

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

Monday, January 6, 2020  
7:00 p.m.

Council Chambers - Shoreline City Hall  
17500 Midvale Avenue North

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

ABSENT: None.

1. CALL TO ORDER

At 7:00 p.m., the meeting was called to order by Jessica Simulcik Smith, City Clerk.

- (a) Oath of Office Ceremony for Newly Elected City Councilmembers, performed by Shoreline District Court Judge Marcine Anderson

The Honorable Judge Marcine Anderson performed the swearing in ceremony for the following Councilmembers:

- Council Position No. 2 - Keith Scully
- Council Position No. 4 - Doris McConnell
- Council Position No. 6 - Betsy Robertson

2. FLAG SALUTE/ROLL CALL

Ms. Simulcik Smith led the flag salute and called the roll. All Councilmembers were present.

- (a) Election of Mayor and Deputy Mayor

Ms. Simulcik Smith summarized the rules and procedures for electing City Council Officers and opened the floor for nominations for Mayor. Councilmember McGlashan nominated Councilmember Hall, and Councilmember Chang nominated Councilmember Scully. As there were no other nominations, Ms. Simulcik Smith declared the nominations closed.

Councilmember Hall received 5 affirmative votes, and Ms. Simulcik Smith declared him elected Mayor.

Mayor Hall opened the floor for nominations for Deputy Mayor. Councilmember McGlashan nominated Councilmember Scully, and Councilmember Roberts nominated Councilmember Chang. As there were no other nominations, Mayor Hall declared the nominations closed. Councilmember Scully received 6 affirmative votes, and Mayor Hall declared him elected Deputy Mayor.

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 that he and Councilmember McConnell participated on the Association of Washington Cities Federal Legislative Committee and that basic legislative priorities were adopted at the recent meeting. He said they also talked about new ways to engage with Federal delegations.

Councilmember McGlashan reported that at the Sound Transit meeting they discussed the north extension from Lynnwood to Everett. He said he learned that Sound Transit plans to proceed with the expansion as planned, even in the aftermath of the passage of State Initiative 976.

5. PUBLIC COMMENT

Jan Buchanan, Shoreline resident, spoke regarding frontage requirements for the Washington State Department of Transportation (WSDOT) building project on Dayton Avenue North. She said that 133 trees are scheduled for removal and the neighborhood would like the City to require the redesign to be built around the trees. She said the expectation is that the City will act in compliance with its own strategic plans and gave examples of how that would look.

Janet Way, Shoreline resident and representative of the Shoreline Preservation Society, said that the WSDOT current design plan will result in a terrible outcome of lost trees. She referenced portions of the City's Climate Action Plan that support tree retention, and said when sidewalks come into conflict with the urban forest the City should consider alternatives to prevent tree loss.

Barbara Brandtt, Shoreline resident, said she became involved with Save Shoreline Trees when she learned that the WSDOT project would involve tree removal to accommodate sidewalks. She said the 200 letters written by the community to the City opposing the tree removal indicates that Shoreline residents have reached a tipping point in sacrificing nature for development. The loss of trees affects the health of the residents and the planet.

Dan Keusal, Seattle resident, advocated for the trees at risk of removal for the WSDOT project on Dayton Avenue. He read excerpts of an article he wrote on trees based on his professional observations and urged Council to consider their importance.

Kathleen Russell, Shoreline resident, said Shoreline became a Tree City in 2012 and she reviewed the City's Urban Forest Strategic Plan. She asked the City to be respectful of the urban forest and preserve the trees on Dayton Avenue North.

Ellie Rose, Shoreline resident, said she moved to Shoreline because of the trees. She said she is passionate about protecting established trees like those on Dayton Avenue. She asked the Council to have the vision to protect the tremendous resource trees are.

Krista Tenney, Shoreline resident, said she moved to Shoreline because of the trees. She expressed concern that the attendees only learned of the potential for significant tree removal during the noticing and neighborhood meeting. She said that it would be a significant impact to the wildlife habitat to remove the trees.

