



AGENDA

SHORELINE CITY COUNCIL WORKSHOP DINNER MEETING

Monday, October 22, 2007
6:00 p.m.

Shoreline Conference Center
Highlander Room

TOPICS/GUESTS: Long Range Financial Planning, Debbie Tarry

SHORELINE CITY COUNCIL BUSINESS MEETING

Monday, October 22, 2007
7:30 p.m.

Shoreline Conference Center
Mt. Rainier Room

	<u>Page</u>	<u>Estimated Time</u>
1. CALL TO ORDER		7:30
2. FLAG SALUTE/ROLL CALL		
3. REPORT OF THE CITY MANAGER		
4. REPORTS OF BOARDS AND COMMISSIONS		
5. GENERAL PUBLIC COMMENT		7:45
<i>This is an opportunity for the public to address the Council on topics other than those listed on the agenda, and which are not of a quasi-judicial nature. The public may comment for up to three minutes; the Public Comment under Item 5 will be limited to a maximum period of 30 minutes. The public may also comment for up to three minutes on agenda items following each staff report. The total public comment period on each agenda item is limited to 20 minutes. In all cases, speakers are asked to come to the front of the room to have their comments recorded. Speakers should clearly state their name and city of residence.</i>		
6. APPROVAL OF THE AGENDA		8:00
7. CONSENT CALENDAR		
(a) Minutes of Special Meeting of August 20, 2007	<u>1</u>	
Minutes of Business Meeting of August 27, 2007	<u>19</u>	
Minutes of Special Meeting of September 4, 2007	<u>35</u>	

Minutes of Business Meeting of September 10, 2007	<u>47</u>
(b) Approval of expenses and payroll as of October 9, 2007 in the amount of \$ 2,140,060.65	<u>57</u>
(c) Approval of Mini-Grant Projects for Hillwood Neighborhood Association, Richmond Beach Community Association, and Ridgecrest Neighborhood Association	<u>59</u>

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

(a) Motion to Approve Solid Waste Service Provider Contract	<u>65</u>	8:10
(b) Ordinance No. 482, Phase 1 – Town Center Subarea Plan Amendment and Repealing Elements of the Central Shoreline Subarea Plan Report in the Comprehensive Plan, suspending Council Rule 3.5 and Waiving Second Reading	<u>67</u>	8:25

9. NEW BUSINESS

(a) 2008 Budget – Department Presentations	<u>95</u>	8:45
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10. ADJOURNMENT 10:00

The Council meeting is wheelchair accessible. Any person requiring a disability accommodation should contact the City Clerk's Office at 546-8919 in advance for more information. For TTY service, call 546-0457. For up-to-date information on future agendas, call 546-2190 or see the web page at www.cityofshoreline.com. Council meetings are shown on Comcast Cable Services Channel 21 Tuesdays at 12 noon and 8 p.m., and Wednesday through Sunday at 6 a.m., 12 noon and 8 p.m. Council meetings can also be viewed on the City's Web site at cityofshoreline.com/cityhall/citycouncil/index.

CITY OF SHORELINE
SHORELINE CITY COUNCIL
SUMMARY MINUTES OF SPECIAL MEETING

Monday, August 20, 2007 - 6:30 p.m.
Shoreline Conference Center
Mt. Rainier Room

PRESENT: Mayor Ransom, Deputy Mayor Fimia, and Councilmembers Gustafson, Hansen, McGlashan, Ryu, and Way

ABSENT: None

1. CALL TO ORDER

Mayor Ransom called the meeting to order at 6:33 p.m.

2. FLAG SALUTE/ROLL CALL

Mayor Ransom led the flag salute. Upon roll call by the City Clerk, all Councilmembers were present, with the exception of Deputy Mayor Fimia, who arrived shortly thereafter.

3. REPORT OF THE CITY MANAGER

Bob Olander, City Manager, reported on the success of the various events at the Celebrate Shoreline festival. He noted that the Annual National Night Out Against Crime was held on Tuesday, August 7. The second Civic Center/City Hall Community Meeting will be held Tuesday, August 21 at Shorewood High School and the next regular meeting of the Parks Board will be held Thursday, August 23 at the Spartan Recreation Center.

4. COUNCIL REPORTS

Councilmember Way commended everyone for participating in the Celebrate Shoreline parade and other events and commented favorably on the North City Jazz Walk. She urged everyone to get out and vote on primary election day tomorrow. Mayor Ransom announced that Medic One was passed by the King County Council with the 30 cent levy.

Deputy Mayor Fimia added her thanks to the citizens who organized all the block watch parties and other events.

Councilmember McGlashan concurred, noting his attendance at eight block watch events.

Councilmember Gustafson commented favorably on Celebrate Shoreline and thanked staff for their time and energy in making it a success.

Councilmember Hansen noted that the Shoreline Rotary sponsored the 8th Annual Fun Run, which had the largest participation in Shoreline history.

Mayor Ransom also commented on the success of Celebrate Shoreline and the excellent public turnout.

5. GENERAL PUBLIC COMMENT

(a) Keith McClelland, Shoreline, announced that he is the Vice president of the Shoreline-Lake Forest Park Arts Council and reported on the success of the North City Jazz Walk. He explained that five different ensembles performed at five different venues along 15th Avenue NE, which brought in 450 to 500 customers. He thanked the City staff and the event sponsors, including the North City Business Association, Shoreline Small Business Forum, and the City of Shoreline for providing funding and logistical support. He concluded that the event could not have happened without the capital improvements along North City.

(b) Charlotte Haines, Shoreline, said she was amazed to hear the comments from some Councilmembers regarding the awards the City gives to people and organizations in the community. She said it was a surprise to hear Deputy Mayor Fimia and Councilmember Way take issue with Shoreline Star awards and proclamations because many have been honored to receive them. She said some people have expressed disappointment with their comments.

(c) LaNita Wacker, Shoreline, discussed Deputy Mayor Fimia's comments about secrecy at the December 12 City Council meeting. She added that Councilmember Gustafson arrived at that meeting with no knowledge about the firing of City Manager Burkett and that a first phone call should have been made by the Mayor to convene an executive session at a City Council meeting. She added that the risk pool at the Washington Cities Insurance Authority (WCIA) had a duty to write a legal contract for the exiting City Manager, but the four Councilmembers had no authority to negotiate it. She believed that a conspiracy occurred. Mr. Burkett's contract was legally drafted, but the negotiations in getting it drafted violated the Open Public Meetings Act (OPMA). She pointed out that candidate-elect Ryu had knowledge about the firing of City Manager Burkett, but candidate-elect McGlashan wasn't informed. For that reason, Councilmember Ryu was named last week by Kevin Grossman in the lawsuit because she had knowledge of the alleged actions.

(d) Steve Dunn, Shoreline, Capital Campaign Chair for the YMCA, reported on the success of the YMCA groundbreaking ceremony, noting that the goal is to have the facility open by August 2008. However, he said there is another \$2 million outstanding and he wanted the audience to communicate the YMCA needs to the community. He commented that the Council and the community need to work towards being more civil. He said he doesn't think Councilmembers are bad people, and calling each other names "lowers the bar." He encouraged the Council to "raise the bar" and focus on the needy. He urged everyone to make Shoreline a better City.

(e) Chris Eggen, Shoreline, discussed the proposed Code amendments. He said item #9 of the Code amendments relate to a proposal to increase the maximum density. He

thought this item was mistakenly put on the list of technical changes because it has a significant potential impact on the face of Shoreline. He felt there needs to be public comment on the item.

(f) Lillian Hawkins, Shoreline, requested that the Council add budget resources for subsidized child care because other cities have it. Additionally, she questioned why there aren't many events scheduled in the City on Martin Luther King, Jr. Day. She said this is one of the only cities that don't have a celebration. She urged the City and the communities to celebrate diversity.

Mr. Olander responded that the City has a Human Services Advisory Committee that assists with funding decisions. Additionally, Rob Beem can provide information regarding the funding process. He also stated that the City has had Martin Luther King, Jr. Day recognitions, but not general celebrations. He thanked Ms. Hawkins for her concerns.

(g) Dennis Lee, Shoreline, discussed the open meetings act lawsuit. He said he has been doorbelling for a candidate running for City Council and has found out that very few people know about the case or have an opinion. This, he said, leads him to believe that there are a minority of people trying to do something. He said the City Council is on the defense and it's in process, but he is quite angry about the case. He noted that doorbelling gets him in touch with the people in the community.

(h) Lila Smith, Shoreline, thanked the Council for being public servants and for opening up the process. She apologized that people use this venue to inappropriately attack others. She said if public servants get attacked, there will be nobody left to do the work. She said she doesn't want a Council made up of "deep-pocket" interests. She supported providing legal coverage to the accused Councilmembers since they're working for the City. On another topic, she said the proposal to change density requirements in commercial zones is the most profound change since incorporation. She said everyone needs to know about this because it affects everyone.

Mr. Olander said the City Planning and Development Services Director, Joe Tovar will address this in the staff report. He added that there is some misinformation about the proposal because the City isn't proposing increased densities. The proposal is for increasing densities within existing commercial zones that are within 1,300 feet of Aurora Avenue North. This is a much smaller subset, he commented, and is not as radical as some assume.

(i) Terry Scott, Shoreline, discussed citizen concerns about development code changes. He encouraged the City to do a more deliberate process to engage the residents in those areas who are concerned about how all of this may impact residential areas bordering business zones.

(j) Gerty Colville, Shoreline, stated she has been a resident of Shoreline for 13 years. She said in the last year she has noticed a problem with people burning garbage in the Meridian Park Neighborhood. She said this is hazardous and a serious problem because she gets sick when she goes outside. She noted that there are toxins in burning garbage, which

causes cancer. She said she has complained to the City's Customer Response Team (CRT), the Shoreline Fire Department, and the Puget Sound Clean Air Agency. She asked the Council for their assistance and appreciated Deputy Mayor Fimia's telephone call.

Deputy Mayor Fimia added that she also has seen smoke coming from the 175th Avenue North and Meridian Avenue North area.

Mr. Olander said the City staff is in contact with the clean air agency on this issue.

(k) Tom Dunnihoo, Shoreline commented that the City needs to ensure contractors put their patches in correctly on 15th Avenue NE. He said there are at least 15 patches that you can feel significantly if you drive over them. Next, he said the changing density along Aurora Avenue North and Ballinger Way sounds like someone wants to do major development without going through the proper means. He asked the City staff and Council to talk in "plain English" and not use acronyms when discussing information with the residents. He said there are too many problems in Shoreline's government, and someone needs to do something.

(l) Elaine Phelps, Shoreline, opposed Ms. Wacker's statements. She said a conspiracy is an allegation, and it has been denied by the accused. She said Ms. Wacker should have said it is her belief rather than stating it as a fact. She said Councilmembers shouldn't just admit guilt; innocent people must defend their name. The City has an obligation to ensure they are cleared or convicted, and to say they're guilty in advance is wrong. She felt that there are political issues that are being tried by the plaintiffs in the Council Chambers; the correct place to do that is in court. She urged the plaintiffs to dismiss the "frivolous" lawsuit.

Mr. Olander responded to Mr. Dunnihoo and he will check on the 15th Avenue NE patches.

Councilmember Way said there are strict rules on burning garbage and asked what tools the City has in place.

Mr. Olander said the Puget Sound Clean Air Agency should enforce burning restrictions because the smoke is hazardous. He added that the City is working with the Puget Sound Clean Air Agency.

6. APPROVAL OF THE AGENDA

Councilmember Hansen moved to approve the agenda. Councilmember Gustafson seconded the motion, which carried unanimously.

7. ACTION ITEMS: OTHER ORDINANCES, RESOLUTIONS, AND MOTIONS

- (a) Ordinance No. 478 amending the Shoreline Municipal Code Title 20.30.560 Categorical Exemptions, and 20.50.020(2) Densities and Dimensions for Residential Development in Nonresidential Zones

Mr. Olander stated that the Planning and Development Services Director, Joe Tovar and Planner II, Steve Szafran will provide the staff report.

Mr. Tovar noted that this item came to the Council from a recommendation from the Planning Commission. He said the Council discussed it at that time and there was a motion to approve and the resulting vote was a tie; thus there was no decision. He said the two items deal with revising the categorical exemptions under SEPA for small projects and residential densities in Community Business (CB) zones. He said the staff has prepared maps showing where the areas are, what the current zoning map says, and what the Comprehensive Plan says. He said people look to the zoning map to see what can be built; the Comprehensive Plan map shows the potential future land uses. These two items should be consistent under State law, however, some codes are not and we should make them consistent. He described the zoning map and said it displays where the CB zone density would be recalculated, which should be the same for the Regional Business zone. He said the numbers 1,300 has been mentioned by the public with this proposal and he explained what the lines reflect. There is a proposal from three properties to rezone their R-8 property to R-48, however, amendment #9 only applies to the designated areas where the Comprehensive Plan shows it is permitted. The Planning Commission recommended that areas that are already zoned CB within some distance of Aurora or Ballinger should have their density limits treated the same as the RB zones. He explained that this limited scope is recommended by the Planning Commission. The scale of this change is nowhere near what has been described in the letters sent to the City staff and the Planning Commission. He concluded that there are several biased concerns in the public and that the City is not proposing to rezone everything within 1,000 feet of Aurora Avenue and Ballinger Way.

Mr. Olander asked Mr. Tovar to point out what the options were for the Council. Mr. Tovar said the Council can approve it, deny it, continue it to a future Council meeting for more discussion, remand it back to the Planning Commission, have a public hearing, or hold a joint hearing. He noted that if it is remanded back to the Planning Commission it is helpful to provide direction.

Mayor Ransom asked what notice was given for the March/April hearing.

Mr. Tovar responded that legislative changes get published in the official newspaper of the City, posted on the notice boards at City Hall, and on the website. This is an amendment of the zoning code and is not a quasi-judicial rezone. However, the rezone to R-48 is a quasi-judicial rezone and it has been mailed to people within 500 feet of the rezone.

Mayor Ransom called for public comment.

(a) Ginger Botham, Shoreline, said she started attending meetings after she learned about a development proposal in her neighborhood. She said she got the R-48 notice in the mail. She said she sees how zoning and Comprehensive Plan changes happen and everything on each side of Aurora Avenue North and Ballinger Way is at risk. She commented that she is surprised this isn't going through the Comprehensive Plan process. She

said she wished there was a public hearing on this issue. She encouraged the public to write comments and give them to the City Clerk before the meeting ends.

(b) Lisa Twing, Shoreline, said she is frightened by rezone but is relieved by what she has heard at this meeting. She said she resides in the area in question and asked to have a more widespread public comment period. She said she would like to hear more about this and there needs to be more public meetings about this.

(c) LaNita Wacker, Shoreline, said the documents referring to the rezone specifically say this will occur in non-residential zones. She commented that this ordinance is technical because the zoning map already has certain zones and the Comprehensive Plan has permission for higher densities. The Comprehensive Plan has already gone through a thorough public process and this simply grants the authority on non-residential properties to have Mixed Use density. The City wants to have more density along Aurora. There needs to be affordable housing and more rentals. If these are built above businesses you can have more rentable units in that space. This has nothing to do with residential zones, she stated. She said that categorical exemptions have to do with raising the threshold for the size of storage units, etc. She commented that she is in favor of it. The City has sensitive areas protections in the law and these exemptions will speed up the protection process.

(d) Bill Bear, Shoreline, said he expects the Council to put interest of citizens above personal interests. He felt Councilmembers should recuse themselves from the vote if they have any direct or indirect financial involvement with any of the properties that are being discussed. He questioned the use of term "people" notified within 500 feet from a rezone. He explained that the definition of people should be human beings, not just property owners. The City has an obligation to inform everybody. He felt there is runoff that is creating an environmental impact on Lake Ballinger and Echo Lake. He commented that fish and people are dying and the City should consider what happens when density is increased.

(e) Bonnie Biery, Shoreline, said she lives within the affected area and wasn't provided any notification. She said in the past she has not received notice until after the meetings have occurred. She has lived in the same location for 42 years and has seen huge changes in density within 500 feet of her home. This, she commented, could be a dramatic change that is not needed at this time. She said she would like to see the undeveloped properties along Aurora Avenue developed before expanding the density. She inquired why the Comprehensive Plan takes precedence over the zoning map. She said she would prefer the one with the lowest density be accepted by the Council. She deduced that there will be higher traffic counts, noise, and crime and a reduced sense of personal safety and "community." The City's budget, she explained, can't support essential services once a development of this scale begins. She urged the Council to fully consider this item and suggested that they postpone their vote so public meetings can be held.

(f) Dennis Lee, Shoreline, said this item appears to be simple, but he has lots of concerns. He said he used to follow everything and there have been unintended consequences in this City and people are reacting to them now. He added that there is confusion, past unintended consequences, and mistrust. He said the residents don't know where the City is in

the Comprehensive Plan process. He suggested there be another thorough Comprehensive Plan review without any master plans or other confusing things added to it so it is a housing comprehensive plan review. Residents are not against apartments, but the City needs more affordable housing and ownership opportunities. He summarized that something is wrong with the process if there's this much opposition.

(g) Michelle Cable, said she is in favor of the amendment based on the Planning Commission recommendation. She said she is a commercial property owner, and prior to that she was a business owner. She commented that the development code amendment is a good change and it will result in no substantial changes in the cityscape because of public process. She said it is difficult for people to do projects in the City, and she just wants to do something positive for the community. She explained that the packet shows that the City needs more places for people to live, and there would be approximately 1,000 more units if this passed. At the June 11th City Council meeting, the Council discussed three concerns. The first concern was the amount of public involvement. The second was the availability of mass transit, and the third was the City's infrastructure capacity. She explained that these concerns have been addressed and the Planning Commission went through a six-month public process. She urged the Council to adopt the amendment.

(i) Brian McCulloch, Shoreline, said he is speaking at the request of his neighbors. He said they are concerned and have questions about growth. He commented that any City proposal this large should go through the same process that took place with the Aurora Project. He said this is not a technical change. Additionally, there may be a need to change the Comprehensive Plan, but the neighbors don't understand this and what changing the Comprehensive Plan would mean. He urged the Council to reject this and to instruct the Planning Commission to have more open public meetings on this to let the citizens know what is coming.

(j) Jim Abbott, Shoreline, highlighted that he is a long-time proponent of the Aurora Corridor process and is pleased at what he has seen with the project. He said there have been several residents, including some of the Council who, as a part of the Aurora Corridor process, discussed how the City could increase the units in Shoreline and have more housing available without having a significant impact on residential areas. He commented that he supports this item because it seems like a perfect place to increase unit count because it is close to transportation and commercial areas. The areas highlighted in the staff report are the best areas to do that. He added that there are some Councilmembers that support increased density along Aurora, and that's the way to go. He noted that he owns property across from Fred Meyer and it is a good example of what the staff is talking about. The property is zoned community business (CB) and it currently allows him to build a "box" on his property. The amendment, he explained, would only allow a change in the number of units he could put in that "box." Currently, he said, the code allows 15 units on his property and if the amendment is adopted he can add an addition 10 on the same property.

(k) Doug Paris, Shoreline, considered this to be a "transformation of government that exists for the benefit of the community, to a community that exists for the benefit of government." He said the way to cover budget shortfalls is to increase the tax base by

bringing in more taxable development. However, he felt there needs to be a greater understanding of GMA and the critical areas ordinance and the way we use land in Washington. This process occurs by going into rural communities and stealing development rights and bestowing benefits on special interests in terms of the density that people don't want, he said. He said there is a market approach in America that has now changed into a centralized government planning approach that was pioneered in countries like Romania, Bulgaria, East Germany, Yugoslavia, Hungary, and Russia. This approach will give us communities like those in Singapore and Havana. He felt that higher densities mean poorer quality of life and is anti-freedom, anti-American, and immoral. He concluded his comments by stating that he supported Martin Luther King, Jr., and said that he stood for equality, not diversity, and the two are not the same.

(l) Wendy DiPeso, Shoreline, said in the past the City didn't engage public process for cottage housing and the first mile of the Aurora Project. She added that the process for Phase 2 & 3 is positive and the residents don't need to be afraid of it. She added that when public process is done with the affected stakeholders, there is participation as equal partners. This produces a better outcome than what a small group making all the decisions would produce. Questions about the potential impacts need to be answered through a public process so people can air concerns and get educated. She felt increased density and mixed use can be positive through correct design.

(m) Joe Ripley, Shoreline, stated that he is more confused now than before the meeting started. He doesn't understand why the zoning map is different from the Comprehensive Plan, and that the proposal sounds like rezoning CB into RB. He said he isn't opposed to it, just uncertain and confused. He said he would like to see new maps showing RB and CB zones and the 1,000 – 1,300 foot lines shown. He asked how this proposal would affect or be impacted by what is occurring in Lake Forest Park in terms of Ballinger Way. He concluded that he doesn't want radical changes to the residential, single-family nature of Shoreline and suggested the Council table this item for further review.

(n) Jim DiPeso, Shoreline, felt that more deliberation on this issue is warranted. He said there are concerns about the implications of these changes and the residents need to better understand some of them. Having walkable communities is a fine thing, but moving more residents into these areas doesn't mean transit will be used. He encouraged more deliberation and more understanding of some of the issues, then the Council can proceed in the best interest of the community.

(o) Richard Tinsley, Shoreline, expressed concerns about easing SEPA regulations. He said this item needs more review and a wider audience. He urged the City to notify people and table this item for further public discussion.

Mr. Tovar commented that the City isn't looking at 205th Avenue NE because there isn't any RB or CB zoning there. He clarified that state law requires the Comprehensive Plan to be different from the zoning, and that the zoning takes precedence. Regarding the SEPA threshold, he said the SEPA exemption for all new residential structures in the City is four. Additionally, the commercial threshold for new commercial structures is up to 4,000 s.f.

However, the Planning Commission recommends raising the threshold for residential structures up to 20 dwelling units and up to 12,000 s.f. for commercial structures. He highlighted that all of these were the requirements the City had in place before the formation of surface water regulations and clearing/grading standards. The Planning Commission concluded that the SEPA thresholds are too low for these. Additionally, since this is already being regulated it is redundant and adds cost to smaller projects.

