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## CITY OF SHORELINE

### SHORELINE CITY COUNCIL SUMMARY MINUTES OF REGULAR MEETING

Monday, January 13, 2003  
7:30 p.m.

Shoreline Conference Center  
Mt. Rainier Room

PRESENT: Mayor Jepsen, Deputy Mayor Grossman, Councilmembers Chang, Gustafson, Hansen, Montgomery, and Ransom

ABSENT: none

1. CALL TO ORDER

The meeting was called to order at 7:30 p.m. by Mayor Jepsen, who presided.

2. FLAG SALUTE/ROLL CALL

Mayor Jepsen led the flag salute. Upon roll call by the City Clerk, all Councilmembers were present.

(a) Proclamation of Girls Swimming and Diving Week

Mayor Jepsen presented the proclamation to Coach Susie McDowell and the Shorewood High School Swimming and Diving Team.

3. CITY MANAGER'S REPORT

City Manager Steve Burkett asked Council to place Item 8(a) after Item 9(a) on the agenda.

Public Works Director Paul Haines provided Council with an update on the In-pavement Flashing Lights Pedestrian Safety Pilot Project, which was designed to analyze the effectiveness of pedestrian safety, driver awareness, and traffic accident reduction. He explained that three crosswalks, N. 155<sup>th</sup> Street and Wallingford Avenue, N 175<sup>th</sup> Street and Wallingford Avenue, and 15<sup>th</sup> Avenue NE and NE 170<sup>th</sup> Street, will be equipped with the new technology and monitored as a three-year pilot project. He emphasized the importance of education on pedestrian safety for both drivers and walkers.

Responding to Councilmember Gustafson, Mr. Haines said the City will learn more from the City of Kirkland's three-year pilot study, which will be completed shortly. Councilmember Gustafson commented that he hoped that the City will not wait the full

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three years of its own pilot study to install such lights in other locations if they produce good results. Mr. Haines assured him that the City will move faster if warranted.

4. REPORTS OF BOARDS AND COMMISSIONS: none

5. PUBLIC COMMENT

(a) Elaine Phelps, Shoreline, reported on an incident that occurred in Innis Arden involving a tree removal permit issued by the City. She questioned the permit issuance and enforcement process, noting that the police were called to the scene to mediate a dispute between neighbors. She said the manner in which the permit was executed was irresponsible, suggesting that the City increase its notification efforts and receive input from all possible perspectives.

(b) Pat Crawford, Shoreline, expressed concern about the process used to determine potential City Hall construction sites and was concerned that a site along Aurora Avenue has already been selected. She felt that citizens have been unfairly excluded from the site selection process. She inquired about preparation costs to construct the Greenwood/Dayton gateway site, and implied the City will try to forcibly acquire gateway sites.

(c) Walt Hagen, Shoreline, inquired about the costs for installing in-pavement street lights and questioned the order in which they were installed.

(d) Tim Crawford, Shoreline, expressed appreciation to David Townsend and the Tia Foundation for the pedestrian crosswalk lights in the Parkwood neighborhood. He read from a press release that described King County Superior Court's final ruling in favor of Twin Ponds Fish Friends in the land use case against the City of Shoreline and Gaston Enterprises.

(e) Michael Rasch, Shoreline, president of the Innis Arden Club, described the incident in Innis Arden involving the permit to remove a shrub in the public right-of-way. He explained that the City awarded Innis Arden a mini-grant to clear the right-of-way to improve public safety and provide police access. He said the Innis Arden Club has complied with all applicable laws and ordinances, and asserted that the community was notified of the proposed action in advance. He reported that in the process of removing the shrub, the police were called when opponents to the action became violent.

(f) Anthony Poland, Shoreline, requested that Item 7(c) be removed from the Consent Calendar. He said the public is "picky" about the type of businesses that enter the community, and it has little control over what kind of professional business will occupy the former Richmond Beach Library. He expressed a preference that the former library be converted to housing.