Sampson B. Awura, Shoreline resident, said he has raised his family in Shoreline and now lives in Ghana. He thanked the Council for building a beautiful city. He expressed concern for the cost of housing in Shoreline and asked the Councilmembers to come up with a solution for working people to be able to afford living in the City.

Naomi Hillyard, Shoreline resident, said a car crashed into her backyard off of Richmond Beach Road, and reminded Council that last summer there was a fatality on the same stretch of road. She shared details of the impact of the accidents and asked the Council to start the process of making this road safer.

Anne Bates, Shoreline resident, said trees are living things. She shared the contributions of trees to a community and asked the City to do an environment impact statement before allowing tree removal on Dayton Avenue North.

Ruth Williams, Seattle resident, spoke on behalf of the Thornton Creek Alliance. She stated that the Alliance has concerns with the WSDOT rebuild because it raises implications for other planning that may take place in the Thornton Creek Basin. She said all alternatives should be explored to keep the number of trees removed to a minimum.

**Councilmember McGlashan moved to extend the Public Comment period by ten minutes. The motion was seconded by Councilmember Chang and passed unanimously, 7-0.**

Brandon Baugh, Edmonds resident, said that he attended Shoreline Community College. He asked that the City recognize that a significant number of trees have already been lost in the Picnic Point area.

Bill Turner, Shoreline resident, said that while replanting requirements are increasing the tree canopy, losing mature trees is a huge loss. He said a tree canopy is measured in two dimensions, so the City must be focused on biomass.

Nancy Cole, Seattle resident, said it would be heartbreaking if the trees on Dayton Avenue were to be cut down. She asked if the rebuild is a taxpayer funded project, if the taxpayers have been surveyed for their preferences, if there has been an Environmental Impact Statement done and what the consequences to tree removal would be.

Ms. Tarry provided information on the best way to submit public comment to the City on the topic of the WSDOT project and said there is a page on the City's website dedicated to it. She confirmed that the City is working with WSDOT to look at alternatives to minimize the number of trees removed.

Mayor Hall said the City is currently recruiting applicants to be members of the Planning Commission. He said there will be a committee appointed to review applications and asked for Council volunteers.

6. APPROVAL OF THE AGENDA

The agenda was approved by unanimous consent.

7. CONSENT CALENDAR

**Upon motion by Councilmember Roberts 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 December 2, 2019  
Approving Minutes of Workshop Dinner Meeting of December 9, 2019**
- (b) Authorizing the City Manager to Execute an Agreement with Marshbank Construction Inc. in the Amount of \$3,063,201.66 for the Construction of the Westminster Way N and N 155<sup>th</sup> Street Intersection Improvements Project and Approve a Change Order Authorization up to an Additional \$307,000**
- (c) Authorizing the City Manager to Execute an Agreement with KBA, Inc. in the Amount of \$439,700 for Construction Management and Inspection of the Westminster Way N and N 155<sup>th</sup> Street Intersection Improvements Project**
- (d) Authorizing the City Manager to Execute an Amendment to Contract #9210 with the Blueline Group, LLC in the Amount of \$120,000 for On-Call Development Review and Construction Inspection Services**

8. ACTION ITEMS

- (a) Adopting Ordinance No. 871 – Townhouse Design Standards Development Code Amendments**

Cate Lee, Associate Planner, delivered the staff presentation. She said the overarching goal of the proposed Ordinance is to yield quality townhouse developments that enhance the community and the pedestrian experience. She reviewed the project development process and gave an overview of the proposed standards.

Ms. Lee stated that there were several staff or Council proposed amendments to the Planning Commission recommendation that arose at the November 25, 2019 Council discussion and briefly recapped them. She explained that the changes fell within the categories of clerical corrections and providing accurate illustrations, updating illustrations to match code language, language amendments related to site configuration code and weather protection, and site configuration and outdoor space amendments. She described the two options of tracked motions needed to make the individual amendments, the first including the staff recommended amendments and Mayor Hall's amendments, and the second consisting of the Planning

Commission Amendment, the staff amendments, Councilmember Roberts' amendment, and Mayor Hall's amendments.