Mr. Olander added that when the City first incorporated the SEPA was used, but Council has adopted more detailed regulatory controls such as the stormwater manual, clearing and grading permits, environmental runoff regulations, and the critical areas ordinances. All of these much more detailed regulations have replaced the need for the more generalized SEPA review.

Mayor Ransom asked the Assistant City Attorney to clarify why Councilmember McGlashan is not required to recuse himself from this item.

Flannary Collins, Assistant City Attorney explained that there is no appearance of fairness issue on legislative actions, as it would only apply to a quasi-judicial, site-specific rezone. She added that creating law is a legislative matter.

Councilmember Gustafson moved to adopt Ordinance 478 amending the Shoreline Municipal Code Title 20.30.560 Categorical Exemptions, and 20.50.020(2) Densities and Dimensions for Residential Development in Nonresidential Zones. Councilmember Hansen seconded the motion.

Councilmember Gustafson confirmed that this item is a recommendation of staff and the Planning Commission. He added that there have been two public hearings with the Planning Commission. He asked Mr. Tovar if there was any opposition to the amendments in the public hearings. Mr. Tovar responded that there was no opposition to this item.

Councilmember Gustafson said this involves the Growth Management Act (GMA) which requires the City of Shoreline to increase its density. He urged the public to listen to the presentation by Dan Burden from Walkable Communities, Inc. His proposal was that if the City needs to increase densities it should be done along the corridors which provide walking, bus, and bicycle transportation areas. He believed that an additional 600 - 1000 units is not that significant. The City needs affordable housing, he stated.

Deputy Mayor Fimia moved to substitute for the main motion that the Council direct staff to conduct a further public process as follows: "Schedule two additional Public Hearings regarding Amendment #5, Increase the SEPA Exemptions for minor new construction and Amendment #9 – Residential density in CB Zones within walking distance of transit and services along Aurora and Ballinger Way. These Hearings will be held by the City Council jointly with the Planning Commission, after which the Council will schedule final action on Ordinance #478. One meeting shall be held at a site in the Central Aurora Avenue area and one in the Ballinger Area. They should be scheduled to take place as soon as possible this fall." Councilmember Ryu seconded the motion.

Councilmember Hansen supported the original motion and stated it has been on the table for months. He added that state law requires that the zoning plan correspond to the Comprehensive Plan, and this item is a step in the right direction. He supported the staff recommendation.

Councilmember Way appreciated the public comment. She felt that the Council hasn't had a chance to discuss the substance of these proposals and she is opposed to reducing the use of SEPA. She felt the SEPA is the best tool for the public to be involved with the development impacts of their communities. She said the public has fewer rights without SEPA, as the SEPA appeal process alerts the City that there might be a significant issue. SEPA, she explained, is an opportunity for more information to be revealed about a potential development. She felt this issue is about consistency versus predictability and developers like to have predictability and SEPA allows the code to be more flexible.

Councilmember Way wished to add "for the staff to return with a process for Comprehensive Plan amendments" after "Ballinger Way" at the end of the first sentence.

Mr. Olander explained that the City has an annual Comprehensive Plan process which can be initiated by any citizen, Planning Commissioner, Councilmember, or City staff. He noted that the text was addressed last time but not the major map land use issues. He added that if the Council wants to re-address some of the land use issues in the Comprehensive Plan it's a significant multi-year work effort and rather than make a motion tonight it would be best to discuss it with the Planning Commission at the September joint meeting. If the conclusion is to go forward, the City staff will work out a process and a timeline.

Deputy Mayor Fimia asked the City staff if they could support the substitute motion.

Mr. Olander commented that there are good arguments on both sides. For example, the GMA promotes increasing density on corridors and Dan Burden, and the residents don't want densities in the residential neighborhoods, he said. However, there are still questions and confusion which has led to discomfort. He felt it wouldn't hurt to have additional time to talk about this and the City staff could support it, but it is a Council decision.

Councilmember Ryu said she is glad for the technical aspects of the SEPA process because it enforces her decision that more public input and an open public process is needed. She inquired about opposition at the Planning Commission level and how many public comments were in favor of this item.

Mr. Tovar responded that there were three people who spoke in favor of the item at the Planning Commission meeting.

Councilmember Ryu stated that three doesn't represent a huge outpouring of public engagement. Now people are expressing their concerns and there is a need for more public process. There are lots of questions and discomfort in the City. She stated she would appreciate broader participation and felt it will be in the best interest of the community.

Mayor Ransom highlighted that there were two public hearings on this item and only a couple people participated. He pointed out that the Planning Commission supported it and it is obvious that there is public concern. He agreed that the Council needs to hear it further and he supported the substitute motion. He felt if the item is aired out and everyone works together, something will be drawn up that everyone will support.

Councilmember Way questioned how this item could be formed in the Comprehensive Plan if the Council embarked on that process.

Mr. Olander responded that it depends on the intent and what areas need to be amended. If amendments need to be done in the housing element, then the Council should wait until the committee work is done. If the intent is to amend the RB and CB zoning, the concerns should be specified and the scope of Comprehensive Plan amendments should be identified. He also suggested that the Council respect the Planning Commission process, adding that the Council can divide the question and vote on the issues separately.

Councilmember Way stated that the code amendments are tied to the Comprehensive Plan amendments. She asked how the City can inform the public about the Comprehensive Plan process.

Deputy Mayor Fimia commented that this process will reveal whether there needs to be Comprehensive Plan amendments or zoning changes within the Comprehensive Plan.

Councilmember Gustafson opposed the substitute motion, stating that the Council represents the community. He continued and said that the job of the Council is to study the issues, work with the City staff and the Planning Commission then move the issues forward. He concluded that there are times when the Council has the responsibility to make decisions and move forward.

A vote was taken on the substitute motion, which carried 4-2, with Councilmembers Hansen and Gustafson dissenting and Councilmember McGlashan abstaining.

RECESS

At 8:56 p.m., Mayor Ransom called for a five minute recess. Mayor Ransom reconvened the meeting at 9:08 p.m.

Deputy Mayor Fimia moved to direct staff as follows: "To include on the next Joint Council/Planning Commission agenda a discussion of techniques to better alert and engage the public in the review and comment on legislative amendments to the development code, including both map and text amendments. The Council asks that the Staff and the Planning Commission present a summary of the methods used to date and a list of possible additional methods to increase the public's awareness, understanding of and participation in the City's land use policy-making process." Councilmember Way seconded the motion.

Deputy Mayor Fimia said the motion that was just passed was an acute issue, but we have more systemic issue. She felt there are enormous challenges and possibilities and this motion would be a discussion at the next joint meeting concerning the City's public process around this planning process.

Mr. Olander said a quasi-judicial issue is fairly simple, as notices are mailed to property owners and people within a certain distance. However, that isn't done when there are legislative issues. The City staff relies on the Planning Commission and general notice. However, these do impact people and it is hard to get notice out to the residents. He felt it is worthwhile to have a discussion.

A vote was taken on the motion, which carried 4-1, with Councilmember Gustafson dissenting and Councilmembers McGlashan and Hansen abstaining.

(b) Contract Amendment for Legal Services

Flannary Collins, Assistant City Attorney, provided background and staff report details on the proposal to approve an amendment to the 2006-2007 contract with Foster Pepper PLLC for an additional \$171,000 to bring the new total contract amount to \$341,000. She reminded the Council that the only Councilmembers that can vote are those who are not named in the lawsuit, and that the City staff recommends approval of the item.

Mayor Ransom asked if this amount includes legal defense of the City.

Mr. Olander responded that it did not, since the defense of the City will be done by the City Attorney. He added that there is a fairly strong precedent when cities act as the insurer. The City has an enhanced obligation to provide defense and must act in a role of an insurance company to pay those bills. He additionally suggested that the Council postpone item 8(a) and add it to the August 27 agenda.

There was Council consensus to postpone Item 8(a), 15th Avenue NE Roadway Configuration Options, until the August 27th City Council meeting.

Mayor Ransom called for public comment.

(a) Bronston Kenney, Shoreline, said there was a flyer sent out by Progress/Pro Shoreline that states "the worst of politics has been brought to Shoreline." He said the lawsuit alleging the illegal meeting is unfounded. He said he asked Pro Shoreline about their funding and didn't get an answer. He added that cottage housing was a giveaway to special interests to "bleed property values into the pockets of developers." He said Pro Shoreline should persuade its members to drop the lawsuit instead of sending out flyers. He felt Pro Shoreline has brought an appalling level of incivility into Shoreline. Councilmembers, he stated, need to be defended and the only reasonable course of action is to continue to fund their defense. He is confident that the court will find in favor of defendants.

(b) LaNita Wacker, Shoreline, reminded the Council that they are sworn to uphold the law and have a fiduciary responsibility to taxpayers. She questioned the original vote for the defendants which was for an amount not to exceed \$75,000 because there wasn't a quorum. That original amount was extended to \$120,000 and she questioned the administrative advance of \$50,000 without knowledge of Council. She said if the Council is an insurance body and the taxpayers' protector, they have a duty to cap this. She doesn't think one more cent should be spent on the defense. She commented that this issue will primarily rest on Councilmember Ryu who has campaigned on fiscal conservatism. However, tonight's vote will center upon whether or not she expends public tax dollars for her personal friends or whether she preserves public tax dollars for the citizens. She concluded that she has no viewpoint concerning the legal case and it will be decided by a judge and based on the points of law.

(c) Dan Thwing, Shoreline, implored the Council to vote for this and fund the defense. He said the Council has a fundamental right to political free speech and Councilmembers need to be defended. This issue needs to be determined in a court of law.

(d) Bill Will, Shoreline, said he has a personal and professional interest in this matter since he deals with open records meeting issues. He said there's a wide range of opinion and strong feelings on this matter. He urged everyone to remain civil. He opined that the City "shouldn't throw good money after bad" and the case should be ended. He has no doubt if this matter goes before a judge, the defendants will be found guilty of violating the Open Public Meetings Act (OPMA) and the state auditor will issue an audit report confirming it. Additionally, these cases rarely get decided at the district court level and always end up in the appeals court, then at the state supreme court level. Meanwhile, the legal tab runs higher and higher. He concluded that the defendants are not evil, and they don't deserve to have their names dragged through the dirt. The fact that they made a mistake means that they are human. They need to admit their mistake and the City needs to move on.

(e) Dennis Lee, Shoreline, said defense is required and it will be neat to see what happens afterward.

(f) Donna Eggen, Shoreline, felt the City should continue paying defense costs. She felt that the people who complain the most about the expense are the people who brought the suit. She urged the plaintiffs to drop the suit.

(g) Bill Bear, Shoreline, commented that during his campaigning he is running into residents that say "What's the use?" He said they give examples like the vote against Safeco Field and note that when they vote against things, they occur anyway. He said when the lawsuit was brought by people who lost the election the message was "democracy's not working for us." He said the case is about democracy and so are open meetings. This lawsuit is about stopping the democratic process, he felt. He said the next step when this lawsuit is won by the defendants is to ask the court to reimburse court costs and legal fees.

(h) Kevin Grossman, Shoreline, said he is one of the plaintiffs. He agreed with previous speakers that this issue is about democracy, transparency, and integrity, but unfortunately it's not happening. He said the firing of former City Manager Burkett was done inappropriately and procedurally incorrect, and that the defendants acknowledged the illegality of the meetings in depositions. He said the defendants tried to hire Mr. Mauer, an unqualified, friend of Deputy Mayor Fimia, but then residents got upset and hundreds objected to the action. There was no apology or acknowledgement by the defendants that they had made a mistake. He said the defendants were so anxious to exert their new power that they circumvented their own Councilmembers, the public, and the City staff dozens of times. He concluded that it is time to treat this like any other City litigation instead of a "personal spending pot" for the four defendants.

(i) Stan Terry, Shoreline, felt that the time has come to say "enough is enough." He said this has already cost taxpayers far more than estimated, whether the violation was intentional or unintentional. If there isn't a violation found, then there was a violation of the intent and spirit of the OPMA. The purpose of the OPMA is to provide transparency, and this was a secret attempt to take action which has already cost far too much. He felt that it is time for the plaintiffs to plead guilty, apologize, and pay fine.

(j) Carol Solle, Shoreline, said the Pro Shoreline flyer alleges there were illegal actions by Mayor Ransom and Deputy Mayor Fimia and asked what was untrue about it. She said the residents have a duty to learn the truth and make decisions based on fact and not on "sound bytes." She said the defendants took action in the firing of Mr. Burkett without informing others. An attorney-negotiated agreement and Deputy Mayor Fimia's deposition shows her knowledge of the OPMA violation, she stated. She said Deputy Mayor Fimia feared that procedural action might prevent them from putting Mr. Burkett's termination on the meeting agenda.

(k) Steve Dunn, Shoreline, stated that he was contacted by both sides of this issue and it is sad it has come to this. If this goes to trial he thought the defendants should be defended. He preferred that both parties come to a settlement instead of going through court. He said he has given some funds to Pro Shoreline, but is not a "crony." He urged the parties to save \$170,000 by settling. He discussed the growth issue, stating that people have been given six months to say "yes" or "no" and it seems like a waste of time to postpone anymore. He hoped the parties in the lawsuit find a way to work it out.

(l) Judy Allen, Shoreline, asked the City Manager about the definition of the term "not to exceed." She said she has read all the depositions and everything is clearly documented. She has read the oaths of office for the defendants, and it is the taxpayer's money that's being squandered. Public funds and trust are precious commodities and the defendants have ruined both. She noted that Deputy Mayor Fimia and Mayor Ransom are seeking reelection, and she hopes voters hold them accountable.

(m) Virginia Paulsen, Shoreline, said the lawsuit was brought by three former Councilmembers who are all current members of Pro Shoreline. There were two other lawsuits brought against Deputy Mayor Fimia -- one was a public records lawsuit, which was

dismissed without merit, and another was a recall petition, which was dropped. She said these highly questionable lawsuits are costing the City of Shoreline hundreds of thousands in legal fees and are motivated by political revenge. The citizens elected Fimia, Ryu and Way because they were greatly dissatisfied with those they voted out of office. Council members are entitled to defense, and the City of Shoreline and the citizens of Shoreline must pay the legal fees. However, it could have been avoided if Pro Shoreline didn't bring suit. She urged the plaintiffs to cease and desist legal harassment and respect the will of the majority of the Shoreline citizens who elected them.

(n) Joe Ripley, Shoreline, said it is a political case and the losers are now suing the winners. He said this is a matter of principle and there may or may not have been a minor infraction of some obscure law, with no on-going breaking of the rules. However, the main question is "Will the City defend Councilmembers?" This is precedent-setting, and if the City refuses to defend them, no City Council will be safe from lawsuits. He warned the four that are voting that they could be sued next. He compared this to the Aurora Project and said the City had to spend more to get the first mile done. The City is facing Aurora Phase 2 and is still going forward, which is what needs to happen in this lawsuit case. He said this lawsuit should be funded until it is settled or dropped. He felt the plaintiffs should be charged for the court costs if they lose.

(o) Christa Tenney, Shoreline, said she is concerned and deeply disappointed. She said she has read the depositions and it seems the defendants decided to circumvent the process. She added that she has known Deputy Mayor Fimia for many years and felt she was person of integrity, but doesn't feel that way anymore. She said all of us care deeply about City and a process should have been followed. She inquired if the defendants would have done it the same way if they could go back. She commented that this is taking money away from the City that they claim to care so much about. She concluded that the agenda needs to accurately represent how much time the Council spends on public process.

MEETING EXTENSION

At 10:00 p.m., Councilmember Hansen moved to extend the meeting until 11:00 p.m. Councilmember Ryu seconded the motion, which carried 7-0.

(p) Wendy DiPeso, Shoreline, said this case represents a difference in interpretation of the law. She commented that if you have more than four Councilmembers meet together it is a quorum and constitutes meeting. If the court decides that a serial meeting constitutes a violation, it will frustrate the system and it will not be good for process. She added that the lawsuit sounds "outlandish" and the depositions show this is frivolous. She said this lawsuit shows who can benefit from undermining the integrity of the defendants. She highlighted that the City has an obligation to support the continuing financial burden. She noted that the plaintiffs walked away from the negotiation table. This, she added, is key to knowing if this is all about the money. Lastly, she determined that the inclusion of the City in the lawsuit means that the plaintiff's legal fees would be paid by the City.

(q) Richard Tinsley, Shoreline, commented that he hated politics and the best we can hope for is to get someone elected who really represents people. He said everyone outside this case seems to know if the defendants are innocent or guilty, except for him. He said the actions that the defendants are accused of are similar to the actions taken against the first City Manager when Connie King was the Mayor. This reminds him of "down and dirty, nasty politics." He urged the plaintiffs to withdraw their lawsuit. If not, defendants must have their day in court and City must provide defense.

(r) Nancy Morris, Shoreline, felt the City has an obligation to continue legal funding and the plaintiffs should withdraw their lawsuit. She suggested the funds saved could be donated to the YMCA, but this is a political battle, she said. She felt the Councilmembers have a great deal of integrity and have acted with utmost restraint and have not exhibited any kind of ill behavior that the plaintiffs have. She hoped the Council can continue to lead Shoreline into the future.

(s) Noreen Federow, Shoreline, said there are a lot of people at this meeting and a lot of involvement. She agreed with the previous speaker and said this has gone from a disagreement to a strategy to "line the pockets of lawyers." She stated that it is very sad and the only positive thing is that it's waking people up. Whatever the defendants did, they have been showing a lot of caring, listening, and concern. She added that a thing like this only tarnishes the pool of future Council candidates because they would be reluctant to run for Council. She highlighted that it is better to pay the fine and say you're doing it because you love Shoreline because the funds can be used on other important things.

(t) Elaine Phelps, Shoreline, said there are dedicated Councilmembers here who give up family life to do this job. She said they are like volunteers. She commented that three Councilmembers who can't vote are the defendants, and three of the other four who get to vote are either supported by, members of, or support Pro Shoreline. What kind of integrity are they going to display tonight with their vote when members of Pro Shoreline have brought the lawsuit? She added that something else besides paying the fine will save the City, and that is to drop the lawsuit. She challenged the remaining Councilmembers to do the ethical thing and fund this defense. She feared what kind of precedence this will create if the lawsuit wins.

Councilmember Gustafson submitted that former Councilmember Scott Jepsen is not a plaintiff in this lawsuit. He added that Connie King, Kevin Grossman, or any of the three Councilmembers currently sitting on the Council are not members of Pro Shoreline. He also stated that Connie King never lost a Shoreline election, and Mr. Grossman did lose his seat to Fimia two years prior to this lawsuit.

Councilmember Ryu said the speakers referred to depositions and referred to a conspiracy. She also said there was a mentioned of her name. She asked that the deposition by Steve Burkett be read for the record.

Mr. Olander responded that he cannot verify this is in a deposition and the public can read it.

Councilmember Ryu said Mr. Burkett said he had a severance package in Tallahassee and that the severance package he got from Shoreline wasn't the first time it had occurred.

Deputy Mayor Fimia clarified that there was an allegation made that she had a discussion with three other Councilmembers about Burkett's resignation. She added that three of the Councilmembers are on record in supporting the City Manager removal since November 3, 2004. Therefore, there was no need to have the same discussions a year later. She said they called the Washington Cities Insurance Authority (WCIA) after Councilmember Way was sworn in. She also said Mr. Burkett's contract was up for renewal and the four Councilmembers didn't want to renew it. Once Councilmember Ryu and Councilmember Way won their seats, his review date was moved up by Mayor Hansen. Councilmember Way could take office immediately so there was no timing issue. She commented that the plaintiffs are now at a point where they want the defendants to cover their own legal costs, therefore, the new lawyers named the City in the suit as of August. There was no evidence concerning the most recent case, so the plaintiffs pulled in another meeting from 2004. She said the plaintiffs walked away from table and she asked last week if she could pay \$100 and not admit any guilt. She was told that it couldn't be done legally. She concluded that she will not say that she broke the law and it is regrettable this entire lawsuit was initiated.

Mayor Ransom disagreed with Mr. Grossman's statement that the illegal meetings were acknowledged in the depositions. He denied any guilt and noted that they had legal council throughout. He reminded the Council that any lawsuit can be brought against any Councilmember, so he encouraged the voting Councilmembers to consider that in their actions tonight.

Councilmember McGlashan said he received training on the Open Public Meeting Act (OPMA) from the Association of Washington Cities (AWC), and the safest way to circumvent the OPMA is by using the phone. He added that all seven Councilmembers can get together and talk about anything as long as they are not discussing City business.

Councilmember Ryu moved approval of an amendment to the 2006 – 2007 Contract with Foster Pepper, PLLC for general litigation in the amount of \$171,700 increasing the new not-to-exceed amount to \$341,700.

Ms. Collins reminded the Council that the three defendants cannot vote on the motion.

Deputy Mayor Fimia asked what would happen if this item did not pass. Ms. Collins stated that it would be up to Foster Pepper to continue providing legal defense and it would either be paid by the four defendants or by them.

Councilmember Ryu said the City has a duty to three Councilmembers and a former Councilmember in this case. She asked about the legal impact on the City if the City breaches the contract and refuses to pay for legal defense.

Mr. Olander stated that this topic moves into executive session material, which cannot be discussed in a public meeting.

Councilmember Hansen moved to postpone action on this item until September 4. Councilmember Gustafson seconded the motion.

Councilmember Hansen felt there was more information given out at the meeting that should be reviewed. He added that the executive session needs to happen prior to a decision. He felt the taxpayers have been asked to pay too much, and there are legal ramifications that have to be considered. He concluded that after the executive session discussions a decision can be made.

Councilmember McGlashan added that he has fifteen questions concerning this item and they need to be answered before he votes.

Mr. Olander questioned Ms. Collins if the full Council can vote to postpone this item. She responded that all of them can vote concerning an extension as it was done earlier this year.

A vote was taken on the motion to postpone action on this item until the City Council meeting of September 4, 2007. The motion carried 4-3, with Deputy Mayor Fimia and Councilmembers Ryu and Way dissenting.

Deputy Mayor Fimia asked whether the defendants could have used the City Attorney's Office if the City had been named in the lawsuit originally. Ms. Collins responded that she and City Attorney Ian Sievers are conflicted out of the case because they are named as witnesses. Unfortunately, she added, the City would also have to retain outside counsel if brought into the case.

