

CITY OF SHORELINE
SHORELINE CITY COUNCIL
SUMMARY MINUTES OF WORKSHOP MEETING

Monday, June 2, 2003
6:30 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 6:30 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 with the exceptions of Deputy Mayor Grossman and Councilmember Hansen, who arrived shortly thereafter, and Councilmember Gustafson. Upon motion by Councilmember Montgomery, seconded by Councilmember Ransom and unanimously carried, Councilmember Gustafson was excused. However, he arrived at 8:00 p.m. and went into the executive session.**

3. **CITY MANAGER'S REPORT AND FUTURE AGENDAS**

City Manager Steve Burkett noted that the Council reading packet includes a copy of Parks survey that will be used to determine community needs and make priorities for the Parks, Recreation and Open Space Plan. He also noted that it is time to nominate a Grand Marshall for the annual Celebrate Shoreline Parade.

4. **COUNCIL REPORTS**

Councilmember Hansen reported that the Shoreline Lunch Rotary is selecting sites in Shoreline to voluntarily improve as "pocket parks." He also reported on the discussions at the Water District meetings.

Councilmember Ransom reported that he will not be attending the Association of Washington Cities (AWC) conference this year because he will be attending the meeting of the National League of Cities (NLC) Steering Committee on Human Development.

Councilmember Montgomery reported that she will miss the June 16 Council meeting due to her participation at the AWC Board Meeting.

Mayor Jepsen reported on several topics that were discussed at this month's Northend Mayor's meeting, including the state budget, public health, and federal economic stimulus legislation. He noted that the Economic Development Administration bill going through Congress includes \$250 million in potential grant funding, and the American Dream downpayment assistance program, which goes to Congress in June, will provide \$200 million in downpayment assistance for police, firefighters and teachers in 2004-2005. He reported that the NLC is adamantly opposed to the President's welfare reform proposal, which has very little support in Congress. He said members of the Northend Mayor's group recommend a book entitled Home Voter Hypothesis, which discusses funding strategies for cities.

5. PUBLIC COMMENT

(a) Nancy Garrison, Shoreline, inquired about the possibility of renting the Twyman site (the site generally located at Dayton Avenue N and Westminster Way N) for a temporary produce stand. She noted that her family rents various unused properties in Seattle for this purpose. She commented that such an arrangement could economically benefit both her business and the City.

Mr. Burkett said the City might be interested in exploring the possibility if such temporary use is consistent with zoning and other factors.

Mayor Jepsen clarified that the City just completed demolition of the subject property and will be entering Phase 2 to determine if there is contamination. He asked that City staff follow up on Ms. Garrison's request.

Councilmember Ransom suggested that it may be inappropriate to rent the property since the City is considering development of a gateway or "pocket park" on the site. Mr. Burkett clarified that a short-term use may be possible since development of the property will not occur immediately.

6. WORKSHOP ITEMS

(a) 2003 First Quarter Financial Report

Debbie Tarry, Finance Director, gave a report of the 2003 first quarter financial activities for all City funds. Her report included the following details:

- General Fund first quarter 2003 actual revenue collections were \$3,405,591, \$127,076 or 3.9% above projected first quarter revenue of \$3,279,082. This slight increase was due to better than expected revenue in Parks (\$32K), state-shared revenue (\$42k), sanitation franchise fee (\$38k) and Telephone/cell utility tax

(\$47k). Actual first quarter expenditures were \$4,747,970, \$104,450 or 2.2% below projections of \$4,852,420. Contributing to the 2.2% under expenditure are continued savings in the Jail contract, Planning and Development Services, and City Attorney.