**Councilmember Roberts moved adoption of Ordinance No. 871. The motion was seconded by Councilmember McGlashan.**

Councilmember Roberts expressed appreciation for the work of the staff and the Planning Commission to establish the design standards to make neighborly, well thought out, townhouses. He asked for a review of the differences between the staff and Planning Commission recommendations. Ms. Lee said the two main differences are recommendations from the Planning Commission specifying changes to the site configuration requirements and to reduce the size of the weather protection area. Councilmember Roberts clarified the flowchart of the amendments provided by Ms. Lee and confirmed that weather protection could be added to either of the two options. Councilmember Roberts reflected that passing this Ordinance will get the City closer to the goals of balancing aesthetics, preservation of the environment, and providing affordable housing.

The Council generally discussed the procedure for motions to amend this Ordinance, clarifying details with Ms. Lee.

Mayor Hall agreed that finding balance between affordable housing, the environment, and good community is important. He added that having concentrated density in some areas lets us protect more trees and open spaces in other areas.

**Councilmember Roberts moved to amend the Planning Commission recommendation to reflect the clerical errors and inaccurate illustrations as shown in Section A of the January 6, 2020, Staff Report. The motion was seconded by Councilmember McGlashan, and passed unanimously, 7-0.**

**Councilmember Roberts moved that the Planning Commission's recommendation be amended to include the four site configuration illustrations as set forth in Section B of the January 6, 2020 staff report for visual support of SMC 20.50.160(C) – Site Configuration. The motion died for lack of a second.**

**Deputy Mayor Scully moved that the Planning Commission's recommendation for SMC 20.50.160(C), Site Configuration, be deleted in its entirety and replaced with the following language:**

- **At least 40 percent of units within a site shall be located between the front property line and a 25-foot distance from the front property line to create a "street wall" which enhances the streetscape and overall pedestrian experience.**
- **And that the "Site Configuration Illustration" as shown on Page 28 of the January 6, 2020 staff report, be included to reflect the new language for SMC 20.50.160(C).**

The motion was seconded and Deputy Mayor Scully spoke to his motion. He said the Planning Commission does an excellent job of balancing different aspects of development, but in this

instance, he does not feel their modifications would have met the Council's design goals and that the staff recommendation more adequately meets the vision of the City.

Councilmember Roberts said that he supports this amendment because the City wants a variety of housing choices and having a vibrant streetscape is very important.

Councilmember Chang asked Ms. Lee to explain a comment submitted by the public on site configuration, and Ms. Lee said the comment referred to the Planning Commission recommendation, which would not apply if Amendment No. 14 is approved. She described the differences between the staff recommendation and the Planning Commission recommendation.

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

**Deputy Mayor Scully moved to amend the Planning Commission's recommendation for SMC 20.50.160 (H) Outdoor Space, to delete Subsection 1, which speaks to parcels with 9 or fewer units, in its entirety and to delete only the following language from Subsection 2 – "Parcels with ten (10) or more units" and to replace that language with "Each development" so as to read "Each Development shall comply with all of the following requirements" and to adjust the subsection numbers and lettering, both in the text and the illustrations, accordingly to reflect this amendment. The motion was seconded by Councilmember Roberts.**

Deputy Mayor Scully said he moved Mayor Hall's proposed amendment because he likes having personal outdoor space to help maintain a connection to nature.

Mayor Hall recognized that the Council has talked about wanting a variety of housing types, and that private outdoor space is desirable, and more often met in townhouses than in apartments.

Councilmember Roberts said he supports the scope of the amendment but is concerned that its language implies the "private" space will require a fence and that he feels it is written in a way that does not communicate the intent. Ms. Lee said the proposed code would provide for outdoor spaces associated with the unit, but would not require, nor prevent, developers from including fences. Councilmember Roberts asked if "private" is defined in the context of the Ordinance and Ms. Lee said no. Mayor Hall said that when he crafted the amendment he used the Planning Commission language and directed staff to look at open spaces and fences in the Light Rail Subareas and take the opportunity to finetune the code, if needed.

Councilmember McGlashan said he recognizes that having fenced private space is important to some people and he supports that desire. He said he supports the Amendment as is.