8. ADJOURNMENT

At 10:44 p.m. Mayor Ransom declared the meeting adjourned.

Scott Passey, City Clerk

CITY OF SHORELINE
SHORELINE CITY COUNCIL
SUMMARY MINUTES OF BUSINESS MEETING

Monday, August 27, 2007 - 7:30 p.m.
Shoreline Conference Center
Mt. Rainier Room

PRESENT: Mayor Ransom, Deputy Mayor Fimia, Councilmember Hansen,
Councilmember McGlashan, Councilmember Ryu, and Councilmember
Way

ABSENT: Councilmember Gustafson

1. CALL TO ORDER

Mayor Ransom called the meeting to order at 7:36 p.m.

2. FLAG SALUTE/ROLL CALL

Mayor Ransom led the flag salute. Upon roll call by the City Clerk, all Councilmembers were present with the exception of Councilmember Gustafson.

**Councilmember Hansen moved to excuse Councilmember Gustafson.
Councilmember McGlashan seconded the motion, which carried 6-0.**

3. REPORT OF THE CITY MANAGER

Bob Olander, City Manager, announced that the City will have new banners on the light poles along Aurora Avenue and Interurban Trail to celebrate the revitalization of Aurora Avenue and Interurban Park. These banners were funded by the City's 1% for dedicated art project. He commented that the turf at Shoreline Fields A & B looks and feels great and continues to perform very well. Additionally, field use revenues this year have increased \$139,000. He said that is well beyond the City's expectations and has reduced some of the maintenance costs. He noted that the Dayton Avenue N project is underway, and the walkway on 25th Avenue NE is two-thirds complete; the contractor is scheduled to finish this project at the beginning of September. The 2007 slurry seal program is completed. As a reminder, City offices will be closed September 3, 2007 in observance of Labor Day, and the next City Council meeting will be held on Tuesday, September 4th. There will be a Ridgecrest Vision Update on September 10 which will focus on the sustainable development of the Ridgecrest commercial neighborhood in the vicinity of 5th Avenue NE and NE 165th Street.

4. REPORTS OF BOARDS AND COMMISSIONS

Councilmember Ryu said Seashore did not meet in August but will meet in September. She asked the Council to give her or Mayor Ransom any comments or suggestions.

Mayor Ransom said the Jail Advisory Group (JAG) met in August and they are exploring options on whether or not to create a municipal jail in King County. These options will be brought to the Council some time in September or October. A key factor in the Council's decision is what the City of Seattle will do; either join the JAG or go its own way. Currently, the City of Seattle has 440 beds, and it will make a big difference whether or not they join the group.

5. GENERAL PUBLIC COMMENT

(a) Vicki Westberg, Shoreline, commented that the current Council is a "breath of fresh air." She said the previous Council based their decisions on money and ego and didn't properly discuss items with the stakeholders. It was a period characterized by having a premature end to public comment by citizens at large, the stifling of applause, having a 20 minute total public comment period, and the stifling of fellow Council members. She said to return to a system of repressive rule is wrong.

(b) LaNita Wacker, Shoreline, thanked everyone in the City who did not vote for her, noting that she entered the race to give the public a choice. This is a good thing, she commented, because she isn't responsible for what happens in the future. She came in third in the primary, and "the voters have spoken." She said she has been compelled to fight injustice and has been a nurturer and caregiver. There is a freedom to be absolved of responsibility; however, if she had been elected, she wanted to bring back a respect for the staff. She presented the Council with candy as a metaphor for City staff – there is a hard outer shell, but underneath is a vulnerable soft center, just like human beings.

(c) Bronston Kenney, Shoreline, commented on the Open Public Meetings Act lawsuit. He asked why the plaintiffs are willing to spend so much when there's so little to gain. He said Pro Shoreline supporters have an expectation of gaining back much more, but it will come at the expense of the rest of us. He urged the plaintiffs to "clear the air."

(d) Jacqueline Nilsson, Shoreline, discussed traffic on 180th Street NE between 15th Avenue and 10th Avenue. She said there is a pedestrian-dedicated walkway that is not marked, a school at the top of the hill, and people going to North City to shop and take the bus with no street lights. She highlighted that there is a five-story apartment (Arabella) there and traffic directed onto NE 180th Street NE. She asked the City to keep its promise to calm the traffic and protect the students in the area. The Arabella, she said, charges for parking, so many residents park on the street and hamper the crosswalk on 15th Avenue NE. Additionally, there is a proposal to build a six-story, 125-unit building. She inquired if the Council addressed the density in the area. She opposed any further development in the area, including the proposed six-story building.

(e) Virginia Paulsen, Shoreline, thanked the Council and City staff for the opportunity to review the plans for a new City Hall. She is concerned that the podium has been used as a place to conduct verbal “guillotine” of Councilmembers, which she finds highly inappropriate. She commented that past and present Pro Shoreline members and former Councilmembers should identify themselves so the City can understand their backgrounds. She supported the continued legal funding.

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(f) Joseph Fugate, Shoreline, said there has been a crash of the world financial system for some time and there has been speculation that it has flooded the mortgage market. The current system is finished, he said, and will never recover in its present form. This is systemic and is not caused by the mortgage market, but it will cause the downfall of our citizens’ livelihoods. Counties and cities are faced with a serious problem. There is a national breakdown which will decimate large sections of the population. He added that the City must act to pass local legislation for federal government to step in. He concluded that this has been done before and the City must become the chorus to lead that solution forward.

(g) Nancy Morris, Shoreline, said people should focus on the positive changes that have occurred in Shoreline with Deputy Mayor Fimia, Councilmember Way, and Councilmember Ryu in office. She commented that they have taken a great deal of time to listen to people and the City staff. They have allowed for greater public input and more openness in the decision-making process. Progress made that has been specific to these Councilmembers have been the Parks bond, the City’s Economic Development strategy, the enhanced Critical Areas Ordinance, the Aurora Corridor, and the committee to start a Comprehensive Housing Strategy. These Councilmembers deserve a great deal more support from the City. She asked residents to read the brochure called “Creating an Environmentally Sustainable Community.”

(h) Dennis Lee, Shoreline, said he tries to sign up late to speak to counteract the vitriol that comes from the podium. Regarding the jail issue, he said there used to be a North Rehabilitation Facility (NRF) in Briarcrest which was located on some of the Fircrest property. He expressed concern because every jurisdiction is looking to build more jails. The NRF facility had non-violent prisoners and was very successful. He noted that it is cost-effective to rehabilitate people and it is nice to have a more creative process so we can do something to solve the problems in our society.

(i) Gretchen Atkinson, Shoreline, said she belongs to a volkspport walking club and they have a 6K and 11K events scheduled on September 3rd on the Interurban Trail. They both begin at the Senior Center. She said both of the events begin at 8:00 a.m. and she invited the public to join the club. The group expects nearly 300 walkers that day. She commented that the trail is “gorgeous.”

(j) Wendy DiPeso, Shoreline, said she attended the Puget Sound Regional Council (PRSC) presentation on Vision 2040. She noted that they talked about collaboration, environmental needs, housing, employment, and it all sounded high-

mininded, but Deputy Mayor Fimia took time to read the details. She said the PSRC documentation shows that traffic congestion and delays continue to increase despite spending \$140 billion over 40 years. However, the PSRC representative maintained that stress on the transportation infrastructure would be reduced by changes in land use. She said the City needs to make land use changes anyway so that middle and lower income residents can afford to live here. She said there was no mention of bus rapid transit because it costs less, and the repair of SR520 and the Viaduct would be more attainable because the region wouldn't be putting so much money into other things. She appreciated Deputy Mayor Fimia for researching the issue and raising some important questions.

Mr. Olander responded that City staff will look into Ms. Nilsson's concerns about traffic on 180th. Regarding Mr. Lee's comments, he said in the recent past the City has had few options for jail alternatives; however, now they are looking at a whole range of treatment to include rehabilitation and work release.

6. APPROVAL OF THE AGENDA

Councilmember McGlashan suggested moving Item 8(a) to consent calendar. Mr. Olander said he would like to pull that item from the agenda based on some issues that have come up with KPG that need to be resolved.

Deputy Mayor Fimia moved approval of the agenda. Councilmember Hansen seconded the motion, which carried 6-0.

7. CONSENT CALENDAR

Deputy Mayor Fimia moved approval of the Consent Calendar. Councilmember Way seconded the motion, which carried unanimously, and the following items were approved:

- (a) **Minutes of Special Meeting of June 18, 2007**
Minutes of Business Meeting of June 25, 2007
Minutes of Study Session of July 2, 2007
Minutes of Business Meeting of July 9, 2007
Minutes of Workshop Dinner Meeting of July 23, 2007
Minutes of Business Meeting of July 23, 2007
Minutes of Special Meeting of August 13, 2007
- (b) **Approval of expenses and payroll as of August 14, 2007 in the amount of \$ 3,762,186.90**

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

- (a) Motion to Authorize the City Manager to Execute a Contract with KPG, Inc. for Design Services for the Aurora Corridor Project (N. 165th Street to N. 205th Street)

This item was removed from the agenda.

9. UNFINISHED BUSINESS

- (a) Motion to Adopt a Public Process for Consideration of Development Code Amendments (Ordinance No. 478) relating to SEPA Categorical Exemptions and Densities and Dimensions for Residential Development in Non-residential Zones

Mr. Olander noted that Planning and Development Services Director Joe Tovar suggested having a public workshop regarding this topic, which would be more of a dialogue with residents. This would allow the City staff to handle public concerns more closely and then hold the formal public hearing.

Mayor Ransom inquired if this would include the Ballinger Way area meeting.

Mr. Olander responded that these amendments do include the Ballinger area, so they would have to be properly notified of these meetings.

Councilmember Way commented that the residents in the Ballinger Way area might need encouragement to come out to the meetings. She suggested holding a workshop in their area.

Mr. Olander said the location of meetings is always questionable, however, the City staff can make a dedicated effort to inform the residents around Ballinger Way.

Mr. Tovar added that the City staff needs to let the whole community know about this and perhaps there should be notification printed in the *Currents* about both meetings.

Councilmember Ryu commented that the meetings will take place during school hours and maybe the City should post the notice at the schools. Mr. Olander said the City can also target the mail carrier routes.

Councilmember Way thought the businesses on Ballinger and Aurora need extra special attention.

Mr. Tovar said the City staff will locate and notify everyone that they can. He added that the Chamber of Commerce is another resource, noting that the area in question is already zoned commercial.

Deputy Mayor Fimia moved for the Council to direct the City staff to give notice of one public workshop and one joint public hearing of the City Council and Planning

Commission regarding Ordinance 478. Furthermore, the City staff is directed to present a final recommendation to the Council. Councilmember Ryu seconded the motion.

Deputy Mayor Fimia stated it is obvious that there was not a level of comfort with the public. She felt it would be better to have one workshop and one public hearing. She felt that a workshop would provide a more community-driven process.

Mayor Ransom called for public comment on this item.

(a) LaNita Wacker, Shoreline, felt that the issues should be divided because there are two separate questions. She said there is a misunderstanding on the Council because the Planning Commission recommendation as well as Ordinance No. 478 acknowledge that there are five properties that are already commercially zoned, and there are no changes to that. She said the confusion surrounding these amendments is emanating from the Council itself. Regarding Amendment #5, she said the Planning Commission simply stated that the City already has environmental protections in the code, so the SEPA checklist isn't needed. The Planning Commission made the recommendation based on the laws passed by the Council and these hearings are not necessary.

(b) Dennis Lee, Shoreline, said there was time when the public meeting process was ignored and citizens were ignored. He noted that the City staff, including Joe Tovar has done great job, but this issue seems to inflame a lot of residents. The perceived process is what matters, and it is important that the City struggles with process. He felt the SEPA issue should be separated out. When it concerns commercial property, the stakeholders are the whole City, not just the landholders. He urged the Council to take its time and hold the public process. He suggested that City staff talk at PTA meetings about land use and process. He said citizens are the City's biggest asset on how to handle the process.

(c) Pat Murray, Shoreline, said the Planning Commission tends to give more weight to developers and land owners. He asked that the playing field be leveled and said citizens should have same amount of time. Developers don't deserve anything more or less than we do, he commented.

Mayor Ransom said that even though developers went through the process, Councilmembers feel that they represent the residents, and about 100 people were either confused or concerned about this. Council voted to allow more public process because this involved their homes and livelihood. He added that the town center idea inflamed people in the past. He said the Council and the City staff need to communicate with the people, much like the process with the Aurora Corridor. He hoped this process would resolve the public's concerns.

Deputy Mayor Fimia remarked that there are about 20 amendments that came through the Planning Commission process to the City Council and all of them were adopted but three

because there were concerns. That, she stated, is the nature of the Council's job, not to "rubber stamp" everything. She commented that City staff has been adaptive to that and in regulating land use in a way that collects information in advance of the legislation. She said whenever a public process doesn't work for 70 - 80% of the City, the Council and the staff need to go back and review the process.

Councilmember McGlashan noted that there have already been two public hearings held by the Planning Commission on these amendments. He said not acting on this adds another meeting to their workload. Additionally, maybe the Council needs to discuss the continuation of the Planning Commission, because this devalues their contribution by asking them to deliberate more on an item for which they've already given a recommendation. He noted that the majority of the speakers at the Planning Commission spoke against Amendment #9, and they were up at the podium tonight saying they just heard about it today. He felt there were rumors circulating, and he hoped this helps the Planning Commission and the City staff. He commented that the City staff already has too many meetings to plan, attend, and facilitate.

Councilmember Ryu supported the amendment and said the City staff has heard the same voices ask for more time and input. She was also glad to see that they have been willing to work with Deputy Mayor Fimia on a schedule. She was interested in knowing if Councilmember McGlashan has heard if any Commissioners have complained about the process. She pointed out that the Planning Commission is appointed by the Council, and its job is to examine and screen land use issues for the Council. It is ultimately the Council's responsibility to make the final decision. She said she would be happy to have another screening body because not all these decisions were unanimous. She said three of the speakers were representing 2-3 parcels and their recommendation was based on a limited amount of public comment. She pointed out that the Council passes most of the Commission's recommendations.

Councilmember Way supported the amendment and said having two formats for the two meetings is fine as long as there is a good record of what is said at each meeting.

Mr. Olander thought that there was some misinformation in the public, and the workshop will assist the public in understanding the true impact of the amendments.

Mr. Tovar said the purpose of the workshop is two-way communication, and informed comment is even more useful to the City staff and the Planning Commission.

Staff confirmed for Councilmember Hansen that they do not object to the motion.

A vote was taken on the motion to direct the City staff to give notice of one public workshop and one joint public hearing of the City Council and Planning Commission regarding Ordinance No. 478, with a final staff recommendation to be presented to the Council. The motion carried 6-0.

(b) 15th Avenue NE Roadway Configuration Options

Mark Relph, Public Works Director and Jesus Sanchez, Public Works Operations Manager provided the staff presentation.

Mr. Relph said this item was discussed with the Council in May and at that time the Council asked staff to go back and look at concepts to come up with alternatives.

Mr. Sanchez said Rich Meredith, Traffic Engineer, presented an analysis of the behavior on 15th Avenue during May 2007 concerning vehicle accident data, driver behavior, traffic volumes, and public concerns that were raised. He also discussed a series of roadway configurations and options. Mr. Meredith stated that he looked at the area between 150th Avenue and 175th Avenue on 15th Avenue NE and attempted to come up with different configurations. He highlighted that Option #1A is the existing configuration which has one lane in each direction with a center turn lane. It accommodates bicycle lanes and the center lane facilitates making turns. It also mitigates multiple threats, which are a common accident pattern.

Option #2, he said, is a four-lane option with two lanes in each direction with no center turn lane or bicycle lanes. This allows for more traffic volume and bicycles sharing the travel lanes. Option #3A and #3B are variations of the four-lane configuration. The advantage of this option is that bicycles will share the travel lane and it features a center turn lane and center islands are also options. This configuration may need some intersection modification to facilitate right turns because of the narrow lanes the vehicles would turn into. Option #4A and #4B are three-lane options and the center lane is a through lane. In this configuration left turns could not be made. City staff, he said, is not recommending Options #3A, #3B, #4A, or #4B. Option #5 has four lanes with BAT lanes on the right. This option allows for bicycles to ride in the curb lane and accommodates buses and right turns. Ultimately, he felt this reduces the capacity of this option because all of the through traffic would be in one lane, including any turning vehicles and would slow traffic even more than what is currently there. Option #6 would require the City to purchase an 11-foot strip of right-of-way to accommodate the five lanes. The City staff felt the existing configuration can handle the traffic volumes, accommodates bicycle traffic, and still retain the safety benefits, but there is a need for traffic islands, restriping, and lane alignments.

Mayor Ransom called for public comment on this item.

(a) LaNita Wacker, Shoreline, said this issue has been before the City for eight years and the original design was for two through lanes and center turn lanes which was called the "road diet." Recently, according to Dan Burden's presentation "Walkable Communities," the road diet configuration is the safest and has the capacity equal to the four lane configuration. She said that this is not just about 159th to 170th; it extends beyond Perkins lane. The City needs a bike lane to go through North City to connect with 24th Avenue NE. She added that the City needs to be concerned about the Forest Hills condominiums and Lena's Café, because both need a center turn lane. She said Mr. Burden stated that lanes should be ten feet wide and must allow safe crossing. She added

that all multiple threats must be removed in this City and that a three lane configuration is a safer roadway. She commented that the Washington Cities Insurance Authority (WCIA) has a risk management group that looks at these things. She concluded that Tia Townsend was killed as a direct result of having a four-lane street.

(b) Gretchen Atkinson, Shoreline, said she was involved in the development of North City, noting that she attended 50 meetings with the North City and Ridgecrest neighborhoods. She said that mailers were sent out to 5,000 people and there were meetings that were attended by at least 150 people. She favored the three lane configuration because of the safety factor. She said the speed has dropped through that area and it makes it much safer. She urged the Council to keep the three lanes and extend it through the business district to enhance safety for all pedestrians.

(c) Charlotte Haines, Shoreline, asked why the Council is discussing changing the lanes on 15th Avenue NE. She said this decision was made almost four years ago and safety has increased. She noted that studies have shown that local residents are the main culprits of cut-through traffic. She added that additional stop signs and lights won't help. She inquired where the letters were that protested the change from four to three lanes on 155th and 185th. She asked why there was continued protest concerning the configuration on 15th Avenue and who keeps it going. She said the residents need to listen to the traffic engineers. She concluded that there is no need for more meetings and studies to prolong what has become a political issue.

(d) Sally Granger, Shoreline, read a Seattle-Post Intelligencer editorial concerning road diets. She said the City of Seattle is reducing the number of lanes on two new streets. National traffic engineering standards suggest that such configurations are considerably safer for pedestrians. She said she would have preferred a full three-lane configuration on Stone Way rather than the City listening to business concerns. She noted that the fears of having three lanes have been proven false elsewhere. The City of Seattle agrees that three lanes is preferred. She said she was an eyewitness to a vehicle-pedestrian accident in North City on August 1, which could have been prevented if there was a center lane.

(e) Virginia Paulsen, Shoreline, said she lives near 15th Avenue NE and said there has been an increase in traffic volume and speeds on 12th Avenue NE. She supported the motion by Deputy Mayor Fimia and was impressed by the discussion in the packet concerning the costs of each alternative. The pros and cons were clearly articulated, but she noticed there were no criteria for deciding among the six options. She commented that the City may want to think about expanded bus rapid transit and to facilitate bike use. Another option is to speed up traffic or to slow down traffic; this would vary depending on whether you drive or are a pedestrian. Furthermore, there could be an option to facilitate safety issues. She felt it is critical to establish criteria and priorities. Personally, she said she prefers an increase in bus rapid transit, and there is an issue concerning the safety of bicyclists and pedestrians. She added that she is glad for the pedestrian crossing lights along 15th Avenue which allow her to cross the streets.

(f) Dennis Heller, Shoreline, favored the staff recommendation and the existing street. He noted that the original recommendation came from the City staff in May and the Council is wasting time on this subject. He said this decision has no place in public policy and it is important that everyone look at who is supporting campaigns and where the donations are coming from. He said there seems to be no reason to debate an issue that should have been resolved a long time ago. He also said that he appreciates the fact that Councilmember Way said she'd never vote to take away bike lanes. He urged the Council to move on and do what the rest of the country is doing by supporting alternative transportation options.

(g) Loretta Schneider, Shoreline, said she has a copy of an extensive study that was done regarding the traffic on 15th Avenue NE. The 12-page study was submitted to the City Council in November 2006, which reflected that a three-lane configuration is safer with fewer injuries and traffic collisions. She highlighted that the City's traffic engineers reviewed the findings with the Council in May 2007. However, some Councilmembers decided that more studies were needed. The City's plan was to develop a pedestrian-friendly shopping area corridor with three lanes, she stated. However, she said four of the Council members decided that they wanted to have 15th Avenue NE changed to four lanes. The Door Store, she said, wants four lanes, yet they don't have any pedestrian customers. It is common knowledge that the Door Store is supporting the campaigns of Maggie Fimia and Terry Scott. However, the public should expect Councilmembers to vote responsibly, not based on what would be politically expedient. She said the City doesn't need more studies and meetings because safety should take precedence over everything else.

(h) Gary Batch, Shoreline, said he has lived and worked in North City for 28 years, and when the street was proposed to be changed from four to three lanes, he thought it was a dumb idea. However, he said he is wrong and it works well. He felt that the traffic flows much better, and he asked the Council to extend the three-lane configuration throughout North City. He said it should be re-stripped so there could be on-street parking for businesses and drivers can turn left on 180th Street.

(i) Dennis Lee, Shoreline, said he isn't proposing any changes to 15th Avenue NE. He discussed the history of this item. He stated that there were CPAC meetings when the City was incorporated, and North City was an interesting community issue because it has a steep slope on one side. However, the problem is that it turned into a business district which was isolated from the neighborhood. Therefore, the Door Store got caught in middle. He added that the only level piece of property that increased in density was an old house that was demolished. He commented that the process could have been a little slower, because densities were left out. He said now the Council is stuck with "blowback" from the business district, which wants to be isolated from the community and do their own thing.