- Development Services Fund revenues are slightly behind projected revenue by \$14,367, or 3.6%. 2003 first quarter permit activity is actually up by 14.9% compared to 2002, but permit revenue compared to 2002 is down by 5.2%. The increase in permit activity is a positive sign and ultimately could lead to increasing revenue. Expenditures are behind projections by \$11,338 or 2.6%. This trend is anticipated to continue as Development Services continues to decrease costs.
- Street Fund revenue through the first quarter is ahead of projections by \$21,272, due to higher than expected ROW fees and Fuel Tax revenue. Also, the City received \$11,556 in local vehicle license fee revenue generated in 2002 but received it in 2003. Street Fund expenditures are ahead of projections by \$133,251, due to quicker than expected purchases of some machinery and equipment.
- Surface Water Management Fund revenues are ahead of projections by \$6,188 or 5.2%. This increase is due to slightly higher than expected storm drainage fees, which may be a result of property owners paying their property taxes ahead of schedule. Expenditures are essentially on target running slightly higher than projections by \$3,798 or 0.6%.
- Property Tax Revenue exceeded projections \$16,421, or 5.9%. No change has been made in the 2003 projected revenue in this category as the adopted budget for this tax is based upon the property tax levy adopted by Council. Only 98% of the levy is expected to be collected due to an anticipated 2% rate of delinquencies. During the first quarter of each year, the City typically receives only 3% of the annual collections, since the first property tax payment is not due until April 30th.
- Sales Tax Revenue: Sales tax collections of \$914,403 were slightly below projections of \$921,625 by -\$7,222 or -0.8%. Revenue received to date represents taxes paid in December and January.
- Criminal Justice Sales Tax Revenue of \$259,808 is ahead of projected revenue of \$254,384 by \$5,424 or 2.1%. This category differs from sales tax because it results from a distribution by the County and is collected on a countywide basis. The distribution amount is based on a city's population and the amount of sales tax collected through all of King County.
- State Revenue of \$332,972 exceeded projections of \$290,697 by \$42,275 or 14.5%. Even though actual revenue exceeded projections it is anticipated that for the year revenues in this category will remain flat.
- Utility Tax and Franchise Fee Revenue of \$758,810 exceeded projections of \$704,336 by \$54,474 or 7.7%. The higher than expected revenue is due to more timely payment from the sanitation utility and higher than expected telephone and cell phone revenue.

- Parks and Recreation Fee Revenue of \$176,435 was above projections of \$144,426 by \$32,009 or 22.2%. The primary contributors to this increase were facility rentals (\$8k) pool revenues (\$6K) and general recreation programs (\$17k).
- Real estate excise tax (REET) revenue is tracking slightly ahead of 2002 figures.

Ms. Tarry concluded by saying that projected expenditures have not yet been revised because more data is needed before an accurate spending projection can be developed.

Councilmember Hansen was pleased to see a \$231,000 surplus at the end of the first quarter, although he felt more time is needed to determine accurate annual figures. He pointed out that the surplus adequately covers recently adopted road expenditures. Responding to Councilmember Hansen, Ms. Tarry clarified that revenues do not include any vehicle excise taxes for 2003.

Deputy Mayor Grossman asked for clarification about the gambling revenue stream. Ms. Tarry replied that although gambling revenues are received quarterly, they lag a month behind so they cannot always be incorporated into the quarterly report.

Mayor Jepsen observed that the positive economic figures reflect the "belt-tightening" and scrutiny that was given to the budget last year. He congratulated and thanked staff for its contributions to this effort.

(b) Annual Police Service Efforts and Accomplishments Report

Police Chief Denise Pentony presented the Annual Police Service Efforts and Accomplishments Report for 2002. Her presentation included the following points:

- The two main law enforcement goals in Shoreline are to 1) reduce crime, and 2) reduce the fear of crime.
- Several problem-solving projects commenced or continued in 2003 to address citizen concerns, to reduce criminal activity and to create a more efficient and effective workforce. These programs include: school traffic safety program; false alarm reduction program; hotel/motel trespass program; city and school emergency response preparation; retail theft program; anti-bullying program; court reminder program; the Explorer program; and block watch.
- Youth initiatives and volunteerism continue to be high priorities for Shoreline. Visible enforcement activities and compliance checks contribute to crime prevention and the perception of public safety.
- Crimes with the highest incidence rates include: larceny, auto theft, vandalism, 4th degree assault, forgery/fraud, and driving under the influence. Although Part 2 Crime Rates increased 7% in 2002, these rates are a trend in the whole area.
- Shoreline's 2002 Crime Rate was 36.4 per 1,000 residents, which is below the national average of 48.9 per 1,000 residents.
- With less than one officer per 1,000 residents, Part 1 and Part 2 Crime Rates in Shoreline are very low compared to other cities.