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

**Councilmember Roberts moved that the Planning Commission's recommendation for SMC 20.50.170(B)(1) be amended to change the required area and dimensions. The new area and dimensions should be 30 square feet, minimum width of 6 feet, and minimum depth of 4 feet. The motion was seconded by Mayor Hall.**

Councilmember Roberts said he thinks the idea of having a larger covered area over a door makes a lot of sense.

Deputy Mayor Scully said that since the goal is to keep the housing affordable, it better to not require too much in the design code, and this seems like too much regulation for too little benefit. Councilmember Chang agreed that it is not necessary to make this a code requirement.

Mayor Hall said he supports the amendment, since the front porch is an important place in high density housing.

**The motion failed, 3-4, with Mayor Hall and Councilmembers Roberts and Robertson voting in favor.**

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

(b) Adopting Ordinance No. 874 – Amending SMC 3.35.150 Municipal Art Fund

John Norris, Assistant City Manager, delivered the staff report and David Francis, Public Art Coordinator, joined him. Mr. Norris shared images of public art in the City program.

Mr. Norris reviewed the background of the Municipal Art Fund and the revenue sources that contribute to it. He stated that a recent review determined that CIP revenues alone are not enough to build and sustain the Fund and shared current projections to the Municipal Art Fund and the anticipated projections should Ordinance No. 874 be adopted. Mr. Norris displayed a table of the key proposed changes to SMC 3.35.150 in the Ordinance and a list of Capital Projects from 2020-2022 that currently will contribute to the Fund, and a list of those Capital Projects from 2020-2022 that would be included with the passage of Ordinance No. 874, increasing the funding from \$116,394 to \$290,733.

Mr. Norris outlined the potential next steps if the Ordinance is adopted and stated that the PRCS/Tree Board and staff recommend adoption of Ordinance No. 874.

**Councilmember McGlashan moved adoption of Ordinance No. 874, amending Shoreline Municipal Code 3.35.150 establishing the Municipal Art Fund and providing for funding from 1% of Capital Improvement Plan Funding for certain Capital Improvement Plan projects. The motion was seconded by Councilmember Robertson.**

Deputy Mayor Scully and Councilmembers McGlashan, Robertson, McConnell, and Chang expressed support for the Ordinance.

Councilmember McGlashan said that this is the best route to take at this time to increase the Public Art Fund.

Councilmember Robertson said she hopes the City continues to look at funding options to support the program, since the community cares deeply for art.

Councilmember Chang said that while she was hesitant to support this Ordinance because of the hard financial decisions coming up with the passage of state Initiative 976 (I-976), she recognizes the necessity of it. She asked what ‘subject to potential changes by Council’ meant as stated in the staff report and asked what considerations would go into any changes. Mr. Norris replied that it is subject to Council review and there is no restrictive criteria in the code.

Deputy Mayor Scully said this Ordinance is a longer term fix and hopefully the impacts of I-976 are a short term funding problem.

**Councilmember Roberts moved to postpone adoption of Ordinance No. 874 to March 23, 2020. The motion was seconded by Mayor Hall.**

Councilmember Roberts reaffirmed that this decision needs to be made in context with the other funding needs in the City, and the Council has an obligation to think about the budget in total. He said the upcoming Council Strategic Planning Workshop would allow time for a fuller discussion on funding impacts related to I-976.

Mayor Hall said he is very proud of Shoreline’s Public Art Program. He said the City is moving in a positive direction but recognized that there is always more that we would like to do than we can. He said by and large, financial policy decisions are made comprehensively with the Budget and the Capital Improvement Plan (CIP). He said he would like to support this, but without looking at the overall CIP and the impacts on the budget, he is not comfortable shifting money, so he would rather delay the vote until there has been time for further discussion.

Deputy Mayor Scully and Councilmember McGlashan expressed support for voting on the Ordinance tonight.

Councilmember McGlashan said he agrees the funding source should be a part of the conversation moving forward, but that should not keep the Council from adopting the Ordinance tonight. Deputy Mayor Scully said as part of the larger conversation they could discuss a totally different funding stream for art, and he does not mind revisiting this but he does not want to wait.