(j) Chris Eggen, Shoreline, said he is a candidate for the City Council. He said that two years ago about 75 percent of the residents were upset with the 15th Avenue corridor, but now the average is about 50 percent. He said businesses get their customers

from traffic, and they are going to be alarmed if the number of lanes on the street in front of their establishment is going to be reduced. He said that he isn't saying the Council should wholeheartedly support these businesses, but he felt the Council should realize that those are jobs in our community. He said his opinion is that statistically the City doesn't have a firm conclusion about the safety statistics in Shoreline. He concluded that it is a good time to delay a decision, to collect more data, and figure out where the citizens stand on this.

(k) Pat Murray, Shoreline, commented on the last lane option and asked why the City can't purchase land on both sides of the road, because that would be fair to the property owners. He felt it would be safer for bikes to be on adjacent streets instead of in the traffic flow on 15th Avenue NE. He also stated that there aren't many pedestrians in the City of Shoreline to justify a three-lane configuration anywhere in this City. He also asked why property owners are penalized for graffiti. He said three lanes may be safer, but it increases cut-through traffic. There also need to be bus turnouts. He concluded that he has to cut through on side streets himself just to get home.

Mr. Relph stated that the three-lane configuration meets safety goals. He noted that he has only been with the City for six months and doesn't understand all the goals the City pursued from the beginning of the project. He highlighted that whatever option the Council decides upon, the City staff will have to monitor it. Even if the solution is the existing configuration, a discussion will need to take place on how it fits the City's goals. He said the City staff is ready to work with the Council and the public on this.

Mr. Olander pointed out that staff's recommendation is that three lanes with some enhancements is the best solution. He commented that he doesn't really think 15th Avenue NE is the issue. The issue is the cut-through traffic and speeding through them and that will continue regardless of the option. He said it exists on Aurora Avenue and studies found cut-through traffic shifted to I-5 and 175th. He added that even if the City goes back to four lanes, with growth, that capacity will get used up very quickly. He said Dan Burden commented that the City has a good grid system which can spread the impact around the community. The City needs to concentrate not on just 15th Avenue, but on what can be done throughout the community to accelerate and improve traffic calming measures. Additionally, new traffic signals will help with access to 15th Avenue.

Deputy Mayor Fimia moved to direct staff to schedule a town meeting regarding 15th Avenue NE in September for the purpose of presenting findings from the follow-up study, options, and recommended enhancements and for receiving input regarding effectiveness of existing and proposed changes and any remaining issues not addressed by the staff recommendations. The meeting should be held in the North City area. Besides the usual notification of meetings, notice should be given to area residents, businesses, City of Seattle, Metro, bicycling, and pedestrian organizations. Councilmember Ryu seconded the motion.

Deputy Mayor Fimia said she has received e-mails stating the street should revert back to four lanes and that speeding occurs often in the business district. She also outlined that

the collision rate is increasing and there are 25 percent more pedestrian collisions. She felt there is still angst on both sides and there is still cut-through traffic in the neighborhoods. She said she thought the Council asked the City staff to come back with a problem list, not solutions and mitigations. She said there is an incredible list of problems going on. She explained that because there is a lack of consensus, she isn't comfortable moving forward with this. The road diet, she said, might not make sense for the corridor. The Aurora process was good and it solved problems, so it should also work for 15th Avenue NE.

Councilmember Ryu concurred. She said the City needs to look at the long-term and the Puget Sound Regional Council states that arterial vehicle miles traveled in larger cities will increase by 53% by the year 2040. She said 15th Avenue NE is the only other arterial besides Aurora and I-5. She stated that the City needs to plan for the future now. She urged residents to give input based on the City's long-term vision and there should be discussion on what the City should look like in the future.

Councilmember Way commented that there was a Council decision two or three years ago and a plan was implemented. Now there is an outcome and North City is beautiful and attractive and people have enjoyed themselves in the four lane section, but we have a "mixed bag." There are opposing viewpoints and issues with side streets and the surrounding area. She agreed that the issue will be played out in the neighborhood and it shows people are assessing what has been done since the revitalization was completed. She felt that now is good time for the public to come back and do the due diligence again.

Councilmember Way asked if there are four lanes plus a center lane in Seattle. Mr. Meredith said he didn't know what the lane configuration was in Seattle. Councilmember Way said it would be useful to look at that. She inquired if he looked at options with a bus turnout. Mr. Meredith said he did, but there isn't enough existing right-of-way. Having bus turnout lanes would require property acquisition, he explained. Councilmember Way added that bus route turnouts are a high priority. She discussed the accident rates and inquired if Mr. Meredith looked at the accident rates of bicyclist and auto collisions. Mr. Meredith said there are some statistics, but he doesn't remember seeing a high number of bicyclist and auto collisions occurring. Councilmember Way also asked about how many cyclists are using the route. Mr. Meredith said that the data from October 2006 showed that 30 to 80 bicyclists were using the route per day. Councilmember Way asked about the accidents on side streets and how many involved pedestrians. Mr. Meredith responded that he did an overall area collision analysis and didn't break the information down specifically.

Councilmember Way replied that it is an important part of whatever outcome the City comes to because some people want traffic calming and some people are against it. She noted that it is useful to have some of that data. She remembered that there was discussion about four-way stops versus roundabouts and a lot of concern about them. She said she was in favor of the motion because the Council needs this opportunity to discuss this.

Councilmember McGlashan asked if there was a grant coming for the signal on N. 170th Street referred to on page 84. Mr. Meredith said there was. Councilmember McGlashan asked if there was a way to find out about pedestrian accidents and where they happened on that road. Mr. Meredith responded that the area of study was between 175th to 155th, south of the business district. Councilmember McGlashan asked if bicycle accidents were tracked separately. Mr. Meredith responded that the database that is maintained will separate pedestrian and bicycle accidents. Councilmember McGlashan confirmed that these figures are from 2006 and asked if there was any data for 2007. Mr. Meredith replied that the City does have the figures through June 2007.

Councilmember McGlashan did not support the motion and believed road diets are still the safest way to go and are proven nationally. He commented that the City of Seattle has taken some of their commuter routes and reduced them. He was glad to see more options, but the only options offering bike lanes are numbers 1 and 4. He said there are regional and local issues coming up in the future, but local issues need to be addressed now. He noted that residents would have to step into traffic to get their mail under the four-lane configuration. He also said he would do away with Option 6. He urged the Council not to consider options that return the multiple threat scenario or property-taking. The reports show increases in accidents, but there hasn't been one death since the re-stripping. He also highlighted that left-turn collisions have been cut in half and there has been a 23% reduction in injuries. He pointed out that there will be accidents and one of the increases is in rear-end accidents, either by people not paying attention or driving too close. He thinks there are criteria for choosing between the number of lanes, and the main objectives should be safety and risk to the City. The City knows now that road diets are safer and he felt if the road is returned to four lanes the City is at risk if there is a fatality. He supported three lanes from 145th to 205th. He felt that four lanes would provide for cut-through traffic to other cities. He also felt traffic along the North City business district is still unsafe. He felt that having additional meetings would be a waste of time.

Mayor Ransom stated that the City of Seattle has three lanes with bus turnouts and there is a very significant difference. He said the estimated volume of traffic being discussed is 17,000 cars per day on 15th Avenue NE, meanwhile at 175th Avenue the volume used to be 22,000 cars. This indicates how much volume there used to be. If the viaduct is demolished, he said it will back up Aurora Avenue and I-5 and could eventually increase the volume on 15th Avenue to 25,000 to 30,000 cars per day. This would be more than a three-lane configuration could handle. He noted that the move to three lanes has not significantly affected speeds. He said there is a need for bike routes that lead to the different parks, down 10th Street, and one to Lake Forest Park to the Burke-Gilman Trail. Now, there is only a one-mile bike lane and that doesn't make sense. He commented that based on the number of trips, the number of accidents is not significant. He understood that there are people complaining about getting out of their homes but said there are businesses, specifically the China Clipper, which closed their doors, and Demitri's, which bitterly complained that traffic congestion greatly decreased business. The Anderson House, he said, has 300 employees and 200 patients, and something needs to be done to help them with access. He noted that the owner said three lanes are better than four, but more is needed. He suggested moving the pedestrian light because the Anderson House

expects 50 percent growth in the future. The statistics quoted were from 2005, he noted, and he said he had over 140 calls favoring four lanes and 30 calls favoring three lanes. He commented that residents still favor four lanes but there isn't enough Council support for four lanes. There have been studies done over the past 4.5 years and he is willing to have a town hall meeting to hopefully get an update of public sentiment and resolve the polarization. He supported the motion.

MEETING EXTENSION

At 10:00 p.m., Deputy Mayor Fimia moved to extend the meeting to 10:15 p.m. Councilmember McGlashan seconded the motion, which carried 6-0.

Councilmember Hansen said he has just returned from a trip to England and felt they would be laughing at us over 15th Avenue. He noted that he drove a car for 775 miles on the roads in England for five days. He said after the first day he adjusted to their roadways. He highlighted that they have lots of roundabouts and they are wonderful. Dan Burden, he pointed out, talked about roundabouts. He said Mr. Burden discussed a road in Fort Lauderdale that had a roundabout installed 14 years ago that had an average of one death per year prior to its installation; since then there hasn't even been an automobile collision. Additionally, the volume prior to installing that roundabout was 40,000 vehicles, and it increased to 60,000. He said there needs to be some study north of the business district, and bike lanes need to be created. He commented that if Europe is any precursor, then bikes are part of the mix. He supported three lanes, but said he is not going to make a decision at this meeting.

Councilmember Ryu said it sounds like Councilmember McGlashan would advocate for a road diet on Richmond Beach Road. She said roundabouts can be wonderful in England, but check with the Highland Terrace residents and you may get another opinion. Shoreline residents are unique and are different from other streets and the residents deserve another chance for the Council to discuss and provide input.

Deputy Mayor Fimia said she would like to see the Council and public stop trying to formulate policy with a "take it or leave it" position. She added that this motion is not to go back to four lanes and it is not to take away bike lanes. She said it recognizes that there are still some outstanding issues, and if safety is the priority then there is work to do. That is what legislating is about and that's all the motion says. She stated that no one business or person should direct the process. The City has an outstanding staff that can create solutions for that corridor, she commented. She felt the City doesn't have a very good grid system.

A vote was taken on the motion, which carried 4-1, with Councilmember Hansen abstaining.

9. ADJOURNMENT

At 10:11 p.m., Mayor Ransom declared the meeting adjourned.

Scott Passey, City Clerk

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CITY OF SHORELINE
SHORELINE CITY COUNCIL
SUMMARY MINUTES OF SPECIAL MEETING

Tuesday, September 4, 2007 - 7:30 p.m.
Shoreline Conference Center
Mt. Rainier Room

PRESENT: Mayor Ransom, Deputy Mayor Fimia, Councilmember Gustafson,
Councilmember Hansen, Councilmember McGlashan, Councilmember
Ryu, and Councilmember Way.

ABSENT: None.

1. CALL TO ORDER

At 7:30 p.m., the meeting was called to order by Mayor Ransom, who presided.

2. FLAG SALUTE/ROLL CALL

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

3. CITY MANAGER'S REPORT AND FUTURE AGENDAS

Bob Olander, City Manager, reported on various events, to include past and future meetings. He announced that there will be another Ridgecrest Visioning Workshop meeting on September 10th and Richmond Beach Salt Water Park will be closed to the public on September 15th for a multi-agency response exercise all morning long. The next regular Planning Commission meeting is on September 6th at 7:00 p.m. in the Mt. Rainier Room. Finally, he said there will be a Child Seat Safety Fair at 2:00 p.m. on September 15th in the Fred Meyer parking lot.

4. COUNCIL REPORTS

Deputy Mayor Fimia wanted to add discussion item C, Puget Sound Regional Council Draft Vision 2040 and discuss questions she wants to forward with the Council. She said she will be submitting them and it is not for Council action.

Councilmember Hansen believed that this is not a proper discussion item and shouldn't be added to the agenda.

Councilmember Ryu stated that there may be more than three Councilmembers who may want to join Deputy Mayor Fimia in this and it is the appropriate forum.

Deputy Mayor Fimia moved to add a new item, 6(c) Puget Sound Regional Council (PRSC) Draft Vision 2040 to the agenda. Councilmember Ryu seconded the motion which carried 4-3, with Councilmembers Gustafson, Hansen, and McGlashan dissenting.

Councilmember Gustafson moved to approve the agenda as revised. Councilmember Ryu seconded the motion, which carried 7-0.

5. GENERAL PUBLIC COMMENT

(a) Bronston Kenney, Shoreline, discussed the Council lawsuit and said the people who brought the suit are complaining about the costs to the City. He added that the plaintiffs have nothing to gain, and the point of it is who will control the City -- its residents or the developers. He claimed that Pro Shoreline receives its funding from developers. People don't spend hundreds of thousands of dollars on a whim, he added. He felt that this is an assault against the City and it is politically motivated. He asked who was financing the Pro Shoreline campaign. He said dropping defense is a serious mistake, and the best course of action is a vigorous defense. He asked Pro Shoreline to urge the plaintiffs to drop the lawsuit. He noted the personal courage of Chris Eggen and Terry Scott for running for a Council seat.

(b) Dennis Heller, Shoreline, asked the Council to stop digging the City funds into a hole. This will cost another \$170,000. He wondered why they announced that they had fired Steve Burkett on December 12th. He said through a series of e-mails and secret meetings it was done when they could have done it out in the open and legally. He said it seemed to be an ego-driven "power play" that they were in control. He felt it was wrong and it was never in keeping with the intent of the Open Public Meetings Act. He added that over 600 residents attended the January 3rd meeting in protest and the four members made a mistake and the City is still footing the bill. He urged the Council to stop digging the hole.

(c) Dennis Lee, Shoreline, discussed land use process and said there are more rezones coming through in Briarcrest which will cause more fervor. These rezones, he said, will cause the residents in that area to either turn out or become apathetic and not care. The lack of turnout doesn't mean everything's fine, he said. He said it's the Council's job to change policy so there are large turnouts and the stakeholders are encouraged to join. He said there needs to be political solutions that are "outside the box."

(d) Nancy Morris, Shoreline, said that the legal defense costs aren't a waste of taxpayer money. She felt this funding takes care of situations that affect the City. She highlighted that current Councilmembers and those in the future will be at risk of future frivolous litigation if they are not represented. This can create a "chilling effect" on democracy as a whole, she said. The plaintiffs are in a position to drop the lawsuit for the

best of everyone. She noted that some of the comments she has heard already assume the Councilmembers are guilty, but that is wrong.

(e) LaNita Wacker, Shoreline, noted that at the last meeting she discussed the term "conspiracy." She defined "conspire" as "to plot or plan secretly" and commented that there was a secret plan on December 12, 2005. She said Councilmember Ryu commented that she had to get legal counsel and Councilmember McGlashan didn't because he wasn't a part of the secret plan. She added that a Mr. Will spoke from the podium and said matters are not settled at the trial court level. Furthermore, she said she has no opinion as to what a judge would rule is this lawsuit. She added that Mr. Will also said that the loser will appeal and take this all the way to appeals court. She also wanted to clarify what she said last week because she felt Councilmember Ryu twisted her words. She stated that she is not a party to the suit and doesn't know how the judge will rule.

(f) Wendy DiPeso, Shoreline, commented that the City has a repeating pattern of litigation on several topics such as cutting trees for views, cutting out stakeholders in Aurora Phase 1, and promoting cottage housing. When the citizens elected a new City Council, the pattern of intimidation didn't stop. Quoting a letter to the editor from the Enterprise, she said Hollinrake, Rasch, King, and Grossman have filed litigation over several of the issues. She added that Mr. Hollinrake has sued neighbors because of views. Mr. Rasch has also sued Innis Arden neighbors because of views so he could obtain the rights to cut trees. She said Kevin Grossman lost his Council seat to Deputy Mayor Fimia. She noted that she doesn't know what Connie King stands to gain. She urged the intimidation to stop. She sympathized with Councilmember Hansen, Councilmember Gustafson and Councilmember McGlashan and said a vote against representation would set a precedent for government by intimidation.

(g) Patricia Sumption, Seattle, wished the Council and the City of Shoreline could work things out in a better way. She said she doesn't know all of the facts in the case or the public disclosure act. She added that things that people think are facts may or may not be true. She urged the plaintiffs and the defendants to do some mediation rather than continue fighting. The fighting, she said, adds up into something huge and grows out of control. The citizens of Shoreline don't want the environment degraded and the digging in from both sides, she said. She commented that she is a defense attorney and a supporter of the Constitution, which states that people are innocent until proven guilty. She said the defendants have a right to prove their case.

(h) Rick Stephens, unincorporated Snohomish County and Shoreline property owner, agreed with the staff recommendation concerning the legal services contract. He felt it is the best option for the City and urged the Council to support the funding.

Mr. Olander suggested that the Council suspend Council rules and take comment on the legal defense item out of sequence.

Deputy Mayor Fimia moved to suspend Council rules and allow speakers on item 8(a). Councilmember Ryu seconded the motion, which carried 7-0.

(a) Dennis Lee, Shoreline, urged the Council to pass the motion.

(b) LaNita Wacker, Shoreline, urged the Council not to pass the motion and not to spend "one more cent." She added that the City didn't have funding in the Human Services budget for mental health and this is not a wise expenditure of tax dollars. She believed the actions that took place were outside the duties of the Councilmembers. She said the \$170,000 that has been spent exceeds the \$120,000 limit that was already set by the Council.

(c) Elaine Phelps, Shoreline, said Ms. Wacker believed certain things to be true and ran a campaign against one of the defendants in the primary. She added that Councilmember McGlashan allowed people to speak about Mr. Chang and has a conflict of interest that is clear. She said this isn't acceptable position for him to vote on whether or not Mr. Chang will be represented. Furthermore, she commented that Mr. Heller and his wife have been "digging a hole" in the community for years and this is the same pattern of accusations. She said that "not to exceed" meant not that the City will not exceed -- it means the attorneys are not to exceed that sum. She said there has been a total misreading of actions taken. She also added that there is no difference between conspiracy and conspire. She stated that there are repressive plaintiffs who have personal, political, and environmental reasons for attacking. She concluded that things will be dealt with in the elections. She urged people to stop using this forum to accuse people.

(d) Mary Jo Heller, Shoreline, said the recall did not fail; it was dropped partly for financial reasons. She added that Pro Shoreline has no monetary interest in this lawsuit. She commented that when citizens feel they have no recourse than to sue, expensive lawsuits are normally the result. However, that's the problem when citizens get involved, she added, they don't have the monetary resources that the Council has.

(e) Judy Allen, Shoreline, commented that Mr. Olander added an extra \$50,000 in March 2007 to the legal defense fund, and no one found out about it until July 2007. Now, the total amount is \$170,000 and she still doesn't know why this was done in secret. She wanted to know if this allocation gets approved to make the total amount \$341,700, and if Mr. Olander has approval authority for an additional \$50,000. This, would make the total for representation close to \$400,000, she pointed out. She said taxpayers are "writing the checks," and she estimated that this is going to cost the City \$750,000 before it's over. She commented that the 650 people who came to the January meeting knew the spirit of the law was broken and the Council should "clean up its act."

Mr. Olander said the City Manager has contingency authority for any contract of up to \$50,000, unless otherwise specified, which he exercises on a regular basis if within overall budget authority. He added that he doesn't always inform Councilmembers about that. He objected to Ms. Allen's allegation that he approved additional funding in secret. He added that this is a difficult issue, but one must look at this as a public policy issue. If

this was a lawsuit against any other Councilmember, City Manager, or a staff member, the City would recommend approval. The City staff can't presume guilt or innocence and can only recommended approval as a general matter.

Mayor Ransom asked City Attorney Ian Sievers to comment on a possible mediation. Mr. Olander suggested that the topic be discussed at the executive session.

Councilmember Gustafson commented that Ms. DiPeso said recall failed and he said it was withdrawn and can be brought back at any time. He assured those in attendance that Pro Shoreline does not have a stake in the lawsuit.

Deputy Mayor Fimia added that mediation was attempted and the plaintiffs walked away from the discussions. She added that the summary judgment request was denied due to a dispute of the facts, which are not clear-cut. She stated that the first act of the defendants was to consult with legal counsel.

Mayor Ransom added that the January 3rd meeting did have over 600 people in attendance, but the sentiment was pretty evenly divided. He said there were 75 speakers that were evenly divided. Councilmember Gustafson disagreed with this description of the event.

Councilmember Hansen said he didn't know who's financing the lawsuit, and he is not a member of Pro Shoreline.

6. STUDY ITEMS

(a) City Hall/Civic Center Guiding Principles and Site Configuration

Mr. Olander gave an update on the Civic Center/City Hall project. He introduced Jesus Sanchez, Public Works Operations Manager, who is also the City's overall project manager for the project. Also in attendance were P.J. Santos of OPUS Northwest, and Walt Nehoff from LMN Architects.

Mr. Santos stated that his firm is excited to be selected for this project. He discussed the history of the project, the guiding principles, site placement, and architecture. He explained the public outreach effort and noted that people were interested in the public places outside the building and having gathering spots. He said the public expressed a preference for a building that has civic quality and sense, and the building needs to be useable to the residents at night. Residents are also interested in sustainability and ensuring the building has a long life-cycle. These principles led to the West "L" concept and the building having a connection to a heritage park. This configuration allows for a strong civic statement, he said, and it also has an open space area on the north side. Regarding parking options, he said the public consensus was that single-level parking was not ideal and that there should be a two-level parking structure.

Mr. Olander added that surface parking would take up the whole site and moving the parking structure onto the Kimm property would create more green space for a plaza and any future growth. He said there was a strong sense in the public meetings that structured parking was preferred, and the Council gave direction to the City staff to explore it.

Mr. Santos said there is an opportunity for a campus feel and a "living room" center as things develop over the next ten to fifteen years.

Mr. Sanchez added that it provides opportunities for polishing water and the green space can be used to treat water before it enters streams.