(g) Brian Doennebrink, Shoreline, clarified that the Planning Commission was only asked to "fine-tune" the Gateways proposal; it was not asked whether it favored or

opposed the project. He then explained the origins and use of "suicide lane," the term used to describe a center, two-way left turn lane. He said this is a commonly-used term. He expressed a preference for building the north section of Aurora before the more complicated middle section.

(h) Todd Dillard, Shoreline, expressed opposition to the manner in which the tree removal permit was executed in Innis Arden. He said the permit had not been posted and neighbors had not been notified. He said opponents to the action were hostile but not violent. He implored Council to carefully consider permits issued to the Innis Arden Board, which he said does not necessarily represent the Innis Arden community. He said the community wants to maintain a balance of both views and trees.

(i) Daniel Mann, Shoreline, asked Council to consider using Gateways funds for the higher priority of crosswalk improvement. He said many crosswalk are dangerous and in need of improvement, noting that illuminated crosswalks cost approximately \$30,000 each. He urged Council to reconsider its priorities and partner with businesses to establish a dialogue on the Gateways project.

(j) Michael McMahon, Lake Forest Park, expressed support for Ordinance No. 317 allowing adaptive reuse of the former Richmond Beach library as professional offices. He said the site was used for offices before and that if a single family home is built on the site, it will likely block residential views. He urged Council to vote for the measure if it favors preserving history and lower densities and intensity of use.

Mayor Jepsen called attention to the Innis Arden mini-grant, noting that tree-cutting has been a contentious issue in the Innis Arden community. He said it took the City a long time to come up with something it could approve.

Mr. Burkett noted the apparent lack of consensus among Innis Arden neighbors about tree removal in the City right-of-way. He said City staff are looking into this issue.

Responding to public comment, Mayor Jepsen stated that Council has not selected a site yet for City Hall, although this will be discussed in February. He asked staff about anticipated clean-up costs for the proposed Gateway site at Greenwood & Dayton.

Mr. Burkett said staff has conducted a preliminary analysis and is considering the low-cost solution of capping the site to prevent disruption of any contamination below ground. He noted that after analysis, staff will return for Council feedback on proposed designs for individual sites.

Responding to Mayor Jepsen, Mr. Haines estimated that construction costs for all three in-pavement lighting sites will total approximately \$47,000. He noted that the City received over \$35,000 from Washington Traffic Safety Commission for the project. He explained that the intersection at NE 170<sup>th</sup> Street and 15<sup>th</sup> Avenue was scheduled last of the three because staff determined that the schools routes were higher priorities. He noted that the last installation will be completed this week.

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Councilmember Gustafson asked if there was a formal plan to educate schools about the operation of the new crosswalk. Mr. Haines said the City met with crossing guards, parent groups, and principals to provide orientation on the new equipment.

## 6. APPROVAL OF THE AGENDA

**Councilmember Hansen moved approval of the agenda, placing Item 8(a) after Item 9(a). Councilmember Gustafson seconded the motion. Councilmember Ransom pulled Item 7(c) from the Consent Calendar for discussion after other agenda items. The motion carried unanimously, and the agenda was approved as amended.**

## 7. CONSENT CALENDAR

**Councilmember Hansen moved adoption of the consent calendar. Councilmember Gustafson seconded the motion, which carried 7 – 0, and the following items were approved:**

**Minutes of Regular Meeting of November 25, 2002**

**Minutes of Dinner Meeting of December 9, 2002**

**Minutes of Regular Meeting of December 9, 2002**

**Approval of expenses and payroll as of January 3, 2003  
in the amount of \$4,270,816.52**

## 8. ACTION ITEMS: OTHER ORDINANCES, RESOLUTIONS AND MOTIONS

- (b) Ordinance No. 318 amending Chapter 5.10 of the Shoreline Municipal Code related to the regulation of adult entertainment businesses