- Shoreline's emergency response time of 2.95 minutes is well below the benchmark of five minutes.
- Shoreline spends approximately \$125 per resident on police services, which is far less than most comparable cities.
- Of the 26,198 contacts, police received only 5 citizen complaints, which equates to 0.19 complaints per 1,000 contacts.
- 6,612 citations were issued in 2002, which was a slight increase over 2001. The accident rate decreased from 640 accidents in 2001 to 589 accidents in 2002.
- The 1998 citizen survey revealed that police could improve by providing more follow up and communicating more with victims and the community. A Victim Call Back program was initiated and is handled by detectives and volunteers.

Chief Pentony concluded by stating that overall public safety in Shoreline is excellent, and the public perception of safety and satisfaction with services is very high. Despite these high marks, the department will strive for continued improvement and work to develop strategic initiatives to address citizens' concerns.

Councilmember Ransom said many people have expressed to him a feeling of security at night, but the staff report indicates only 66 percent feel safe at night, as opposed to 96 percent who feel safe during the day.

Chief Pentony speculated that the department's random survey may not be reaching all possible individuals who feel secure at night. She said television and the media sometimes promote the perception that nighttime is not safe. She suggested that 2004 figures might reflect an increased safety perception.

Councilmember Ransom expressed concern about higher rates of auto theft, identity theft and other types of fraud. He wondered if more emphasis could be placed in these areas through additional staffing.

Chief Pentony noted that higher fraud rates are a trend for the entire region, and King County has initiated programs to address this. She emphasized the cost effectiveness of the police services contract and said she would return later in the year with recommendations regarding staff levels.

Responding to Deputy Mayor Grossman, Chief Pentony said it is possible to post the crime data in an accessible format on the City's website.

Mr. Burkett said the goal of all City departments is to present information in a similar format and include the following elements: mission; goals; data tracking; costs; and accomplishments.

(c) Local Court Options

Eric Swansen, Senior Management Analyst, explained that King County's termination of Shoreline's court services contract (effective January 1, 2005) requires the City to

consider its alternatives for providing this mandated service beyond 2004. Mr. Swansen provided an analysis and comparison of the options Shoreline has for providing this service. Options will be compared as to: 1) cost; 2) location; 3) ability to customize programs; 4) judge position; 5) option availability; and 6) legal risk. The current list of options include:

- Forming a Municipal Department under District Court as a product of negotiation with the King County Executive.
- Forming a new Shoreline Municipal Court
- Operating a court using in-house staff for Shoreline offenders
- Sharing municipal court services (in part or in whole) with other service providers)

Forming a Municipal Department under District Court

This option is likely to be comparatively less expensive than other options, but more expensive than the current agreement. It is likely that a municipal department could be locally operated in Shoreline. There is a greater ability to customize programs, as the City would work exclusively with one judge. Under this option, the City would choose from a pool of elected judges eligible to serve in the district. It is not yet determined whether this option is available, however, the legal risk is considered low.

Forming a new Shoreline Municipal Court

This option is likely to be more expensive, but more analysis is needed to determine actual costs. This court would be located in Shoreline. There would be increased ability to customize hours, services, and technology, and greater ease to schedule officers to cases, reducing police overtime costs. Judges would be appointed by the City Manager and confirmed by the City Council. This option is available and the legal risk is considered low.