Mr. Olander commented that the City is considering a four-story building with a height limit of 65 feet with approximately 66,000 square feet and some growth space with a two-story parking structure. This provides more flexibility and sets an example for future development along Midvale Avenue N. He commented that the City staff is asking the Council if the general design direction and schematics meet their approval.

Mr. Sanchez added that the staff is seeking Council direction and believe Concept #3, the West "L", is optimal because it is fully accepted by the community and embraces the corner. He believed that the structured parking is a sound direction to follow. The guiding principles are the driver for where the City is headed, he said. Finally, he stated that the cost options for growth space assumptions consist of a modest addition of 10,000 square feet of space. He said this addition would be prudent and will be built into the project with Council approval.

Mayor Ransom called for public comment. There was no one wishing to provide comment on this item.

Councilmember Way urged the staff to get the public involved. She hoped the staff could put the graphics in a mailer and get the guiding principles out to the public. Maybe, she added, the information could be put into the Enterprise; however, the circulation is not very good.

Mr. Olander pointed out that it was too late to get this information into the September issue of the *Currents*, but it could be put into the next one. He added that this information gets put on the City web site. It will be good for people to react to schematics and the City staff will continue to involve the public, he said.

Mr. Sanchez announced that there is a public meeting at Meridian Elementary School on October 2 concerning the schematics of the project.

Councilmember Way asked the public to please come out and comment on design and costs. She said she would support structured parking if that's what the residents want.

Councilmember Hansen expressed support for the guiding principles, adding that his immediate reaction to the proposal and structured parking is positive.

Councilmember Ryu appreciated the staff work and supported Option 3. She said the two-story structured parking gives the City more options in the next phase. She is amazed at what the City staff and consultants came up with. She said the October 2 meeting is important and asked the public to attend and speak at the meeting.

Councilmember Gustafson agreed with the previous Council comments. He suggested putting four or five of the main principles at the top of the list, noting that some principles are listed over and over. If the main principles are put at the top, then the others become more concise and easier to read. He agreed with the "West L" concept and structured parking. He also added that Deputy Mayor Fimia's idea of a walkway canopy is a good one.

Councilmember McGlashan supported the "West L" concept and the structured parking plan. He asked whether the Annex would be demolished.

Mr. Sanchez stated that the Annex building will remain during construction. He described the three stages of construction and its phasing.

Mr. Olander explained that the City would demolish the Kimm property and use it as construction staging.

Deputy Mayor Fimia supported the "West L" configuration and the structured parking. She appreciated the public that came and gave direction.

Mayor Ransom agreed with the "West L" concept and stated surface parking is cheaper, but the best option is the structured parking because he would rather the City build 200 parking stalls than have to build more in ten or twenty years. He stated that the City staff has consensus for the two-story parking structure from the Council.

Mr. Olander thanked the City Council and stated the City staff has clear direction.

(b) Metro Transit Subarea Allocation

Mark Relph, Public Works Director, discussed King County Councilmember Bob Ferguson's proposal to the City Council to shift Shoreline to the King County Metro Planning Area's East Subarea. Mr. Relph said Councilmember Ferguson thought there would be more opportunity for Shoreline to pursue funding in East Subarea, however, the City staff recommends the City of Shoreline stay with the City of Seattle, in the West Subarea. He commented that there are 16 routes that go directly into Seattle from Shoreline. He highlighted that although there is more opportunity for transit hours in the East Subarea, there are also more cities competing for those new transit hours and that would not be to our advantage.

Mr. Olander expressed thanks to Councilmember Ferguson for bringing this to the City's attention.

Mr. Relph pointed out that the City of Lake Forest Park decided that they would like to pursue moving to the east side, and apparently the Regional Transportation Committee will take up their proposal at their next meeting.

Mayor Ransom called for public comment. There was no one wishing to comment on this item.

Councilmember Hansen moved to adopt the staff recommendation and remain in the West Subarea of the King County Metro Planning Area. Deputy Mayor Fimia seconded the motion.

Councilmember Gustafson supported the motion and confirmed that there are 16 bus transit routes that move from Shoreline into Seattle.

Councilmember McGlashan supported the motion and felt the City of Shoreline and the City of Seattle have more in common.

Councilmember Ryu said this is an equity question and the City needs to confirm that it gets it equitable share of service hours from Seattle. She hoped Councilmember Ferguson continues to serve the City. She agreed with the motion to stay in the West Subarea. She appreciated Councilmember Ferguson giving the City the opportunity to discuss this item and make a decision.

Councilmember Way appreciated Councilmember Ferguson's attempt and has heard from residents concerning inadequate bus service. She wished this was the solution to get more bus service for the City of Shoreline. She said it is frustrating to get stranded and supported the motion. She concluded that she would like Councilmember Ferguson to continue looking for solutions.

Mayor Ransom commented that he served on Seashore over 4 years and Councilmember Ferguson felt the City of Shoreline could theoretically get 4% of the total service hours on the East Subarea, however there is more competition. There are seventeen cities in the East Subarea, and Shoreline would make it eighteen. The East Subarea routes are all in the east, and there is little sensitivity to our needs here. He agreed that the City of Shoreline should stay in the West Subarea because the City shares 16 of 18 routes with the City of Seattle. He added that the City needs to work for more efficient and better bus service.

Deputy Mayor Fimia commented that the City needs to figure out how to get a bigger "piece of the pie."

A vote was taken on motion to adopt the staff recommendation and remain in the West Subarea of the King County Metro Planning Area, which carried 7-0.

6(c) New Agenda Item: Puget Sound Regional Council (PRSC) Draft Vision 2040

Deputy Mayor Fimia said the Puget Sound Regional Council (PSRC) briefed the Council on Draft Vision 2040. The document is being distributed to the residents in the four counties for public comment. She stated she wanted to share this item with the full Council and will submit Council concerns electronically. She said she has been tracking transportation in this region for 12 years and is concerned with the outcomes in the document. She questioned what the cities are getting for their investment. She said there is one summary document that reports there will be hours of delays on freeways and arterials and that will have major implications on the City's ability to manage growth. Even with \$140 billion being expended on 125 miles of light rail as in the preferred growth alternative, vehicle miles traveled increase and the hours of delay increase by 195%. She didn't think that is sustainable in our region and she said most of her questions relate to this issue. She felt the font size on the document was too small for the public to read and suggested PRSC have the document reprinted. She questioned what the new assumptions for cost are now that the new total is \$140 billion. Additionally, she questioned what projects created the \$35 million increase over the past assumptions. She wanted the regional outcomes confirmed and the cost per trip broken down for each mode (light rail, commuter rail, car, and bus). She also wanted the number of lane miles of light rail determined. She said people don't want more cars or parking in neighborhoods. She concluded that there are a total of nine questions she has for PRSC and she welcomes any suggestions from any Council member. She said she is sending her questions in by September 7.

Mayor Ransom felt that the vision is overly detailed and isn't sure there are answers for the questions. He said, however, that he is interested in getting a response to Deputy Mayor Fimia's first question, items A, B, and C.

MEETING EXTENSION

At 9:26 p.m., Councilmember Hansen moved to extend the meeting until 10:30 p.m. Councilmember Gustafson seconded the motion, which carried 7-0.

7. EXECUTIVE SESSION

(a) Potential Litigation and Litigation - RCW 42.30.110(1)(i)

Ian Sievers, City Attorney, suggested announcing a shorter time period for the executive session and extending it if necessary.

Mayor Ransom specified that only four councilmembers would be in the executive session and the public should anticipate possible action after the executive session. It was noted that the executive session is being held to consider litigation concerning the King v. Fimia lawsuit.

At 9:30 p.m., Mayor Ransom announced that the Council would recess into an Executive Session for 30 minutes to discuss litigation. At 10:00 p.m., Mayor

Ransom announced that the Executive Session would be extended until 10:30 p.m. At 10:30 p.m., Mayor Ransom announced that the Executive Session would be extended until 10:45 p.m.

At 10:44 p.m., the Executive Session concluded and the special meeting reconvened.

MEETING EXTENSION

At 10:45 p.m., Councilmember Hansen moved to extend the meeting until 11:10 p.m. Councilmember Ryu seconded the motion, which carried 7-0.

Councilmember Ryu moved to approve an amendment to the 2006-2007 contract with Foster Pepper PLLC for general litigation in the amount of \$171,700, increasing the new not-to-exceed amount to \$341,700. Councilmember McGlashan seconded the motion.

Councilmember McGlashan moved to exclude the City Manager contingency authority for this amendment. Councilmember Hansen seconded the motion. There was consensus to accept this as a friendly amendment to the motion.

Councilmember Gustafson said he was never notified until the night of the meeting when City Manager Burkett resigned. He read a statement which said he was appalled at the suggestion that the taxpayers pay for the legal defense of the four Councilmembers in question. In his opinion, the four Councilmembers acted on their own and weren't in a Council meeting or an executive session when decisions were made. He believed that they acted unethically and technically, knowingly, and willingly violated the law. He felt that they didn't do what was in the best interest of the citizens of Shoreline. He said it was a "power play" and they acted on a personal vendetta against Mr. Burkett. He said on December 5, 2005 the defendants had the four votes and could have dismissed him at any time in a public and legal manner. He said these four Councilmembers profess to be advocates of an open, public, transparent City Council that processes every item, yet when it came to their own personal issues the rules and process didn't matter. He said that he and hundreds of other citizens are still appalled at their actions, and he can't support the taxpayers of the City supplying any additional funds to their legal defense.

Councilmember Ryu read from the material provided by the City staff. She said the plaintiff's summary judgment was denied and the defendants cannot speak for themselves. The plaintiff's motion to allow more discovery was granted, she stated. She added that motions are continuing even though there are only 10 days before start of trial. She commented that mediation was unsuccessful because the plaintiffs "walked away." She believed that since the City has been brought in as a defendant, there is no choice but to provide legal counsel and proceed to trial. In February 2006, the City accepted legal defense, now the remaining Council is obligated to defend the City. He hoped the Council approved this motion. She said she didn't want to breach her duties as a Councilmember to the defendants and the City as a whole.

A vote was taken on the motion to approve an amendment to the 2006-2007 contract with Foster Pepper PLLC for general litigation in the amount of \$171,700, increasing the new not-to-exceed amount to \$341,700, excluding City Manager contingency authority, which carried 3-1, with Councilmember Gustafson dissenting.

9. ADJOURNMENT

At 10:54 p.m., Mayor Ransom declared the meeting adjourned.

Scott Passey, City Clerk

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DRAFT

CITY OF SHORELINE

SHORELINE CITY COUNCIL SUMMARY MINUTES OF BUSINESS MEETING

Monday, September 10, 2007 - 7:30 PM
Shoreline Conference Center
Mt. Rainier Room

PRESENT: Mayor Ransom, Deputy Mayor Fimia, and Council Members Gustafson, Hansen, McGlashan, Ryu, and Way.

ABSENT: None.

1. CALL TO ORDER

At 7: 33 p.m., the meeting was called to order by Mayor Ransom, who presided.

2. FLAG SALUTE/ROLL CALL

Mayor Ransom led the flag salute. Upon roll call by the City Clerk, all Council members were present.

(a) Proclamation of "Emergency Preparedness Month"

Mayor Ransom read the proclamation declaring the month of September as "Emergency Preparedness Month." Rob Beem, Community Services Division Manager, accepted the proclamation and emphasized the need for all residents to be self sufficient in the event of an emergency or natural disaster.

(b) Recognition of Celebrate Shoreline Sponsors

Mayor Ransom presented awards to the following Celebrate Shoreline sponsors:

Children's Area Sponsor - Shoreline/South County YMCA

Car Show Sponsor - Richmond Beach Rehabilitation

Parade Sponsor - Dunn Lumber

Gold Sponsors - Watermark Credit Union, Gold's Gym, Central Market, Java Jane, Anderson House, Shoreline Community College, Shoreline/Lake Forest Park Arts Council, Sky Nursery, Shoreline Bank

Silver Sponsors - Chuck Olsen Chevrolet, Dinner's Ready, Parker's Casino, James Alan Salon, Shoreline Top Food & Drug, Mark E. Simons DMD PS, Shoreline Rotary Foundation, Gordon's Les Schwab Tire Center, North City Safeway, Renewal By Anderson

Bronze Sponsor - Highlands West Dental

Nancy Frey, Shoreline/Lake Forest Park Arts Council, thanked the City for its support of the arts in the community and looked forward to collaborating with the City in the future.

Councilmember Gustafson acknowledged Bob Phelps, who has developed the ham radio system for the City of Shoreline. He thanked him for his efforts as a part of the emergency preparedness system.

3. REPORT OF THE CITY MANAGER

Bob Olander, City Manager, reported on several public works projects going on in the City. First, he discussed the Dayton Ave N. and N. 175th Project and that the City continues to pour the new sidewalk, curb, and gutter at that location. Sidewalks and curbs along NE 163rd Street & 25th Pl NE are 75% complete. There is a Child Seat Safety Fair on September 15, and the next Comprehensive Housing Strategy Citizen's Advisory Committee meeting will be held on September 12 at the Shoreline Fire Station. The next meeting of the Library Board is September 13 at the Richmond Beach Library. The Interurban Trail ribbon cutting will be held September 22 in the Walgreen's parking lot from 10:00 am until 1:00 pm. He said there is a new community calendar feature on the City's web site, and residents can track all of the City's meetings with it. The North City Business Association (NCBA) will be sponsoring its annual classic car show on September 15 at the Shoreline Water District parking lot. He introduced the City's new Management Analyst, Eric Bratton. Finally, he said he received a request from the Shoreline Water District to remove item 7(d) from the agenda because they want time to review the technical issues. He noted that this item has been removed by the Council.

4. REPORTS OF BOARDS AND COMMISSIONS

Councilmember McGlashan said he attended the National League of Cities (NLC) Community and Economic Development Committee meeting. He said he would provide documents to the Council and have a report by the next Council meeting.

Deputy Mayor Fimia said there will be a King County Economic Development Summit on October 9 at the Elks Club. This meeting was initiated by King County Councilmember Bob Ferguson and sponsored by the Chamber of Commerce and Forward Shoreline. There will be results of a recent business survey, some keynote speakers, and some break-out sessions. She said she and Councilmember McGlashan serve on the committee along with Tom Boydell, the City's Economic Development Manager.

Mayor Ransom noted that there is a Seashore meeting next week. He said there are several items being put to a vote at the next Suburban Cities Association meeting. These items include the Emergency Medical Services levy, and proposals from the Regional Transportation Investment District (RTID) and Sound Transit.

5. GENERAL PUBLIC COMMENT

(a) Charles Brown, Shoreline, said he is a frequent walker and there are a multitude of cars parking on 25th Avenue by Hamlin Park in the morning before school. He said during one of his walks he couldn't cross the street because the crosswalks are gone. Additionally, there are kids that come from Kellogg looking for a way to cross the street, but there isn't one. He was concerned because there is no dedicated way to cross the street there and this presents a danger for pedestrians. He said all the crosswalks have been removed from 147th Avenue to 168th Avenue. He noted that 150th Avenue is asphalted with 8-foot shoulders, but money is being allocated for new sidewalks there. He said there is a crosswalk for children who attend Briarcrest Elementary School at 27th and 155th Avenue but they have to walk in the street before they can get to it. Thus, he explained, it is a "crosswalk to nowhere."

(b) Bob Phelps, Shoreline, said he is the team leader of the Shoreline Auxiliary Communications unit. He stated that on September 29th every amateur radio group in Western Washington will be involved in a simulated emergency test. This will be done in two 2-hour shifts and will focus on handling emergency messages.

(c) Ellen Sullivan, Shoreline, invited the public to attend the 5th Annual North City Business Association Classic Car Show.

(d) Mary Lynn Potter, Shoreline, announced she was the Chair of the Shoreline Library Board and said there was a change in the City's liaison. She thanked Dick Deal for his outstanding assistance and contributions to the libraries. She added that he attended all of the meetings.

Dick Deal, Parks, Recreation and Cultural Services Director, said Lynn Cheeney, Recreation Superintendent, will be the new City staff liaison. He said the City staff and the citizens do a great job at sharing needs and determining what their needs, wants and desires are. He highlighted that the next meeting is on October 6th and it will be the dedication of the new parking lot at the Shoreline Library on NE 175th Street.

(e) Paul Grace, Shoreline, expressed concerns about the community development block grant. He said on page 55 the allocation for sidewalk programs was reduced from \$190,000 to \$122,000. He suggested taking the same amount from different areas and to look at the weighted formula. He added that on page 56 there is text referring to a "housing development capital project" that needs clarification. He supported funding for the strategy committee. He discussed the multi-service center announcement of opening an 85-unit affordable housing development in Fife and Kent and said there is a need in Shoreline for something comparable.

Mr. Olander said he will follow up with Mr. Brown about the crosswalk concerns.

6. APPROVAL OF THE AGENDA

Councilmember Way moved to suspend Council Rule 3.5, waiving the second reading for item 7(b), Ordinance No. 480 and Ordinance No. 481, based on the routine nature of the subjects. Councilmember Hansen seconded the motion, which carried 7-0.

There was Council consensus to remove item 7(d) from the Consent Calendar.

Councilmember Gustafson moved approval of the agenda as amended. Councilmember Hansen seconded the motion, which carried 7-0.

7. CONSENT CALENDAR

Deputy Mayor Fimia moved approval of the Consent Calendar. Councilmember Ryu seconded the motion, which carried 7-0 and the following items were approved:

- (a) Approval of expenses and payroll as of August 28, 2007 in the amount of \$2,111,849.07**
- (b) Ordinance No. 480, modifying the penalty for possessing open containers of liquor in a public place; and Ordinance No. 481 prohibiting electric powered motorized foot scooters on the Interurban Trail**
- (c) Motion to Authorize the City Manager to execute a Contract with Universal Field Services, Inc. for right-of-way acquisition services for the Aurora Corridor Project (N. 165th Street to N. 205th Street)**

8. ACTION ITEM: PUBLIC HEARING

- (a) Public hearing to receive citizens' comments on the Proposed 2008 Community Development Block Grant (CDBG) Allocation Plan**

Rob Beem, Community Services Division Manager, said this is an annual action required by the regulations governing the CDBG program. The public is invited to give testimony on the proposed uses of funds. The proposal allocates \$388,000 to implement the second year of the Human Services plan and to fund applications from the community next year. Currently, the City is in the middle of its two-year cycle of Human Services funding.

Mayor Ransom opened the public hearing. There was no one wishing to provide public comment on this item.

Councilmember Gustafson moved to adopt the proposed 2008 Community Development Block Grant (CDBG) Allocation Plan. Councilmember Ryu seconded the motion.

Councilmember Hansen discussed the issues addressed by Mr. Grace, who couldn't stay for the public hearing. He said Mr. Grace asked about the reduced allocation for sidewalks and for clarification on the housing development capital project.

Mr. Beem explained that the amount allocated to the sidewalk program is based on Capital Improvement Program (CIP). Each year, the City budgets sidewalks as required by the CIP. Last year, the City received a significant amount from revenue from home loan repayments. He noted that if there were reductions in housing development and the City received less overall funding, this plan anticipates reducing the housing portion as opposed to reducing the amount contributed to the CIP sidewalk program. He responded to Mr. Grace's comment about reducing funding across the board and said the City has done it proportionately over the years.

Councilmember Hansen agreed with the City staff recommendation. However, he said procedurally he doesn't like scheduling public hearings, then scheduling action immediately after. He said if there is a public hearing, then action should be suspended for at least one week so the Council can consider any information that is submitted by the public.

Councilmember McGlashan asked if "housing development" meant putting funds toward building.

Mr. Beem explained that the City is reserving those funds, which are not specifically allocated. The Comprehensive Housing Strategy Committee is looking at recommendations which would include supporting non-profit housing developers to either acquire or construct housing in Shoreline. He added that this is consistent with how block grants were used in the past.

Councilmember McGlashan inquired if this funding is something the City can set aside. Mr. Beem responded that the funding must be used within 18 to 24 months.

Deputy Mayor Fimia said that many times the Council has had public hearings and then made the decision to postpone action until later if there was a significant amount of public comment. The Council always has that option, she explained.

Councilmember Way said there was another popular event going on in the City, the Ridgecrest charrette. She asked if the Council could continue the hearing.

Mr. Beem responded that the City needs to notify King County concerning the proposed use of these funds by the end of the month.

Mr. Olander added that the City isn't doing actual allocations this year and the City staff didn't anticipate lots of agency comments because this is the off-year of the two year cycle. Councilmember Way said she is concerned about the difference in funding compared with last year and would like to amend the sidewalk program if there is time to work on it.

Mr. Olander said the last time the City had excess funds in housing repair, the Council decided not to carry the funds forward. Therefore the funds were shifted into the sidewalk fund, so the reduction was actually a one-time increase.

Councilmember Ryu supported the staff recommendation. She said the sidewalk funding is not a reduction because in the 2007 budget the City estimated that there would only be \$40,608 for sidewalks. However, it was funded at \$190,000, specifically from the CDBG. Therefore, even \$122,000 is significantly higher than \$40,000. She urged the Council to support this item.

Deputy Mayor Fimia noted that on the agenda, the public hearing was anticipated to begin at 8:30 p.m. **She moved to postpone the public hearing until 8:30 p.m. Councilmember Ryu seconded the motion, which carried 7-0.**

In the interim, there was Council consensus to move on to Item 10(a).

10. NEW BUSINESS

(a) 2007 Second Quarter Financial Report

Debbie Tarry, Finance Director, provided the 2007 Second Quarter Financial Report. She said the revenues are running slightly ahead of projections for the first half of the year. She noted that revenue highlights include increases in cable taxes and telephone utility taxes. She noted that the revisions to the 2nd Quarter report include a Puget Sound Energy rate reduction. This means that the City will not anticipate any increase in projections for 2008. She said the City hopes to meet the 2007 budget, but won't know until end of September. Permit activity has increased and it is due to a valuation increase. There has been a 21% increase in the number of permits issued and there is a larger increase in revenue collected; a major portion of the increase is coming from the Echo Lake project. The gambling tax, which only includes 25% of the cardroom activity, has reflected a decline in pull tabs. Therefore, the City is reducing gambling tax projections for 2007 as well as the long-term projections. She said sales tax revenues are 10% ahead of projections and the growth is coming from construction, which is about 5% ahead of projections. Expenditures are anticipated to be slightly below budget. She said that the overall budget is \$3 million below projections. However, the billings weren't received from King County during the first six months when the projections were done and they are estimated to be at \$3 million, so the staff projections are fairly accurate. She highlighted that the budget savings gap has been getting tighter since 2002.