Sharon Mattioli, City Clerk, outlined the administrative changes to the code that will simplify and streamline the licensing process for adult entertainers. She found several problems with the process when the City assumed licensing responsibilities from King County. Because the City Clerk's Office did not do fingerprinting or take photographs, there were delays in license issuance. The requirement that applicants provide two forms of identification and deficiencies associated with temporary licenses also presented problems. She said only 26 applicants actually went through the appropriate process out of 185 adult entertainment applications received in 2002. In the vast majority of cases, there was no motivation on the part of the applicant to fulfill the fingerprinting requirement since the ordinance did not include an expiration date for the temporary license.

She outlined the two major administrative changes the ordinance proposes: 1) Applicants will be required to submit only one piece of identification; and 2) Fingerprinting /background checks must occur prior to submitting applications to the City.

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She explained that the changes will make the process more expeditious and convenient for all parties concerned. She also noted that the changes will guarantee that applicants receive a permanent license the following business day.

Ian Sievers, City Attorney, reviewed the staff report regarding the ambiguities in the current code that have become issues in recent license enforcement actions. His review included the following points:

- Enforcing the adult cabaret ordinance has been a long and frustrating history for the City of Shoreline.
- Following undercover police work in 2002, the City discovered the same pattern of violations that has occurred in the past.
- The City filed a Notice and Order against Score LLC dba Sugar's Nightclub, suspending its business license. The suspension was appealed but upheld by the Shoreline Hearing Examiner. That decision was subsequently appealed to King County Superior Court.
- The grounds for suspension is violation of Chapter 5.10, or violation of other applicable laws.
- The litigation highlighted areas of ambiguity relating to business license suspension. The current ordinance requires owners, managers, and entertainers to obtain the appropriate license. The lawsuit alleges that the ordinance fails to provide adequate notice as to what conduct may lead to license suspension. It also alleges the ordinance fails to impose a duty on the operator to ensure lawful conduct on the part of entertainers.
- The City affirms the intent of the ordinance is to make unlawful conduct of entertainers grounds for business license suspension. The proposed ordinance provides a clearer statement of intent and clearly spells out separate standards for operators, managers, and entertainers.
- The amended ordinance now specifies the other applicable laws by which an adult cabaret license can be suspended.
- The amended ordinance explicitly states that adult cabaret operators are responsible for violations of law that are known or should be known to the operator. It affirms the existing intent of Chapter 5.10, and will be helpful in dismissing these issues in the current lawsuit.
- Legislative bodies can declare their intent by clarifying existing law, and such clarification can apply retroactively. This is particularly relevant against a backdrop of ongoing litigation concerning intent.

Mayor Jepsen called for public comment.

(a) Gilbert Levy, Seattle, attorney for Sugar's, protested Council action on Ordinance No. 318 on the following grounds:

- Sugar's is the only establishment regulated by the ordinance and yet was not given the courtesy of an opportunity to review the proposed ordinance.

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- Under previous legislation, entertainers were issued temporary licenses. Under the new ordinance, entertainers would be required to wait an additional day to receive a license, which represents a hardship for many entertainers.
- The proposal requires all persons with 15 percent interest in an adult cabaret to obtain licenses, however, there is no definition of 15 percent interest. An owner with only 15 percent interest often does not have the ability to control the business or correct potential violations.
- The definition relating to managers is deficient.
- There is no provision for a temporary business license under the proposed ordinance.
- The courts have found the delay of managers' licenses unconstitutional. There is a significant possibility that they would do the same for business licenses.
- There is no definition of what constitutes an appeal statement to the Shoreline Hearing Examiner.
- License suspension is stayed during appeals to Superior Court, but there is no stay to the Court of Appeals. It is only fair to stay license suspension pending all appeals.
- The operator's responsibility borders on a strict liability standard, which the courts have found to be unconstitutional in license revocation cases.
- There is no definition of what "correct the violation" means. This affords the City Clerk and Shoreline Hearing Examiner excessive discretion.
- The ordinance should be corrected to reflect that appealing to Superior Court requires filing an application for a writ, not a writ itself.

