined unacceptable, it would be collected as garbage, and not left for the consumer to dispose of themselves.

The Council was divided on whether the proposed regulations were appropriate, citing concerns with implementation, customer discontent, and effectiveness. Councilmembers generally agreed that advance noticing and more education for residents would be an important component of any changes to collection policies.

Mr. Witt clarified that if Council requests change to the contract language, to the contract would need to be renegotiated. Ms. Tarry added that if Council gave direction to renegotiate the contract, the City would need to re-evaluate all associated pieces before moving forward for approval.

It was agreed that the item would return to the Council as an Action Item.

(c) Discussing Ordinance No. 857 – Permanent Regulations for Plat Alterations

Julie Ainsworth-Taylor, Assistant City Attorney, described proposed Ordinance No. 857. She reviewed the history of the process, which included public hearings for both the interim and the permanent regulations. She explained the need for plat alteration regulations and gave examples of restrictions that might be attached to the plats. She reviewed the rules associated with requests for alterations to a subdivision or any part of a subdivision and shared information on the appeal process. Ms. Ainsworth-Taylor reminded Council that the alteration regulations apply to plat notes, not private covenants, and provided an informational handout describing the procedures. She confirmed that without majority consensus from owners within the plat, no application for alteration can be made and explained the hierarchy of regulations within plat alterations.

When asked for specifics on the process to update Discriminatory Plat Notes or Restrictive Covenants, Ms. Ainsworth-Taylor explained that the historic record on Plat Alterations is updated, but not deleted, when a parcel is altered.

It was agreed that Ordinance No. 857 would return to Council on April 1, 2019 as a Consent Item.

9. ADJOURNMENT

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

Jessica Simulcik Smith, City Clerk

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