**The motion failed 3-4, with Mayor Hall and Councilmembers Roberts and Chang voting in favor.**

At 8:50 p.m. the Council recessed to allow staff time to draft amendment language as requested by Councilmember Roberts. The meeting reconvened at 9:02 p.m.

**Councilmember Roberts moved to amend Ordinance No. 874 and SMC 3.35.150(B) to add to the first sentence, after the Major Maintenance: “Utility, or Enterprise Funds or other restricted funds”. The motion was seconded by Councilmember Chang.**

Mayor Hall restated the motion to clarify that **SMC 3.35.150(B)** would be modified to read “Each capital project included in the adopted Capital Improvement Program, except for projects in the City Facilities - Major Maintenance, Utility, or Enterprise Funds or other restricted funds,



shall appropriate one percent (1%) of the Construction Project Phase budget for that project and shall display this budgeted amount as Public Art Plan Funding. If the City Council determines that the public interest would be better served, the Council may increase, reduce, or eliminate this appropriation". Mr. Norris clarified the adjustments to the Amendment as proposed by the motion language was to exclude additional funds from having to contribute to the 1%. Ms. Tarry confirmed Councilmember Roberts' intent in the amendment.

Deputy Mayor Scully said he will oppose the amendment because he believes if you have a significant public expenditure it should include the opportunity to incorporate artistic expression into otherwise utilitarian projects. Councilmember Roberts responded that this amendment would restrict the use of some funds to provide art for the projects by which they were funded.

Councilmember McConnell asked for the Councilmembers to share rationale for this amendment.

Councilmember Chang said in looking at the list of Capital Projects that were listed under the Surface Water section, the amendment seems reasonable and she is concerned with increasing the cost of projects.

Councilmember Robertson said by including the option for Council discretion for individual projects it allows for opportunity for adjustments. She said she feels that there is some conflicting understanding to the amendment language, so she opposes the amendment.

Councilmember McGlashan reminded Council that art comes in many forms, and there are creative ways to incorporate art in utility projects.

**The motion failed 3-4, with Mayor Hall and Councilmembers Chang and Roberts voting in favor.**

**The main motion passed 4-3, with Mayor Hall, and Councilmembers Chang and Roberts voting against it.**

9. STUDY ITEMS

- (a) Discussing Resolution No. 451 - Amending Resolution No. 432 Recreation Program Refund Policies and Procedures

Mary Reidy, Recreation Superintendent, delivered the staff presentation. Ms. Reidy explained that the amendments are examples of the continuous improvement to the Recreation Program. She explained that the purpose of the Resolution is to update the 2020 Summer Camp payment plan registration option and incorporate changes necessary for payment plan implementation. She reviewed the history of the Policy and its amendments.

Ms. Reidy explained that adding a payment plan option for summer camps would increase equity in access to the programs and she outlined the impacts on the refund policy. She said staff

recommends adoption of the Resolution when it returns to Council on January 27, 2020 as a Consent Item.

Councilmember McGlashan confirmed that even with the payment plans, everyone is fully paid before the camps begin.

Councilmember McConnell said this is a great adjustment for families, and she appreciates the attention to equity.

Councilmember Robertson commended the Parks Department for this positive adjustment to programming and for continuing to evolve to meet the needs of the community.

The Council agreed that this would return as a Consent Item.

10. EXECUTIVE SESSION: Property Acquisition - RCW 42.30.110(1)(b) and Litigation - RCW 42.30.110(1)(i)

At 9:25 p.m., Mayor Hall recessed into Executive Session for a period of 20 minutes as authorized by RCW 42.30.110(1)(b) and RCW 42.30.110(1)(i) to discuss with legal counsel matters relating to property acquisition and litigation and stated Council will potentially 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 9:47 p.m.

**Deputy Mayor Scully moved to discontinue with acquisition of the property identified in Ordinance No. 835 and terminate authorization granting the City Manager and the City Attorney in Ordinance No. 835. The motion died for lack of a second.**

11. ADJOURNMENT

At 9:48 p.m., Mayor Hall declared the meeting adjourned.

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Jessica Simulcik Smith, City Clerk