Mr. Levy asked Council to table the action for 30 days to given him an opportunity to review the legislation more carefully and submit comments to the City Attorney.

(b) Anthony Poland, Shoreline, said the City should not hold employers responsible for the actions of their employees. He opposed regulating adult cabarets, explaining that people are free to choose whether or not to patronize such businesses. He called the proposed action unfair and hypocritical.

**Councilmember Montgomery moved to adopt Ordinance No. 318. Councilmember Hansen seconded the motion.**

Councilmember Ransom recommended that Council postpone this item to allow for further discussion at a future workshop, noting that there is no overall business license policy in the City. He gave a brief history of Sugar's in Shoreline, noting that the adult cabaret ordinance was adopted on an emergency basis because King County relinquished responsibility for licensing. He said both King County and the City of Shoreline have spent large sums of money in litigation fees trying to close Sugar's. He suggested that instead of pursuing abatement, which has not proved successful in the past, the Council should consider reclassifying the property as eligible for gambling to allow gambling establishments to relocate.

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**Councilmember Gustafson moved to postpone the motion until February 10, 2003. Councilmember Ransom seconded the motion.**

Councilmember Chang favored postponement, advising that Council should allow the business an opportunity to present its views. He said such action sets the right precedent for all businesses.

Councilmember Hansen disagreed with the statement that the City has been trying to close Sugar's. He said Council has discussed business licenses in the past, and in those discussions he has formally stated he is against them. He also took issue with the assertion that the City has spent hundreds of thousands of dollars on this issue. He was open to postponing the issue until next week to allow any others an opportunity to provide input.

Mayor Jepsen said the City has been trying to enforce existing laws; it has not necessarily been trying to close Sugar's. He asked Mr. Sievers to clarify the significance of the current proposal, noting the importance of distinguishing between an ongoing process in the courts and a new business licensing process the City is trying to adopt.

Mr. Sievers said the amendments were intended to serve both purposes. He said the amendment will not only clarify the rules and streamline the administrative process, but also clarify the intent of existing law. The court will then apply those findings and that declaration to the current lawsuit. One of the most important parts of this clarification are the issues raised in Superior Court and the reiteration that the City did intend the operator to be responsible for its employees' conduct.

**A vote was taken on the motion, which carried 4-3, with Mayor Jepsen and Councilmembers Montgomery and Hansen dissenting. The motion on Ordinance No. 318 was postponed to February 10, 2003.**

## 9. NEW BUSINESS

- (a) Confirmation of the City of Shoreline Response Letter on the Review of the Brightwater Draft Environmental Impact Statement (DEIS)

Rachael Markle-Oleson, Planning Manager, reviewed the staff report outlining the City's comments on the various sections of the DEIS. Her presentation included the following points:

- The purpose of this item is to request Council approval to submit the City's draft letter which responds to the DEIS released on Nov. 6, 2002. The DEIS analyzes three alternatives, all of which impact Shoreline. The City has until January 21, 2003 to prepare and submit a response to the DEIS.