Continuing, Ms. Tarry discussed the surface water utility. She noted that there were recommended changes in capital projects that delayed the surface water utility funds. Otherwise, revenues are coming in as expected. Unfortunately, the Real Estate Excise Tax (REET), which is a primary revenue source for capital funds, is down slightly in 2007. She said the City staff has made conservative projections and have pushed some 2007 projects off to later CIP years and will continue to monitor the capital funds budget. She also stated that in 2007, the number of property transactions has decreased 12%. However, the value of those transactions remains relatively high. She discussed capital fund expenditures and investment highlights. She noted that in prior years, all investments were with the State investment pool which focuses more on short term investing, but several years ago the Council adopted investment policies for the City. The Council policies highlighted longer term investing, thus the City's investment strategy has received better returns than the State's pool. She added that

interest rates have increased over time and the City anticipates a \$400,000 return in investment interest.

Mr. Olander noted that the King County investment pool was experiencing degrading in some of their major investment instruments because of their investment into secondary and primary mortgage markets.

Ms. Tarry displayed the City's investment portfolio chart. She said she is confident these are safe investments for the City and they give the taxpayers a fair rate of return. She highlighted that safety is priority, and these are safe investments. She said the interest earnings are projected to exceed the 2007 budget. She also said she is projecting a \$50,000 increase in cardroom gambling tax receipts, but there have been shifts in revenue collections.

In summary, Ms. Tarry reported that the operating revenues are ahead of projections and the revenues are slightly behind. Surface water utility revenues and expenditures are tracking as projected, and there are no issues of concern. She concluded that the 2007 projections of the CIP still reflect those that are in the 2008-2013 CIP.

Councilmember Hansen said he saw the \$3.3 million payment to King County finance for six months of police services, then they billed another \$700,000 for July, but it wasn't in our projections. He asked why the City doesn't set up a standard journal entry and accrue them every month and adjust it periodically. That way, he pointed out, you will have a better matching of revenues and expenses.

Ms. Tarry responded that the City doesn't do accruals until the end of each year, and the City operates on a cash basis. She added that when a variance like this is recognized the City staff knows what's going on. She added that the City could do it that way, however, from an operational standpoint it hasn't.

Councilmember Hansen replied that the Council should consider it since most businesses would definitely be accruing estimates for items like this then adjust them as they go along. He agreed that in most areas of the budget it's not needed. He said King County has had erratic billing before. He also asked if the \$171,000 in legal defense funding was already included in the expense budget.

Ms. Tarry said it hasn't been added, but there will be a budget amendment presented to the Council this fall.

Councilmember Hansen called attention to the revenue chart on page 71. Based on this chart, all the revenues are rising or leveling off, but all the general trends are up. He highlighted that interest earnings are going to decrease as the City executes the CIP – this will have to be accounted for in the budget. Ms. Tarry concurred.

Mayor Ransom asked for clarification of the statement that there was a \$30,000 drop in pull tabs and a \$50,000 increase in cardrooms. He asked if this represents an overall increase of \$20,000. Ms. Tarry responded affirmatively.

At 8:30 p.m. Mayor Ransom opened the public hearing on the Community Development Block Grant Program Allocation.

(a) Michael Pollowitz, Shoreline, said on page 57 it seems like there's only one program to reduce and not really any CDBG public service funds. He commented that there is only one option for 0–15% for public service. That makes a difference because this City only funds 10% which would have been about \$58,000, but the City chose only to fund \$38,000. Therefore, if there is an increase, he suggested the funds be allocated into public services instead of administration or capital.

Deputy Mayor Fimia moved to close the public hearing on the Community Development Block Grant Program. Councilmember Hansen seconded the motion, which carried 7-0.

Mr. Beem said Mr. Pollowitz raised three issues. First, he responded that the City concentrates block grant funds into one contract as opposed to spreading it out over lots of programs. He referred to the overall percentages and said the City is allowed to use up to 15% of the City's annual entitlement and that total is a combination of the entitlement, revenues, and so forth. He said the total percent of the \$388,000 is less than 15%, which is out of our actual entitlement amount.

A vote was taken on the motion to approve the proposed 2008 Community Development Block Grant (CDBG) Allocation Plan, which carried 7-0.

10(a) 2007 Second Quarter Financial Report (continued)

Deputy Mayor Fimia said the gambling tax brings in \$2.9 million projected revenue in 2007. She asked what the current tax rate was and how many card rooms the City had. Ms. Tarry responded that it was 10% and there were five card rooms. Deputy Mayor Fimia inquired if there was any other equivalent tax on other businesses. Ms. Tarry responded that there wasn't any tax on gross receipts.

Mayor Ransom added that the Hideaway card room is scheduled to reopen within a few months and it only has five tables. He said they have kept their tables and their doors open for a week or so each year to stay eligible.

Councilmember Hansen said according to the Seattle Times, Flex Car, the car rental agency, pays 10% of gross tax and sales tax on top of that, therefore their total tax is over 20%.

Councilmember Gustafson thanked Ms. Tarry for the report concerning the financial status of the City. He added that he appreciated the security of the taxpayers' investments and hoped the gambling revenues increase.

Councilmember Way thanked the City staff and appreciated the conservative projections. She also thanked the source of the revenue, the public, who pays fees and taxes to help the City operate. She hoped the City will be careful this fall with the budget and find ways to conserve.

Councilmember McGlashan said he was confused because on page 80 it says the City Attorney is above budget due to professional legal services which is up about 4.7%. He asked if this includes the \$171,000 just approved last week.

Ms. Tarry responded that the \$171,000 is not included in these numbers. The budget amount is the same as adopted in the current 2007 budget. However, it will be reflected in a future budget amendment. However, the City Attorney did anticipate some of those costs and the estimate was done in July so it might increase a bit more.

Deputy Mayor Fimia thanked Ms. Tarry and the City staff. She encouraged the public to download a copy of the budget document from the City's web site. She commented that the residents need to know where the money comes from and where it goes.

11. ADJOURNMENT

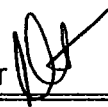
At 9:01 p.m., Mayor Ransom declared the meeting adjourned.

Scott Passey, City Clerk

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CITY COUNCIL AGENDA ITEM

CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Approval of Expenses and Payroll as of October 9, 2007
DEPARTMENT:	Finance
PRESENTED BY:	Debra S. Tarry, Finance Director 

EXECUTIVE / COUNCIL SUMMARY

It is necessary for the Council to formally approve expenses at the City Council meetings. The following claims/expenses have been reviewed pursuant to Chapter 42.24 RCW (Revised Code of Washington) "Payment of claims for expenses, material, purchases-advancements."

RECOMMENDATION

Motion: I move to approve Payroll and Claims in the amount of \$2,140,060.65 specified in the following detail:

***Payroll and Benefits:**

Payroll Period	Payment Date	EFT Numbers (EF)	Payroll Checks (PR)	Benefit Checks (AP)	Amount Paid
8/26/07-9/8/07	9/14/2007		6916		\$3,956.19
9/9/07-9/22/07	9/29/2007	20845-21025	6917-6961	34107-34119	\$465,045.31
					<u>\$469,001.50</u>

***Accounts Payable Claims:**

Expense Register Dated	Check Number (Begin)	Check Number (End)	Amount Paid
9/28/2007	34016	34018	\$26,017.65
9/28/2007	34019	34033	\$2,407.24
10/1/2007	34034	34036	\$77,006.74
10/2/2007	34037	34046	\$11,722.10
10/2/2007	34047	34059	\$58,543.54
10/3/2007	34060	34083	\$74,659.73
10/3/2007	34084	34106	\$22,532.92
10/4/2007	34120	34155	\$1,248,907.31
10/5/2007	34156	34163	\$1,311.60
10/8/2007	34164	34165	\$310.00
10/9/2007	34166	34169	\$5,508.00
10/9/2007	34170	34191	\$142,132.32
			<u>\$1,671,059.15</u>

Approved By: City Manager _____ City Attorney _____

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CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Approval of Mini-Grant Projects for Hillwood Neighborhood Association, Richmond Beach Community Association and Ridgecrest Neighborhood Association
DEPARTMENT:	City Managers Office/ Community Services Division
PRESENTED BY:	Julie Modrzejewski, Assistant City Manager Rob Beem, Community Services Manager

ISSUE STATEMENT:

As established in Resolution 54, the City budgets annually for Neighborhood Mini-Grants and City Council approval is required. Three Neighborhood Mini-Grants are proposed for City Council approval.

The Hillwood Neighborhood Association is requesting \$2265 in 2007 Mini-Grant funds to produce neighborhood identity signs.

The Richmond Beach Community Association is requesting \$5,000 for a 2007 Mini-Grant to rent equipment and pay facility costs for its community Halloween Carnival the last weekend in October at Syre Elementary School.

The Ridgecrest Neighborhood Association is requesting \$5,000 in 2007 Mini-Grant money to produce neighborhood banners for installation on key streets in the neighborhood.

FINANCIAL IMPACT:

City Council authorized \$20,000 in the 2007 budget to fund Neighborhood Mini-Grants. The budgets for these projects total \$12,265 and are included in Attachments A, B and C.

RECOMMENDATION

Staff recommends Council approve a total of \$12,265 for Neighborhood Mini-Grants to the Hillwood Neighborhood Association, the Richmond Beach Community Association, and the Ridgecrest neighborhood Association.

Approved By: City Manager 690 City Attorney ____

INTRODUCTION

The Hillwood Neighborhood Association is requesting Mini-Grant funds to produce and install eight "Welcome to Hillwood" neighborhood signs to create a sense of neighborhood identity. The grant request includes purchasing one "Hillwood Neighborhood" banner and three sandwich board signs to publicize meetings and events.

The Richmond Beach Community Association is requesting \$5,000 to implement its annual community Halloween Carnival. The community association has committed approximately 700 hours in volunteer time as a match towards the project. Funds will be used to purchase materials for the event such as rental of inflatables, facility expenses, and materials storage.

The Ridgecrest Neighborhood Association is requesting grant funds to produce neighborhood banners with an original design to promote neighborhood identity and pride. The funds would be spent to purchase brackets for poles in selected key neighborhood locations and print the banners. A small honorarium is included for the artist.

BACKGROUND

Resolution No. 54 established the Neighborhood Mini-Grant program, with the process and administration of the funds to be handled by Neighborhoods staff. The allocation of the total funds available is determined from year to year by appropriation of the City Council. All such grants to individual neighborhood associations must be approved by City Council prior to their implementation.

The Mini-Grant program provides grants of up to \$5,000 to each of the active organized, qualifying neighborhood associations in the City of Shoreline. Neighborhood associations are required to match Mini-Grant funds. A match may be generated from co-sponsoring groups, businesses, organizations, schools, media, in-kind donations and/or "sweat equity".

Mini-Grant project categories include the following:

- Projects that create or enhance a tangible improvement in the neighborhood;
- Projects that disseminate information and increase awareness of the goals and mission of the neighborhood association to the neighborhood community;
- Projects that directly benefit a public agency or organization and its immediate neighborhood, and that require the active involvement of both the public agency and members of the neighborhood in planning and carrying out the program.

The Hillwood Neighborhood proposes to use \$2265 in 2007 Mini-Grant funds to improve neighborhood identity by installing neighborhood identification signs that say "Welcome to Hillwood Neighborhood" and purchasing a banner and three sandwich board signs to advertise events and meetings.

City of Shoreline Traffic Services will approve all sign locations and Public Works crews will install the signs. The signs will be on a white reflective aluminum background, with a two-color design. The signs will include the City of Shoreline logo as required by the neighborhood identification sign policy adopted by Council on March 23, 1998. The neighborhood identity signs meet the goals of creating a tangible improvement and increasing awareness in the neighborhood of the emerging neighborhood association.

The Richmond Beach Community Association is seeking approval for a \$5,000 Mini-Grant to put on the annual neighborhood Halloween Carnival the last weekend in October. The project meets the goals of the Mini-Grant program by providing benefits to the neighborhood of increasing awareness of the neighborhood association and promoting active volunteer involvement with the Richmond Beach Community Association, local scout troops, families and community residents.

The Richmond Beach Community Association has successfully completed other Mini-Grant projects including neighborhood signage in 2000, improvements to Richmond Beach Reserve Park in 2001 and the Community Carnival in 2002, 2003, 2004, 2005 and 2006.

The Ridgecrest Neighborhood Association recognizes a strong sense of neighborhood identity based on the combination of assets located in the neighborhood: residences, a school, parks, a library and a small commercial zone. The neighborhood association wants to develop neighborhood banners that reflect that identity. The Ridgecrest Neighborhood Association intends to solicit original art for neighborhood banners which reflect the flavor of the neighborhood. The Public Art Coordinator in Parks, Recreation and Cultural Services will guide the development and selection of original art for the banners. Policy guidelines for neighborhood banners are under development to set appropriate guidance for design, selection, review and installation. The selection process will include public input, and the selection process will include review by neighborhood association board members and the public art subcommittee of the Parks, Recreation and Cultural Services Board.

RECOMMENDATION

Staff recommends Council approve a total of \$12,265 for Neighborhood Mini-Grants to the Hillwood Neighborhood Association, the Richmond Beach Community Association, and the Ridgecrest neighborhood Association.

ATTACHMENTS

- A – Hillwood Mini-Grant Budget
- B – Richmond Beach Mini-Grant Budget
- C – Ridgecrest Mini-Grant Budget

Neighborhood Identity Signs

Estimated production costs by King County Sign Shop and Fast Signs

Right-of-Way permit/review	\$250
Total Project Cost	\$2265

The Hillwood Neighborhood Association proposes to provide project match for its Mini-Grant by building neighborhood identity through neighborhood activities and meetings. Volunteers will also donate labor to monitor neighborhood signs for vandalism and clean up minor damage or graffiti.

Attachment B

Richmond Beach Community Association 2007 Mini-Grant Budget Community Halloween Carnival

<u>Project / Item</u>	<u>Cost*</u>
Estimated costs based on previous years' expenses	
Rental of inflatables and machinery	\$1,650
Facility expenses (rental fee, custodian, security, cook)	\$1,800
Storage of equipment and materials	<u>\$1,550</u>
Mini-Grant Total	\$5,000

* costs may include Washington state sales tax

Project Match

The Richmond Beach Community Association proposes to provide match for its Mini-Grant through both "sweat equity" and paying for some of the supplies and costs of the carnival. The Association will provide the following on the project: coordinating and directing volunteers; working in the activity and game booths; design, preparation and distribution of advertisement flyers and signs; delivering information flyers to schools; building, setting up, decorating and taking down the haunted house; cleanup and hauling props and re-usable items to storage facility.

The total cost of the project is approximately \$9,000, of which \$5,000 would be Mini-Grant funds. The \$4,000 balance will be paid by the Richmond Beach Community Association. The remainder of the project match will be covered through volunteer hours described above.

Attachment C

**Ridgecrest Neighborhood Association
2007 Mini-Grant Project Budget
Neighborhood Banners**

Project / Item

Neighborhood Banners
Estimated production costs*

Cost

Brackets	16 @ \$ 60	\$ 960
Banners	16 @ \$150	\$2400
Miscellaneous supplies/shipping/production costs		\$ 540
Set up/additional design costs		\$ 600
Honorarium for artist		\$ 100
	SUBTOTAL	\$4600
	WSST @ 8.8 %	<u>\$ 400</u>

Total Project Cost

\$5000

*Final costs based on selected artwork may vary slightly. If funds allow, additional banners may be produced or production may include more than one design.

Project Match

The Ridgecrest Neighborhood Association proposes to provide project match for its Mini-Grant by building neighborhood identity through neighborhood activities and meetings. Volunteers will also donate labor to monitor neighborhood banners for vandalism or graffiti.

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE: Approval of the Solid Waste Service Provider Contract
DEPARTMENT: Public Works
PRESENTED BY: Mark Relph, Public Works Director; Jesus Sanchez, Operations Manager; Rika Cecil, Environmental Programs Coordinator

PROBLEM/ISSUE STATEMENT:

On February 28, 2008, the City's current contract for solid waste collection services expires. In order to find a service provider with the best package of services at the lowest price for residents and businesses, a Request for Proposals (RFP) was published on June 20, 2007, with the intent to complete the RFP process, finalize a contract, and allow sufficient start-up time to implement the contract prior to March 1, 2008.

On October 15, Council concurred with staff on the selection of CleanScapes as the new service provider, as well as on the service level enhancements that reflect the residential and commercial services in the new contract.

Per Council direction, staff finalized the contract with CleanScapes and seeks authorization for the City Manager to sign the contract.

FINANCIAL IMPACT:

CleanScapes was the lowest cost and highest scored proposer. The contract will provide enhanced services to residents, as well as universal recycling to commercial facilities as part of their garbage charge. The total cost of the contract of \$5,487,944 is slightly more than the original bid, due to the inclusion of recycling for commercial facilities per Council direction on Oct. 15.

RECOMMENDATION

Staff recommends that Council authorize the City Manager to sign the contract with CleanScapes.

Approved By: City Manager  City Attorney _____

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CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE: Adoption of Ordinance No. 482, Phase 1 – Town Center Subarea Plan Amendment and repeal elements of the Central Shoreline Plan Report in the Comprehensive Plan
DEPARTMENT: Planning and Development Services
PRESENTED BY: Joe Tovar, PADS Director
Paul Cohen, Senior Planner

ISSUE STATEMENT:

By State law, an amendment to the Comprehensive Plan can only be made once a year unless it is a subarea plan. Subarea plans may be used to respond to changing conditions or needs of the City and should never be out of conformity with the Comprehensive Plan.

Phase 1 of the Town Center Subarea Plan is a small, initial step to establish a study area boundary, adopt five framework policies to guide work on Phase 2, and repeal Central Shoreline Subarea Plan Report elements of the Comprehensive Plan in view of the Council's recently adopted preference for the "Flexible Alternative" for the Aurora Project.

The study area map does not establish or change zoning boundaries. It is to identify an area where nearby residents and property owners might have a greater interest in being involved in the discussion of future land use rules governing projects along Aurora or Midvale Ave N.

The Central Shoreline Subarea Plan elements adopted by the Comprehensive Plan includes the future right-of-way alignment for the Aurora Corridor. It is in conflict with the Council adopted preference for the "Flexible Alternative" (Attachment A) within the Town Center study area.

Phase 2 of the Town Center Subarea Plan will include actions consistent with the framework policies, establish specific standards addressing building height and land uses, and identify appropriate improvements for a "heritage park", Midvale Ave N., and area walkways. A public process for Phase 2 will begin in late 2007.

An public hearing was conducted before the Planning Commission September 1, 2007. The Planning Commission completed its Findings and Determination (Attachment B) to Council on the proposed amendment September 19th, 2007.

ALTERNATIVES ANALYZED:

The following options are within Council's discretion and have been analyzed by staff:

- 1) Adopt the Planning Commission's and Staff's recommendation for Phase 1 – Town Center Subarea Plan and repeal elements of the Central Shoreline Subarea Plan adopted in the Comprehensive Plan.
- 2) Modify the Planning Commission's and Staff's recommendation for Phase 1 – Town Center Subarea Plan and repeal elements of the Central Shoreline Subarea Plan in the Comprehensive Plan.
- 3) Remand the amendment and repeal back to the Planning Commission for additional review.
- 4) Repeal Appendix 5 and remand the Phase 1 – Town Center Subarea Plan amendment.
- 4) Deny the amendment and repeal recommendation.

FINANCIAL IMPACTS:


If repeal of the Central Shoreline Subarea Plan elements is delayed then the Aurora Corridor improvement project will be slowed (construction and Right-of-way costs continue to go up) and potentially jeopardize grant funds. The amendment of Phase 1 of the Town Center Subarea Plan will not have direct financial impacts to the City.

RECOMMENDATION

Staff recommends that Council adopt Ordinance No.482, approving the Town Center Subarea Plan and repealing elements of the Central Shoreline Subarea Plan Report in the Comprehensive Plan.

Approved By:

City Manager



City Attorney



INTRODUCTION

The recommendation before Council is a request to include Phase 1 amendment to the Town Center Subarea Plan and repeal adopted elements of the Central Shoreline Subarea Plan Report.

A public hearing before the Planning Commission occurred on September 19, 2007. The Planning Commission Findings and Determination are included in Attachment B.

The Planning Commission recommended that the amendment be approved with an added policy to development a vision for the Town Center and to extend the study area north to N.192nd St. The draft minutes of the public hearing are included in Attachment D.

BACKGROUND

In 1998 the City of Shoreline adopted its first Comprehensive Plan. In 2005 the City Council amended the plan with the Central Shoreline Subarea Plan Report Appendix and the Central Shoreline Right-of-Way maps (Appendix 5) that delineate the improved Aurora's alignment and future, maximum right-of-way. That alignment conflicts with the Council's recently approved "Flexible Alternative" plan as it passes through the Town Center Subarea Plan (Attachment A).

The Council also adopted strategic principles for the Town Center Subarea Plan in Resolution 263 to be used in advance of projects that are already occurring in the study area to ensure consistency and guidance for interim development.

Amendments to the Comprehensive Plan are processed as legislative decisions. Legislative decisions are non-project decisions made by the City Council under its authority to establish policies and regulations. The Planning Commission is the review authority for legislative decisions and is responsible for holding a public hearing on the official docket of proposed Comprehensive Plan amendments and making a recommendation to the City Council on each amendment.

PUBLIC COMMENT

The City received six public comments at the Planning Commission hearing on September 19, 2007. The Planning Commission addressed the comments in its Findings and Determination (Attachment B).

ENVIRONMENTAL REVIEW

The City issued a SEPA Determination of Non-significance October 4, 2007 for Phase 1. City staff anticipates a more extensive environmental review during the Phase 2 amendment process if land use, development standards, traffic, neighborhoods, etc. are significantly changed.

PLANNING COMMISSION RECOMMENDATION:

Amend the Comprehensive Plan to add Phase 1-Town Center Subarea Plan.