Sharing Municipal Court Services with other cities

This option is likely to be more expensive, but more analysis is needed to determine actual costs. The court would be located in Shoreline unless a decision is made with another city to share a facility. There is an increased ability to customize hours, services, and technology, and greater ease to schedule officers to cases, reducing police overtime costs. Judges would be appointed by the City Manager and confirmed by the City Council. This option is available and the legal risk is considered low-moderate.

Current Agreement

The current delivery method, a contract with the County to provide service, is not an option due to the unilateral termination of the agreement.

Mr. Swansen explained that while each option has its own financial impact, there is not enough information to provide a detailed enough cost estimate for making a decision at this time. Therefore, staff is merely seeking consensus support for the guiding principles attached to the staff report. He concluded by saying that he will return to Council to

identify costs and begin to explore options for contracting with other cities for court services.

Responding to Councilmember Ransom, Mr. Swanson explained that the King County Executive is the chief negotiator and has the legal authority to extend or terminate interlocal service agreements such as the court contract.

It was noted that the City of Lynnwood and City of Edmonds operate municipal courts on a part-time basis.

Councilmember Ransom strongly supported the idea of partnering with neighboring cities such as Lake Forest Park and Kenmore in order to keep the court in close proximity to Shoreline. He felt a contract with King County should not be pursued because the City would be subject to whatever fees King County wishes to impose. He felt that if Shoreline used a disproportionate amount of service compared with its partners, it could pay a proportionate amount based on the number of cases heard.

Mr. Swanson noted that the City would need to negotiate such an arrangement with Lake Forest Park and Kenmore.

Mayor Jepsen felt he needed more analysis and information before supporting a particular option. He also suggested prioritizing and renaming the guiding principles:

1. Legal Risk should be renamed Level of Service
2. Location (do not specify video services as a substitute for a local service location but express something more general, such as explore all technical options)
3. Cost
4. Customization to Meet Community Needs
5. Shared Resources instead of Shared Risk

Councilmember Ransom had some concern about renaming the first category "Level of Service," and Mr. Burkett said some language could be added to relate this item more specifically to availability and convenience of the service.

Councilmember Ransom supported an enhanced level of service with night court, noting that Lake Forest Park has a very successful night court program.

Mr. Swanson said such an option could be included under Level of Service or Customization. He made a distinction between constitutional items that must legally be included in the Level of Service and other options that may be preferred but not necessarily required.

Councilmember Ransom pointed out that the vast majority of cases in District Court involve traffic and parking violations. Mr. Swanson noted that parking infraction statistics vary from year to year and are largely complaint-driven. The Council concurred

that most complaints result from violations involving school parking, community college parking, and disabled parking spaces.

Mr. Swanson brought up the possibility of appointing a magistrate to handle traffic cases so that a judge could hear the more serious offenses. He noted that several cities have established very effective evening traffic courts.

Councilmember Chang asked for further information about the current Shoreline District Court facility and the County's future plans for it.

Mr. Swanson explained that the disposition of the facility at the time of transition will not likely be known, although the City has expressed continued interest in the facility. He said there could be room to possibly share the facility with the District Court, noting that it is heavily used by the State Patrol and the University of Washington.

Deputy Mayor Grossman said although cost is important, he prefers a greater focus on the quality of service provided and the appropriate staffing level to do a good job.

Mr. Burkett clarified that the County's decision to terminate its contract with Shoreline is independent of its decision to continue to operate the District Court. He indicated that the City will be discussing these issues with the County in the future.

7. CONTINUED PUBLIC COMMENT: none

8. EXECUTIVE SESSION

At 8:00 p.m. Mayor Jepsen announced that the Council would recess into Executive Session for one hour to discuss litigation. At 9:00 p.m. Mayor Jepsen announced that the Executive Session would continue another fifteen minutes. At 9:15 p.m. Mr. Burkett announced that the Executive Session would continue another fifteen minutes. At 9:39 p.m. the Executive Session concluded and the workshop reconvened.

9. ADJOURNMENT

At 9:40 p.m., Mayor Jepsen declared the meeting adjourned.

Sharon Mattioli, CMC
City Clerk