- The Route 9/195<sup>th</sup> Street preferred alternative appears to have most impact on Shoreline. It proposes four portal sites and outfall in Shoreline and affects four neighborhoods: Richmond Beach, Hillwood, Echo Lake, and Ballinger.
- The Route 9/228<sup>th</sup> Street system alternative proposes two portals and outfall in Shoreline, primarily affecting Richmond Beach and Hillwood neighborhoods.
- The Unocal system alternative has the least impact on Shoreline.
- After reviewing the DEIS and gathering public comments, staff prepared the draft response, which identifies impacts that may not have been adequately addressed in the DEIS and suggests additional mitigation where needed.
- The response letter addresses the following issues relating to impacts or future potential mitigation measures:
  1. Contaminated soil. Staff suggests that treatment and stockpiling of contaminated soil be prohibited in Shoreline.
  2. Geologic hazards. The City requests King County to get data from the City for the Final Environmental Impact Statement (FEIS) that more specifically identifies these hazards.
  3. Odor. The City requests more specific information about how odors will be monitored and mitigated.
  4. Surface water. The DEIS does not specifically address how dewatering will be handled on specific portal sites. The response suggests that King County develop dewatering/discharge scenarios, including how it will respond if contaminated dewatering substances are found. The response also includes such mitigation measures as prohibiting flooding as a result of dewatered product and enhancing/restoring Ballinger and Lions Creeks.
  5. Mitigation of long-term/cumulative impacts associated with the construction and operation of the facility, including the consequent increase in sewer capacity for the region.
  6. Optimal placement depth of the outfall pipe in the Puget Sound. The response requests additional information about the proposed 700-foot depth.
  7. Omissions and errors in identification of local surface water features. The response requests the County to consult the City before publishing the FEIS.
  8. Reuse and design of portal sites during and after construction. Staff notes the City will have some control over land use/aesthetics through the local permitting process. Sites can be visually and environmentally improved through a number of mitigation measures.
  9. Recreation. The response recommends the following actions: 1) King County procure/construct access to Richmond Beach via its existing pump station; 2) develop an interpretive component at Richmond Beach; 3) restore/enhance Brueggers Bog; and 4) partner with the school district to upgrade ball fields at the Aldercrest site.
  10. Transportation. Staff recommends the following mitigation measures relating to roads: 1) importing/exporting of equipment via rail/barge at Portal 19; 2) construction of a closed access road through Woodway; 3) overlaying/repairing streets before and after construction; 4) construction of sidewalks and



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other non-motorized transportation infrastructure prior to construction; 5) busing construction workers to construction sites.

11. Construction methods. Staff is concerned about how Shoreline residents, property owners and businesses will be compensated by potential impacts. The response recommends that King County fund a Shoreline staff person to serve as construction monitor for portal and outfall construction.

Ms. Markle-Oleson introduced King County Brightwater staff person Gunnars Sceibers and Greg Johnston, Fisheries Biologist from the City's consultant, the Watershed Company.

Mayor Jepsen, advised that the City should submit the letter, incorporating further comments made by the Richmond Beach Community Council. He recommended the City add street trees in its list of mitigation measures in addition to sidewalks and overlays. He felt the letter should also identify citizen concerns about the location of Portal 22.

Responding to Councilmember Ransom, Mayor Jepsen said the staff recommendation is to have Council address impact issues and allow King County to select its preferred alternative.

Responding to Councilmember Ransom's comment about taking homes, Ms. Markle said King County's policy is to use its own property first, and then use public property if necessary to avoid affecting private homes. She emphasized that using private property is a worst-case scenario for the County. She affirmed that two to four pump stations (2 acres per site) could be located within the City.

Councilmember Ransom expressed concern about the noise impacts that may result from 24-hour construction. He asked if the City could apply its noise ordinance to prohibit construction at night. Ms. Markle said it is possible, although she plans to observe the current 24-hour projects in Seattle that purport to produce little noise.

Councilmember Hansen noted that deep-tunneling projects only produce noise at the portal entrance.

Mayor Jepsen suggested that portal locations be subject to the noise ordinance unless there are ways to minimize impacts.

Councilmember Ransom asked if the Council will be able to provide input on the final selection. Mayor Jepsen said there are a number of tools the City can utilize, including the County Executive and our County Councilmember. He noted that the County Councilmember is aware of the City's concerns.

Councilmember Gustafson expressed support for submitting the letter and commended staff for its time and effort in producing a thorough and well-organized document. There was consensus to move forward with submittal of the response letter.