Planning Commission in its Findings and Determination found that the amendment to the Comprehensive Plan has been evaluated and found to be consistent with the amendment criteria, listed below, provided in Section 20.30.340(B) of the Development Code.

1. The amendment is consistent with the Growth Management Act and not inconsistent with the Countywide Planning Policies, and the other provisions of the Comprehensive Plan and City policies; or
2. The amendment addresses changing circumstances, changing community values, incorporates a sub area plan consistent with the Comprehensive Plan vision or corrects information contained in the Comprehensive Plan; or
3. The amendment will benefit the community as a whole, will not adversely affect community facilities, the public health, safety or general welfare.

OPTIONS FOR CITY COUNCIL

The options available to the City Council are:

- 1) Adopt the Planning Commission's and Staff's recommendation for Phase 1 – Town Center Subarea Plan and repeal elements of the Central Shoreline Subarea Plan Report of the Comprehensive Plan.
- 2) Modify the Planning Commission's and Staff's recommendation for Phase 1 – Town Center Subarea Plan and repeal elements of the Central Shoreline Subarea Plan Report of the Comprehensive Plan.
- 2) Remand the amendment and repeal back to the Planning Commission for additional review.
- 3) Deny the amendment and repeal recommendation.

RECOMMENDATION

Staff recommends that Council adopt Ordinance No.482, approving the Town Center Subarea Plan and repealing of elements of the Central Shoreline Subarea Plan Report of the Comprehensive Plan.

ATTACHMENTS

- Attachment A: Resolution No. 263 adopting Aurora Corridor Flexible Alternative
Attachment B: Planning Commission Findings and Determination
Attachment C: Ordinance No. 482
Attachment D: Planning Commission Minutes- September 19, 2007

RESOLUTION NO. 263

A RESOLUTION OF THE CITY OF SHORELINE, WASHINGTON, ADOPTING THE DRAFT RECOMMENDED FLEXIBLE ALTERNATIVE AS THE PREFERRED ALTERNATIVE FOR THE AURORA CORRIDOR PROJECT N 165th – 205th, ADOPTING IMPLEMENTATION STRATEGIES FOR THE AURORA CORRIDOR PROJECT N 165TH – 205TH AND DIRECTING STAFF TO PROCEED WITH COMPLETION OF THE ENVIRONMENTAL ANALYSIS

WHEREAS on August 23, 1999 the City Council adopted Resolution No. 156 which provided for 32 specific points to guide the design and implementation of the Aurora Corridor Project; and

WHEREAS staff and the Aurora Business and Community Team have reviewed these 32 points (hereafter "Implementation Strategies") and identified needed updates to the Implementation Strategies; and

WHEREAS three build alternatives and one do nothing alternative have been developed for the Aurora Corridor Project 165TH – 205TH and preliminary environmental analysis and mitigation measures have been developed for these alternatives; and

WHEREAS public open house meetings were held on November 30, 2006 and December 6, 2006 to review the three build alternatives and a public open house was held June 20, 2007 to review the three build alternatives, the Draft Recommended Flexible Alternative and the Implementation Strategies; and

WHEREAS the Aurora Business and Community Team evaluated and provided input on the three build alternatives, the do nothing alternative, the Draft Recommended Flexible Alternative, and the Implementation Strategies; and

WHEREAS the City conducted a public hearing on July 16, 2007 on the three build alternatives, the Draft Recommended Flexible Alternative, and the updated Implementation Strategies; and

WHEREAS public involvement and review of the project, alternatives, and Strategies has been extensive and adequate to ensure a substantial relationship to the public interest, health, safety and welfare; and

WHEREAS the preliminary environmental analysis addressed a reasonable range of alternatives including a no action alternative that accomplishes the purpose and need for the project; and

WHEREAS in order to implement this project environmental analysis must be completed; and

WHEREAS the updated Implementation Strategies will provide project flexibility; and direction through the design, right of way acquisition and construction phases of the project.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SHORELINE, WASHINGTON, HEREBY RESOLVE AS FOLLOWS:

- A. Draft Recommended Flexible Alternative Adopted. The Draft Recommended Flexible Alternative, filed with the City Clerk's Office under Clerk's Receiving No. 4393, is adopted as the Preferred Alternative to carry through the environmental process.
- B. Implementation Strategies Updated. The Implementation Strategies, filed with the City Clerk's Office under Clerk's Receiving No. 4394, are updated to guide the design and implementation of the project.
- C. Environmental Review. Council hereby directs staff to proceed with completion of the environmental analysis.

ADOPTED BY THE CITY COUNCIL THIS 23rd DAY OF JULY, 2007.

Robert L. Ransom, Mayor

ATTEST:

Scott Passey
City Clerk

**CITY OF SHORELINE
PLANNING COMMISSION**

FINDINGS, CONCLUSIONS AND RECOMMENDATION

PROJECT INFORMATION SUMMARY

Project Description: Amend the Comprehensive Plan to include Phase 1 of the Town Center Subarea Plan and repeal Central Shoreline Right-of-Way maps.

Project Area: Between N.170th St. and N.192nd St. and between Ashworth Ave. N. and Fremont Ave. N.

SEPA Threshold: Determination of Non-Significance (DNS)

Staff Recommendation: Recommend approval to the Comprehensive Plan amendment of Phase 1 of the Town Center Subarea Plan.

FINDINGS OF FACT

Proposal

1. Phase 1 is a small, initial step to establish a study area boundary (Attachment 1), adopt several framework policies (Attachment 2) to guide work on Phase 2, and repeal outdated policies in view of the Council's recently adopted preference for the "Flexible Alternative" for the Aurora Project.
2. The study area map does not establish or change zoning boundaries. It is to identify an area where nearby residents and property owners might have a greater interest in being involved in the discussion of future land use.
3. Appendix 5 is the future right-of-way alignment for the Central Shoreline Subarea of the Comprehensive Plan. It is in conflict with the Council adopted preference for the "Flexible Alternative" within the Town Center study area.
4. Phase 2 of the Town Center Subarea Plan will include actions consistent with the framework policies, establish specific standards addressing building height and lands uses, and identify appropriate improvements for heritage park, Midvale Ave N., and area walkways. A public process for Phase 2 will begin in late 2007.
5. Notice of an open record hearing was publicized September 4, 2007. An open record public hearing was held by the Planning Commission for the City of Shoreline on September 19, 2007.

6. The City's Director, Joe Tovar and Senior Planner, Paul Cohen have reviewed the proposal and recommend approval of the Planning Commission's recommendation.

Comprehensive Plan Land Use Designations

Land use designations in Phase 1 of the Town Center Subarea Plan remain unchanged.

Current Zoning

Zoning designations remain unchanged in Phase 1 of the Town Center Subarea Plan.

Comprehensive Plan Amendment Criteria

1. The amendment is consistent with the Growth Management Act and not inconsistent with the Countywide Planning Policies, and the other provisions of the Comprehensive Plan and City policies.

The amendment of Phase 1 does not propose changes that will affect the Growth Management Act or inconsistent with the Countywide Planning Policies, and the other provisions of the Comprehensive Plan and City policies because it only establishes a study area and 5 framework policies to guide the development a Phase 2.

2. Consistency with these documents will be evaluated during the development of Phase 2.
2. The amendment addresses changing circumstances, changing community values, incorporates a subarea plan consistent with the Comprehensive Plan vision or corrects information contained in the Comprehensive Plan.

The amendment addresses the changing circumstances and values of the community to develop a complete Town Center Subarea Plan and corrects the Aurora Corridor Plan - Appendix 5 because of its inconsistency with the Council's preferred "flexible alternative" for the Aurora Corridor.

3. The amendment will benefit the community as a whole, will not adversely affect community facilities, the public health, safety, and general welfare.

The amendment does not establish land use, program, or regulatory changes that would adversely affect the community.

CONCLUSIONS

1. The Planning Commission recommended the following changes to the staff proposal:

- Add a Framework Policy 1 to develop a vision for Town Center prior to the development of the Phase 2.
 - Clarify Framework Policy 3 to distinguish “heritage park” and Midvale Avenue N. designs.
 - Extend the Study Area boundary north to N. 192nd St.
2. The notice and meeting requirements set out in SMC 20.30 for a Type L action have all been met in this case.

RECOMMENDATION

The Planning Commission recommends that the City Council approve the amendment of the Shoreline Comprehensive Plan with Phase 1 of the Town Center Subarea Plan and repeal Appendix 5 – Central Shoreline Right-of-Way maps.

Date: _____

By: _____
Planning Commission Chair

ATTACHMENTS

Attachment 1- Study Area Map
Attachment 2- Framework Policies

ORDINANCE NO. 482**AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON AMENDING THE CENTRAL SUBAREA PLAN PROVISIONS OF THE COMPREHENSIVE PLAN; AND AMENDING ORDINANCE 326, EXHIBIT A AND REPEALING APPENDICES 1 AND 3 OF THE COMPREHENSIVE PLAN**

WHEREAS, the City Council passed elements of the Central Subarea Plan in Ordinance No. 326 in July, 2003 adding a northern and southern boundary of the Central Subarea and Policy T5.1 and Figure T-8 identifying the Central Subarea Future Right-of-Way Needs Maps, consisting of a folio of maps designate the Official Central Subarea Future Right of Way Needs Map, Clerk's Receiving No. 2243; and

WHEREAS, City of Shoreline passed Resolution 263 in July 2007 adopting a Draft Recommended Flexible Alternative, Clerks Receiving No. 4393, as a preferred alternative for environmental review of the Aurora Avenue Project; and

WHEREAS, the Flexible Alternative is inconsistent with the Central Subarea Right of Way Needs Map and the map should be repealed to reflect the adopted change in preferred right-of-way design for Aurora Ave. N; and

WHEREAS, the Central Subarea Plan should be redesignated the Town Center Subarea Plan to reflect the recent acquisition of a Civic Center development site at N 175th St. and Midvale Ave. N., and a study area for the subarea should be delineated with east and west boundaries and extended south to N. 170th St.; and

WHEREAS, the new Town Center Subarea Plan should be developed following certain framework policies; now therefore

THE CITY COUNCIL OF THE CITY OF SHORELINE, WASHINGTON DO ORDAIN AS FOLLOWS:

Section 1. Town Center Subarea Plan Adopted. A new Town Center Subarea Plan is adopted as Appendix 5 to the Shoreline Comprehensive Plan to read as follows:

FRAMEWORK POLICIES FOR THE TOWN CENTER SUBAREA PLAN

The following policies establish the framework for development of the land use, capital facility and programmatic aspects of the Town Center Subarea Plan.

FW-1 Articulate a community vision for the town center as an early step in the development of detailed provisions for the subarea.

FW-2 Establish a study area boundary (Figure 1) to provide context for evaluating the opportunities and potential impacts from future development of commercial and mixed uses along Aurora Ave. N.

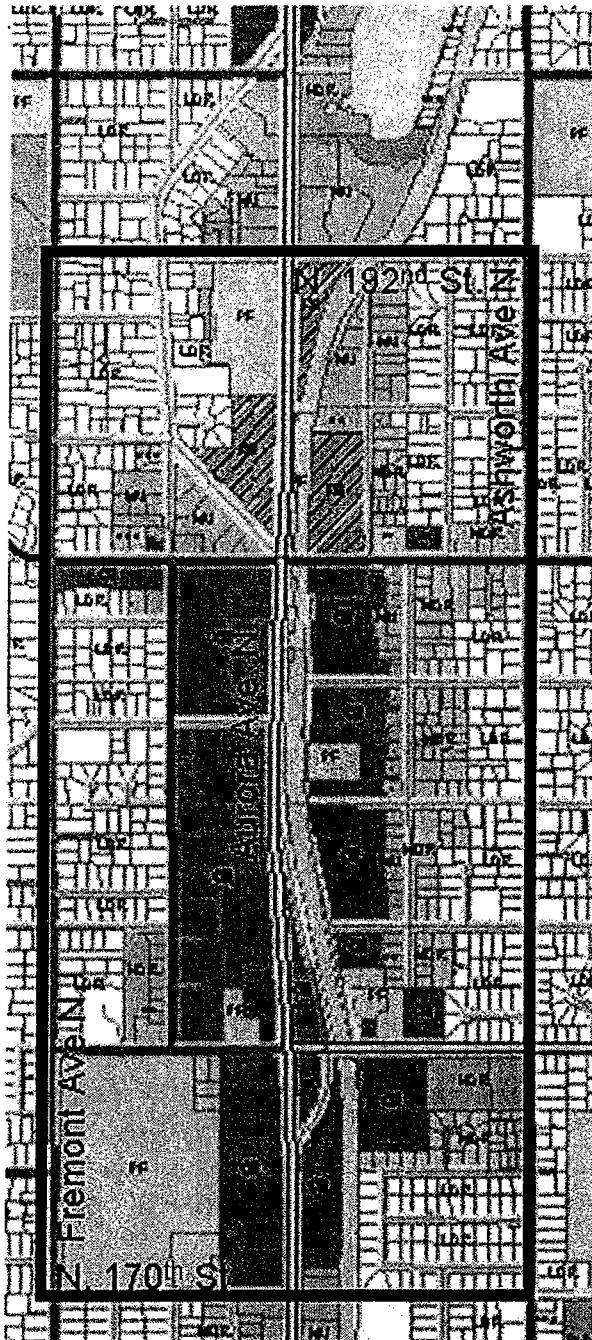
FW-3 Engage Shoreline residents and businesses in detailed design processes for a) a park site on both sides of the Interurban Trail and b) Midvale Ave N.

FW-4 Design roadway, transit and pedestrian facilities consistent with the City's preferred "Flexible alternative" for Aurora Avenue between N. 165th St. and N. 205th St.

FW-5 Prepare a program of civic directional or 'way finding' signage and evaluate refinements to city sign regulations to reflect the emerging function and visual character of Aurora Avenue.

FIG. 1 STUDY AREA

Phase 1 – STUDY AREA



Section 3. Repeal. Ordinance 326 Exhibit A is repealed in its entirety.

Section 4. Repeal. City of Shoreline Comprehensive Plan Appendix 1, *Central Shoreline Subarea Plan Report* and Appendix 5 *Aurora Corridor Right-f-way Plan* are each repealed in their entirety.

Section 5 Publication, Effective Date . A summary of this ordinance consisting of the title shall be published in the official newspaper and the ordinance shall take effect five days after passage and publication.

PASSED BY THE CITY COUNCIL ON October 22, 2007.

Mayor Robert Ransom

ATTEST:

APPROVED AS TO FORM:

Scott Passey
City Clerk

Ian Sievers
City Attorney

Date of publication: , 2007
Effective date: , 2007

DRAFT

These Minutes Subject to
October 18th Approval

CITY OF SHORELINE
SHORELINE PLANNING COMMISSION
SUMMARY MINUTES OF SPECIAL MEETING

September 19, 2007
7:00 P.M.

Shoreline Conference Center
Spartan Room

COMMISSIONERS PRESENT

Chair Piro
Vice Chair Kuboi
Commissioner Wagner
Commissioner Phisuthikul
Commissioner Harris
Commissioner Hall

STAFF PRESENT

Joe Tovar, Director, Planning & Development Services
Steve Cohn, Senior Planner, Planning & Development Services
Paul Cohen, Senior Planner, Planning & Development Services
Kirk McKinley, Aurora And Interurban Project Manager
Alicia Sherman, Senior Planner
Steve Szafran, Associate Planner
Jessica Simulcik Smith, Planning Commission Clerk

COMMISSIONERS ABSENT

Commissioner Pyle
Commissioner Broili
Commissioner McClelland

CALL TO ORDER

Chair Piro called the special meeting of the Shoreline Planning Commission to order at 7:03 p.m.

ROLL CALL

Upon roll call by the Commission Clerk, the following Commissioners were present: Chair Piro, Vice Chair Kuboi, Commissioners Wagner, Phisuthikul, Harris, and Hall. Commissioners Pyle, McClelland and Broili were excused.

APPROVAL OF AGENDA

The Commission accepted the agenda as proposed.

DIRECTOR'S REPORT

Mr. Tovar reported that the Hearing Examiner rejected an appeal by residents in the Richmond Beach Neighborhood regarding a short plat the City approved in their area. The appellants expressed their concern that the short plat would allow buildings that were too large for the neighborhood. Much

information was submitted by the appellants to support their contention that the floor ratio of the new homes would be greater than the homes that have historically been built in the neighborhood. The short plat can now move forward. He suggested that rather than asking staff to use their limited or non-existent authority to limit the size of buildings in residential zones as part of the short plat process, the issue could be more appropriately be addressed by requesting the City conduct an exclusive review of the regulations that apply in residential zones.

Mr. Tovar further reported that neighbors of a proposal for a development of seven homes in the Highland Terrace Neighborhood recently attended a City Council meeting to voice their concerns. He noted that the applicant conducted a pre-application neighborhood meeting to describe the proposed project. During the meeting, he used the term "air condo," which created some concern amongst the neighbors. Staff has been asked to research the concept further in an effort to address some of the concerns that have been raised.

Mr. Tovar emphasized that both topics on the agenda relate to properties that are zoned either commercial or mixed-use, and not properties that are zoned single-family. However, they are adjacent to lands that are zoned single-family so the relationship between the commercial, multi-family and mixed use components of those neighborhoods to the single-family neighborhoods that lie adjacent to them is an issue that must be considered. Mr. Tovar cautioned that when looking for opportunities for accommodating growth and housing in the future, the City should primarily focus on properties other than those zoned single-family residential.

APPROVAL OF MINUTES

The minutes of September 6, 2007 minutes were approved as corrected.

GENERAL PUBLIC COMMENT

Virginia Paulsen, Shoreline, noted that numerous multi-family residential units are being constructed in the City, particularly on 15th Avenue Northeast between Northeast 170th to 205th Streets. She urged the Commission to carefully review the Transportation Master Plan, which includes plans to extend Northeast 165th from 15th Avenue Northeast to 25th Avenue Northeast. It was originally hoped that this proposed new extension would be a means of getting people from the Sheridan Heights and Lake Forest Park areas into the proposed commercial development on 5th Avenue North and Northeast 165th Street. She said her house is four houses from 165th, and she would be opposed to an arterial in this location. She referred to the Ridgcrest Neighborhood Master Plan, which would be considered later on the agenda, and summarized that Shoreline residents are concerned that zoning changes designed to increase density would spoil the single-family neighborhoods.

PUBLIC HEARING ON PHASE 1 – TOWN CENTER COMPREHENSIVE PLAN

Chair Piro reviewed the rules for the legislative public hearing and briefly explained the process that would be utilized. He opened the public hearing and invited the staff to provide their report.

Staff Overview and Presentation of Preliminary Staff Recommendation

Mr. Tovar recalled that several years ago, the Commission reviewed and recommended approval of a proposal to create a Central Shoreline Subarea Plan. However, the City Council specifically chose not to adopt the plan as part of the City's Comprehensive Plan. Instead, it was included in the plan as an unadopted appendix report, but no development regulations were adopted to implement the plan. He referred to recent developments that have occurred along Aurora Avenue North and noted that a number of people correctly expressed concern that these development proposals were not consistent with the concepts discussed in the Central Shoreline Subarea Plan. However, the proposals were consistent with the existing Regional Business zoning, which has been in place since the City incorporated. He advised that if the City wishes to have development occur in a different form, different use mix, or different design standards, etc., they must adopt new regulations to control future development.

Mr. Tovar said the subject of the Town Center Plan would proceed in two phases. Tonight's Phase 1 hearing would be related to the four framework policies for the study area. Phase 2, which would not occur until the end of 2007 or beginning of 2008, would include a more detailed discussion of land use, zoning, design standards, etc. He explained a number of things have happened since the original Central Shoreline Subarea Plan was first discussed. Two commercial projects have been constructed and the final section of the Interurban Trail has been completed, including identification of a potential location and preliminary ideas for a heritage park. In addition, the City Council has adopted Phase 1 of the Aurora Project and given direction to move forward with the flexible alternative for Phases 2 and 3. The City Hall Project is moving along, as well, with a public meeting scheduled for October 2nd; and the City Council adopted 13 Strategic Points to guide future projects in the Town Center area. There is also a greater interest in applying a mixed-use concept in certain areas of the City.

Chair Piro explained that Phase I of the Town Center Subarea Planning Process would include a review of the framework policies, the proposed boundaries, and the right-of-way plan. Mr. Tovar pointed out that while the map provided in the Staff Report identifies all properties within the study area, staff is not proposing to change land use in all areas. Staff's intent was to capture a large enough area to include all lands that are currently zoned commercial and might be appropriate for changes in uses and zoning, as well as the residential neighborhoods that are close enough to be impacted by the changes. It is important for the City to provide adequate notice to all residential property owners who might be impacted by the proposed changes. Mr. Tovar advised that Appendix 5 is a Right-of-Way Map for the Aurora Avenue North Project. He explained that the City Council adopted a preferred alternative for Aurora Avenue North, which is inconsistent with Appendix 5. Staff recommends the map be repealed and that a new map be adopted.

Mr. Cohen introduced himself as the project manager for the Town Center Subarea Plan. He explained that the intent of Phase 1 is to establish the Central Shoreline Subarea Plan in the Comprehensive Plan by developing skeletal framework policies. Most of the specific details would be addressed as part of Phase 2. Mr. Cohen described the study area as a large rectangle, bounded by Fremont Avenue on the west, Ashworth Avenue on the east, North 188th Street on the north, and North 170th Street on the south. He cautioned that the boundaries are very general at this point, and staff is very interesting in hearing from the community about their ideas for the area. They are particularly concerned about the single-family residential neighborhoods and are interested in hearing ideas for how they could interface appropriately with the town center concept.