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## 8. OTHER ORDINANCES, RESOLUTIONS, AND MOTIONS

### (a) Motion to adopt City of Shoreline 2003 Legislative Priorities

Joyce Nichols, Communications and Intergovernmental Relations Director, outlined the 2003 legislative priorities as enumerated in the staff report. She noted that the biggest issues before the 2003 legislature are the \$2.4 billion gap in the state budget and the problem of transportation funding. She explained that the Governor's budget, which serves as the starting point for all budget negotiations, addresses the shortfall through spending cuts, which she described.

Continuing, she outlined the high priorities for the City in the coming legislative session as listed in the Council's packet.

Mayor Jepsen called for public comment.

(a) Elaine Phelps, Shoreline, urged Council to oppose the Governor's budget and support teachers and reduced class sizes. She noted that Shoreline's elected representatives are sympathetic to these concerns.

(b) Daniel Mann, Shoreline, emphasized the need to include a position on light rail/Sound Transit in the list of legislative priorities. He urged Council to take a formal stand against the light rail project.

(c) Anthony Poland, Shoreline, said people are opposed to new taxes in the form of levy street utilities and levy lid lifts as outlined in the 2003 Legislative Priorities. He also opposed allowing King County to levy utility taxes on unincorporated areas.

**Councilmember Hansen moved to adopt the 2003 Legislative Priorities. Deputy Mayor Grossman seconded the motion.**

Councilmember Ransom objected to the priorities opposing an expansion of gambling, noting that the City needs to support the winning side. He said we need to emphasize the importance of e-commerce and establish an equitable sales tax system as more and more business goes to the internet.

Ms. Nichols noted that the federal government is trying to establish one simplified tax structure for e-commerce that will apply to all participating states. She explained that as proposals are submitted, the City's interests will be represented by the National League of Cities, and she will report back to Council about the progress. She expressed hope that Council will support a system that collects our sales and use taxes in order to fund City priorities.

Councilmember Ransom asked what the City can do to increase the likelihood of procuring funding for Aurora and other projects.

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Ms Nichols explained that there are numerous proposals in Olympia, such as fuel taxes, but it is difficult to predict which ones will receive support. She noted that the Regional Transportation Improvement District was established last session to address the problems of congestion in Puget Sound counties. However, having King County tied to both Snohomish and Pierce counties may present problems associated with funding for regional projects. She said that expanded gambling would very likely be a major issue in the legislature this session. She noted that the legislative priorities take a cautious approach to gambling to allow the City to retain control over gambling uses in its own jurisdiction.

Councilmember Gustafson concurred that the City must retain local control of gambling issues.

Councilmember Montgomery was glad to see such a focused list of priorities, noting that an expanded list would only serve to dilute the lobbying effort. She emphasized the importance of only focusing on issues that directly and significantly impact the City.

Councilmember Hansen expressed concern that the State might try to look at local gambling taxes as a source of revenue to balance its budget. He agreed with the legislative priorities relating to gambling, noting that it sends the message that the City intends to control its own jurisdiction. He said the priority relating to transportation funding expresses the same strong message, that we expect the State to share revenues to get road projects done. Regarding e-commerce, he said computers can easily track the taxes collected on the goods purchased via the internet. He noted that the sales tax loophole allows internet businesses to have a competitive advantage over "brick and mortar" businesses.

Councilmember Chang emphasized the importance of education funding, noting that teachers are striking in Olympia because of cost-of-living increases. He said it appears the governor has asked local jurisdictions for solutions to the problem. He suggested that the funds paid to Sound Transit could be channeled to teachers' salaries since the governor has not proposed a solution.

Ms. Nichols explained that the state has the primary responsibility for providing basic education, so in no way is the City obligated to take a position on the issue. She said this issue will be hotly debated in Olympia this session, and whatever the outcome, it is not the City's responsibility to solve the problem.

Deputy Mayor Grossman expressed appreciation for Ms Nichol's hard work on behalf of the City.

Mayor Jepsen noted that proposals such as expanded gambling cause the public to become increasingly concerned about its impacts on the local community. He asked if increases in gambling result in increases in the number of police calls.

Responding to questions about whether gambling establishments generate a disproportionate number of police calls, Police Chief Denise Pentony explained the distribution of police calls for 2002. She said that of the 7,300 calls in 2002, 120 were related to gambling establishments. Therefore, the impact on the police is minimal.

**A vote was taken on the motion, which carried 7-0, and the 2003 Legislative Priorities were adopted.**

MEETING EXTENSION

**At 9:53 p.m. Councilmember Ransom moved to extend the meeting to 10:15 p.m. Deputy Mayor Grossman seconded the motion, which carried 5-2, with Mayor Jepsen and Councilmember Montgomery dissenting.**

- (b) Ordinance No. 317 amending the Development Code including Shoreline Municipal Code Chapters 20.30, Procedures and Administration, and 20.40, Zoning and Use Provisions

Tim Stewart, Planning and Development Services Director, explained the two provisions of the code amendment, noting that one part would permit the adaptive reuse of a former public library into an office building. He said the proposal was extensively debated by the Planning Commission, which recommended adoption by a vote of 5-2. He said the Planning Commission unanimously recommended the second amendment, which involves the posting of notices.

**Councilmember Montgomery moved approval of Ordinance No. 317. Councilmember Hansen seconded the motion.**

Councilmember Ransom expressed general support for the proposal, although he felt the City should have had the posting requirement all along. He asked the City Clerk and Planning Director to comment about posting requirements in the local newspapers.

City Clerk Sharon Mattioli explained that the City chose the *Seattle Times* as its newspaper of record when it incorporated in 1995. She said it has been the policy of the Clerk's Office and PDS to officially publish notices in the *Seattle Times* and in the *Shoreline Enterprise*.

Councilmember Hansen said he will probably support the ordinance, although he is skeptical about whether a professional office use at the former library site will be able to provide adequate parking.

Councilmember Chang stressed the importance of addressing any neighbors' concerns in issuing a permit for this property.

**A vote was taken on the motion, which carried unanimously, and Ordinance No. 317 was adopted.**

10. CONTINUED PUBLIC COMMENT

(a) Richard Johnsen, Shoreline, expressed appreciation for Mayor Jepsen's comments and for the *Shoreline Enterprise* article regarding Mareen Kruckeberg. He also addressed the Gateway project, the Aurora Corridor project lawsuit, and Councilmember Ransom's suggestion relating to Sugar's.

(b) Elaine Phelps, Shoreline, was shocked by how her community representative depicted the Innis Arden tree-cutting incident, noting that everything he said was contrary to fact. She expressed concern about the enforcement process, clarifying that neighbors want to be informed of such permits so they can be present to ensure they are being properly administered.

(c) Anthony Poland, Shoreline, commented on the Brightwater DEIS, agreeing with the recommendation to remove portal 22. He said the largest extraction point for the excavated material will be at the Richmond Beach site, so mitigation will be necessary to address noise and traffic concerns. He said excavated material should be transported via barge or rail because Richmond Beach roads are not conducive to trucks running at night. He expressed hope that the City can secure mitigation funds for multiple railroad overcrossings at Richmond Beach.

Councilmember Hansen reported that Councilmember Gustafson was elected to the Regional Water Quality Committee of the Suburban Cities Association.

Mayor Jepsen said staff will look into issues at Richmond Beach. He clarified that the letter to Metro includes an overcrossing at the 198<sup>th</sup> Street Metro station, but it does not include multiple locations. He thought the mitigation would occur before any Brightwater construction begins.

11. ADJOURNMENT

At 10:12 p.m., Mayor Jepsen declared the meeting adjourned.

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Sharon Mattioli  
City Clerk

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