Mr. Cohen referred to the Framework Policies, which were extracted from the strategic principles identified by the City Council. They represent the minimum of what would be needed to stay ahead of actions the City has already taken for properties near Aurora Avenue and the Interurban Trail. He reviewed each of the policies as follows:

1. *Establish a study area boundary to provide context for evaluating the opportunities and potential impacts from future development of commercial and mixed uses along Aurora Avenue North and Midvale Avenue North.*
2. *Engage Shoreline residents and businesses in detailed design processes for two facilities between North 175th Street and North 185th Street: the “heritage park” site on both sides to the Interurban Trail and Midvale Avenue North.*
3. *Design roadway, transit and pedestrian facilities consistent with the City’s preferred “flexible alternative” for Aurora Avenue between North 165th Street and North 205th Street.*
4. *Prepare a program of civic directional or “wayfinding” signage and evaluate refinements to city sign regulations to reflect the emerging functions and visual character of Aurora Avenue.*

Questions by the Commission to Staff

Commissioner Hall asked staff to share their rationale for cutting off the study area at North 188th Street when there are commercial properties that appear close to redevelopment between there and North 192nd Street. Mr. Cohen explained that the north boundary of the study area was established to include commercial areas that front on the north side of North 185th Street and have some influence with the intersection at North 185th Street and Aurora Avenue North. While the boundary may be greater than it needs to be, staff’s intent was to include all possible areas. However, the Commission should keep in mind that the boundary would likely be refined and changed. He also noted that at the bottom of North 188th Street, the town center area drops off topographically.

Commissioner Phisuthikul referred to Framework Policy 2, which calls for engaging Shoreline residents in detailed design processes. Mr. Cohen clarified that this policy refers to the heritage park site on both sides of the Interurban Trail and Midvale Avenue North. Chair Piro suggested it would be helpful to change the language to make it clear the policy refers only to those two projects. Commissioner Phisuthikul added that the term “facilities” should be changed to “projects.”

Public Testimony or Comment

LaNita Wacker, Shoreline, said she didn’t realize the discussion would be limited to Phase 1 of the project. She indicated her support of the subarea planning concept for the Town Center area. She suggested it would be appropriate for the plan to identify Fremont and Ashworth Avenues one-way southbound and Stone and Lyndon Avenues one-way northbound. Each of these streets could provide rear angle diagonal parking on one side. She pointed out that underdevelopment has recently occurred on Aurora Avenue North, and she suggested it would be appropriate to require a minimum of two or

three stories for all development on Aurora Avenue North. In addition, she said she would like to see some type of taller building on the vacant lot near Spiro's, which could become an anchor retail and commercial tenant. Another tall building could be constructed south of the Aurora Rents property to also serve as another anchor for the subarea plan.

John Behrens, Shoreline, inquired if the City has completed a traffic impact study to determine the impact the proposal would have to the surrounding neighborhoods. He particularly expressed an interest in learning more about the amount of traffic that would be generated on Midvale Avenue and Aurora Avenue North. He recalled that at the first meeting, the City discussed the need to come up with a plan that would allow Midvale Avenue to run through the City Center. He asked if any progress has been made to implement this concept. He also asked if the City has studied the impact Midvale Avenue has had on the Gateway Project. Are people using the street to access the businesses, or just to bypass Aurora Avenue? He also asked if the City has studied the impact the City Hall Project would have on traffic at the intersections of North 175th and Midvale Avenues and North 175th Avenue and Aurora Avenue North.

Mr. Cohen answered that the Environmental Impact Statement that was adopted as part of the Comprehensive Plan for this area included a traffic study. However, the study would have to be updated at some point. Chair Piro advised that he served on the Aurora Corridor team. He reported that traffic studies are currently taking place, and the reports should be issued sometime in the fall.

Mr. Behrens asked who would be responsible for paying for the new traffic lights that would be required as additional development occurs in the area. He noted that three new traffic lights have recently been or will be installed in the study area. Mr. McKinley answered that the three traffic signals have been funded by three different sources. The light at Midvale Avenue and North 175th Avenue was paid for by the developer of the TOP Foods Project. The new light that is currently being installed at the intersection of North 185th Street and Midvale Avenue is being funded by the Interurban Trail Project in order to provide safe pedestrian and bicycle access. The light that is proposed at North 182nd Street and Aurora Avenue North would be funded as part of the Aurora Project, which gains funding from the State, Federal, County, and City governments.

Kevin Grossman, Shoreline, said the framework policies sound very solid and reasonable. However, he suggested an additional policy be added related to developing a vision for the study area. The established framework policies grew out of the vision of the community for the subarea, but there are other pieces. He suggested the study area be extended to North 192nd Street. He expressed concern that there are tremendous opportunities for redevelopment on properties currently occupied by the park-and-ride, the mattress store, and other large parcels in this area. Chair Piro summarized that Mr. Grossman would like to see the City articulate their vision for the study area as a framework policy.

Mr. Tovar suggested that rather than stating the City's vision for the study area as a framework policy, it might be better to add a framework policy related to developing a vision early in the process. Mr. Grossman agreed that would be helpful so the public could have a clear understanding of what the end product would be.

Boni Biery, Shoreline, said she lives on the northern border of the subarea plan, and she would like it to be extended to North 195th Street. As development has occurred over the past 42 years she has lived in her home, the City has promised traffic changes to address problems. However, nothing has been done to date to limit or reduce the traffic impacts on Firlands Way. She requested information about who the City would notify regarding the proposed changes. Mr. Tovar noted that all of the amendments being considered to date are legislative in nature, which would not require the City to mail out notices. Instead, notices would be published in the local newspaper, CURRENTS, etc. In addition, they would consider the option of using notice board signs and posters throughout the geographic area of the subarea plan. Mr. Cohen encouraged interested citizens to sign up on the City's mailing list. Ms. Biery recommended that notice be provided to all properties within a half mile of the proposed study area.

Bobby Lee Williams, Shoreline, asked if real estate professionals and contractors know that the zoning in the study area might change. He also requested more information about the impacts the proposed changes would have to traffic on Stone Avenue, which is already a busy street. He addition, he inquired regarding the proposed timeline for the project. Mr. Tovar answered that staff would like to study Stone and Lyndon Avenues and their side streets as part of their effort; not because they want to change the land uses on these streets, but because the impacts must be considered if more intense development is allowed on Aurora and Midvale Avenues. Staff intends to discuss these concerns with property owners along the two streets in order to come up with traffic mitigation or changes that could soften the impacts. Chair Piro noted that real estate professionals and developers would be invited to participate in the next phase of the project.

Loren Lango, Shoreline, said he has complained to the City for the past several years regarding the traffic problems on Stone Avenue. Over the past few months, there has been a more than three-fold increase in traffic on the street, including the dump trucks from Sky Nursery and the construction site. The problem is especially bad between 6 and 9 a.m. and 4 and 6 p.m. when everyone is going or coming home from work. He noted that placing the boundary of the study area at North 183rd Street would cut the Sky Nursery property in half. The building area would be inside the study area, and the parking lot and traffic would be on the outside. He agreed with the previous recommendation that the boundary be extended to North 192nd Street. This would allow the City to consider connecting Midvale Avenue to North 192nd Street, which would allow traffic from Sky Nursery to access onto Aurora Avenue North. Including these additional properties could help resolve traffic problems that already exist on Stone and Ashworth Avenues.

Presentation of Final Staff Recommendation

Mr. Tovar said staff would support an extension of the study area boundary to North 192nd Street as recommended by several members of the public. He also reiterated his suggestion that a new framework policy be added calling for the creation of a vision as the logical first step in Phase 2 of the project.

Final Questions by the Commission and Commission Deliberation

Vice Chair Kuboi asked if extending the boundary to North 192nd Street would include the parcels immediately north of that street. While he would not be inclined to support a boundary extension all the way to North 195th Street, he is concerned that the properties on the north side of North 192nd Street also

be included in the study area. Mr. Tovar said staff would be agreeable to including the north side of the street in the study area, as well. However, he cautioned that this would not necessarily result in a zoning change for the properties on the street.

Commissioner Wagner agreed that the boundary could be extended to the north to include critical properties on Aurora Avenue North if there is no other vehicle for addressing concerns. However, she cautioned that the intent of the study is to consider the Town Center area and the impact of very specific projects to the surrounding neighborhoods. She suggested that perhaps the properties that are currently outside of the boundary could be better addressed as part of another study so the City Center Subarea Plan boundaries could remain small and focused.

Commissioner Hall agreed that keeping the study area small would allow the City to focus more clearly on their mission for the Town Center area. If the area were expanded, the vision could become somewhat diffused and it could take the City substantially longer to complete the project. However, he would support an extension to North 192nd Street to include properties that are prime candidates for redevelopment in the near future. Chair Piro said he, too, would support an expansion of the boundary to North 192nd Street. He said he would also be willing to support Mr. Lango's recommendation that the boundary be extended to North 195th Street to allow the City to consider the concept of connecting Midvale Avenue to North 195th Street.

Chair Piro referenced the suggestion that another framework policy be added related to creating a vision for the Town Center Subarea Plan. Commissioner Phisuthikul said he would support an additional policy since it would provide an opportunity for the citizens to express their ideas for the area. Mr. Tovar recommended a new framework policy be added to read: "Articulate a community vision for the town center as an early step in the development of detailed provisions for the subarea." The Commission indicated their support for the proposed new policy language.

Commissioner Harris cautioned that the Town Center area should be defined as a special place and not extend all the way up and down Aurora Avenue. The Commission agreed it would be appropriate to extend the boundary to North 192nd Street only.

The Commission discussed possible changes to Framework Policy 2 to make it clearer as to what projects are being referenced. They agreed to change the policy to read: "Engage Shoreline residents and businesses in detailed design processes for a.) the "heritage park" site on both sides of the Interurban Trail and b.) Midvale Avenue North."

If the boundary were adjusted to include North 192nd Street, Vice Chair Kuboi inquired if the traffic generated by the Echo Lake Project would be addressed as part of the traffic study that is done for the project. Mr. Tovar said traffic from all land uses along Aurora Avenue were studied in a general way as part of the SEPA review that was required for the Aurora Project. It might be possible to refine or provide more detailed information about the Echo Lake Project as part of the study, but the analysis of this traffic would still be fairly general in nature.

Closure of Public Hearing

COMMISSIONER HALL MOVED TO CLOSE THE PUBLIC HEARING. COMMISSIONER HARRIS SECONDED THE MOTION. THE MOTION WAS APPROVED UNANIMOUSLY.

Vote by Commission to Recommend Approval or Denial or Modification

COMMISSIONER HALL MOVED THAT THE COMMISSION APPROVE THE STAFF'S PROPOSAL WITH TWO COMMISSION AMENDMENTS. SPECIFICALLY:

- **ADD A NEW FRAMEWORK POLICY 1 TO READ: "ARTICULATE A COMMUNITY VISION FOR THE TOWN CENTER AS AN EARLY STEP IN THE DEVELOPMENT OF DETAILED PROVISIONS FOR THE SUBAREA."**
- **CORRECT FRAMEWORK POLICY 2 TO READ: "ENGAGE SHORELINE RESIDENTS AND BUSINESSES IN DETAILED DESIGN PROCESSES FOR A.) THE "HERITAGE PARK" SITE ON BOTH SIDES TO THE INTERURBAN TRAIL AND B.) MIDVALE AVENUE NORTH.**
- **EXTEND TOWN CENTER STUDY AREA TO NORTH 192ND STREET.**
- **REPEAL APPENDIX 5 (CENTRAL SHORELINE RIGHT-OF-WAY MAPS).**

COMMISSIONER PHISUTHIKUL SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

REPORTS OF COMMITTEES AND COMMISSIONERS

None of the Commissioners provided reports during this portion of the meeting.

NEW BUSINESS

Study Session: Ridgecrest Commercial Area Zoning

Chair Piro explained that tonight's discussion would be a study session, but the public would be invited to provide comments to the Commission. He emphasized that a more formal public hearing on the Ridgecrest Commercial Area Zoning would be conducted at a later date.

Dennis Lee, Shoreline, said people are not so concerned about possible land use changes as they are about the traffic impacts associated with the changes. As part of the City's discussion related to the Ridgecrest Commercial Area, they must address how they will protect the neighborhoods from cut through traffic. This might require the businesses to be open from the back so that people living in the neighborhood could walk.

Mr. Lee noted that there has been a significant escalation in the demand for housing, and the Aurora Corridor and North City have accommodated more density than was anticipated in the original Comprehensive Plan. He agreed the plan needs to be updated. He urged the City to involve the public early in the process; and right now, they don't really understand the process. He also suggested the project be renamed the Ridgecrest Neighborhood zone. They should avoid quick rezones, with the developers promising to be good the neighbors. If the commercial properties are zoned as Neighborhood

Business, the commercial uses should be for the neighborhood residents. The goal should not be to attract customers from other areas. Chair Piro noted that a public hearing for the Ridgecrest Commercial Area Zoning Proposal has been scheduled for October 18, 2007.

Pam Mieth, Shoreline, said she understands that the Commission is at the beginning stages of their review, so she would submit her questions and concerns in writing. She said she is primarily concerned about the traffic impacts, as well as the significant density that would be allowed on North 163rd Street. Allowing five or six floors of development so close to the single-family residential neighborhoods seems out of scale.

Cathie Schleh, Shoreline, suggested that notice of the upcoming public hearing date be posted on the reader board at the Ridgecrest Elementary School.

Mr. Tovar reviewed that a public workshop was conducted on September 12th, and approximately 70 people attended. Many of them also participated in the process that occurred last winter with the University of Washington students. He explained that the staff's proposal is intended to establish regulations that would enable the uses, building form, and other amenities the neighborhood indicated as desirable for the Cascade Bingo Property that is currently zoned commercial. The proposed new regulations would allow property owners to develop properties as the market demands, but protect the neighborhoods from projects that are too large or have too many impacts. He cautioned that if the regulations that are ultimately adopted by the City Council are not more attractive than the existing zoning, property owners would develop under what the existing zoning would permit, which is three stories of town houses on the entire property.

Mr. Tovar distributed copies of a zoning map from the City of Kirkland, which has utilized the planned area concept effectively since 1976. He explained that much of the City of Kirkland is zoned single-family residential, but they also have 22 planned areas. In each planned area zone, the zoning code identifies a maximum building height, the floor ratio, design standards, access conditions, and other details that control what projects can occur in the individual planned zones. The intent behind the planned area concept is to recognize that not all of the properties in a community fit well into the five or six zoning designations available. A better method is to write a zone to suit the needs of a particular area.

Mr. Tovar provided copies of the City's Comprehensive Plan Map, upon which staff identified where potential planned area zones might be designated in the City. He specifically noted that the Ridgecrest Commercial Area is designated on the map as Planned Area 4 (PA4). The intent of the concept is to better regulate land use to implement the Comprehensive Plan in more detail for a particular zone. He noted that the Shoreline Community College Property, the Christa Property, the South Aurora Triangle Property and the Fircrest Property are also identified on the map as being potential locations for planned area zones. He cautioned that just because an area is zoned as a planned area doesn't mean that the uses allowed in one planned area would be the same as those allowed in another planned area or any other zone in the City. He said the form-based code concept is another method of achieving the objectives of City and neighborhoods with more precision. He concluded by emphasizing that the proposal is simply a zoning text and zoning map change and not a Comprehensive Plan amendment. All of the proposed changes would be consistent with the current Comprehensive Plan.

Mr. Szafran referred to the proposed text for Planned Area 4. He reviewed the proposed purpose and scope language (Section 20.98.010), which states that the new standards are designed to:

- Be a form-based code that provides flexibility, yet ensure that the character of a project's building and site design is supportive of the adjacent public spaces and uses.
- Create a lively mixed use and retail frontage in a safe, walkable and transit-oriented neighborhood environment.
- Provide for a human scale building design.
- Ensure that building and site design is presented to the neighborhood for comment.

Next, Mr. Szafran referred to the permitted and prohibited uses section (20.90.020), which specifically lists the uses that would not be allowed in the PA4 zone. He reviewed the density and dimensional standards section (20.98.030), explaining that for the purpose of building setbacks, the mass of the building was divided into three sections: the building base (ground floor), the middle (2nd and 3rd stories), and the top (anything above the 3rd story). He noted that maximum building height would be 3 stories, with an additional 3 stories if certain conditions are met. The proposed basic density for the PA4 zone would be 24 dwelling units per acre, which is allowed by the existing zoning. The maximum density would be limited by the height of the building, floor area ratio, and parking requirements.

Mr. Szafran noted Section 20.98.040 explains the administrative design review concept, which is a new element of the Shoreline Development Code. Administrative design review would ensure that any building plan for the site meets the goals and intent of the PA4 zone. Chair Piro noted that the proposed administrative design review would be carried out by staff. Mr. Tovar said the concept would require an administrative permit, but there would still be a neighborhood meeting requirement.

Mr. Szafran referenced Section 20.98.050, which identifies the proposed design standards. He said one key point of site design is the requirement that new development accommodate street level retail, particularly on 5th Avenue Northeast. If ground level retail is not planned for buildings fronting on 5th Avenue Northeast, the buildings must still be available for retail uses at a future date. This section also requires that building design soften the visual impact of multi-use buildings face Northeast 163rd Street and the west property line so they are more compatible with the single-family homes. This could be done by providing decorative features or planting trees or shrubs in the setback area along the western property line.

Mr. Szafran reviewed that the language proposed in Section 20.90.050, which states that driveway access should be limited to minimize automobile conflict and light glare on adjacent properties. In addition, development on parcels that front on 5th Avenue Northeast would have to be designed and furnished to support, complement and accommodate and promote transit stops.

Mr. Szafran explained that building design review would consider things such as pedestrian enhancements, blank wall treatments, façade articulation, weather protection for buildings along the street fronts, vertical differentiation, street frontage standards, roofline design, service areas and mechanical equipment, parking structures, and the accommodation of live/work units.

Mr. Szafran referenced Section 20.98.060, which describes the public bonus feature program. The zone would outright allow a 3-story building. Any development above 3 stories would be required to accommodate a certain number of the public bonus features listed in the section. The parking section (20.98.070) proposes that the minimum residential parking requirement be one space for studio and 1-bedroom units and 1.5 spaces for 2-bedroom units. However, provisions would allow for car sharing programs.

Mr. Szafran said that Section 20.90.080 outlines the proposed sign standards for the PA4 zone. It would basically allow for the same type of signs allowed in the existing zones. It requires that a master sign plan be submitted and approved by the City in conjunction with the building permit. He said the last section (20.98.090) is related to outside lighting, and the intent is to make sure the outside lighting does not impact the residential properties that surround the site.

Commissioner Hall expressed his belief that proposing zoning changes for just one very small area of the City appears to make the code extremely complicated. He understands the advantage of creating planned area zones, but writing a 20-page development code for every individual parcel would be too complex. Mr. Tovar agreed it would not be appropriate to apply this concept to every parcel in the City, but they are only talking about a finite number of parcels. The PA4a parcel is very unique for many reasons, and the proposed language is staff's best attempt to write a regulation that achieves what the community seems to want and provides as much certainty to the applicant as possible. He agreed that implementing a planned area concept would result in more zoning code text, but the question that must be asked is whether it's worth it. Staff believes it is for certain parts of the City that are ripe for redevelopment.

Commissioner Phisuthikul suggested that providing a percentage of affordable housing should be included on the list of public bonus feature options, since this would provide a direct benefit to the public. Mr. Cohn noted that Section 20.98.030.B states that based on a specific formula, the number of permitted units could be increased if affordable housing was provided on the site. Commissioner Phisuthikul pointed out that this section only applies to density increases in buildings up to 3 stories. Providing affordable housing would not be one of the options for obtaining additional height. Mr. Szafran agreed. In order to obtain the additional height, the developer could be asked to give something back to the neighborhood. The public bonus feature options are intended to have a direct impact on the adjacent property owners, and that is why affordable housing was not listed as one of the options.

Mr. Szafran referred to Section 20.98.050.D.1, which would require that the first floor adjacent to the street be constructed to accommodate retail. He noted that the language would not require a retail use. This would be determined by the market, but staff believes there is some market for retail space in this particular corner. Mr. Tovar expressed his belief that this would be particularly true if there were four or five stories of residential development above the retail space.

Vice Chair Kuboi pointed out that the proposal would introduce the concepts of planned areas, form-based codes and administrative design review all at the same time to a potentially skeptical public. He asked if staff has anticipated how the proposal could be changed if the public expresses objection. Mr. Tovar advised that there are several design review processes that could be utilized such as an administrative review, a hearing examiner hearing with a recommendation to the City Council, or a

hearing examiner hearing and decision. Another option would be for the Planning Commission to serve as a design review board that would make recommendations to the City Council. While it could be argued that a public hearing process would allow more opportunity for the public to participate, staff also believes it is important to make the process more predictable by having a more prescriptive and detailed set of zoning standards and regulations.

Chair Piro said he supports the idea of addressing design issues as part of the zoning regulations. He recalled that with the more complicated projects, the Commission has found that whether or not a proposal would be viable and contribute to the quality of life in the City comes down to design. Having a design review function would ensure that design gets the attention it needs when projects are proposed.

Vice Chair Kuboi questioned the process the City used to identify a balance between the impacts to the neighborhood and the needs of the developers. Mr. Tovar said staff reviewed what design review processes have and have not worked in other jurisdictions. He advised that some jurisdictions have had design review boards for years, and they usually consist of three to five board members with a background in architecture or engineering. Typically, the policies that design review boards consider are broader than just design issues. If the City were to create a design review board, they would still have to provide very clear design standards for them to use when reviewing projects. Design review boards cannot base their decisions on subjective and/or arbitrary standards.

Vice Chair Kuboi expressed his concern that allowing a development to go from three stories to six stories would significantly change the profit potential from a developer's standpoint. However, the list of public bonus feature options appear to be rather token in nature. Mr. Szafran explained that any proposal for additional stories would be reviewed by staff to make sure it meets the intent of the code. Vice Chair Kuboi suggested that before this concept is implemented, staff should provide more information from other jurisdictions to illustrate how public benefits could be traded for additional developer privileges. He felt this would be particularly important for this subject property since additional height could impact some property owners' view of the Olympic Mountains. It is important that the neighborhoods receive a reasonable return on the additional height allowance.

Mr. Tovar reminded the Commission that the proposed language is draft only. Staff intends to incorporate feedback they have received to date from the public and the Commission into the draft that is presented at the public hearing. He noted that the public bonus feature options identify things the City would like developers to incorporate into the design of buildings, but more detailed discussion needs to take place to determine the quantity of each option that a developer would have to provide in order to gain the extra height. In addition, the Commission could have a discussion about how to tie increases in building mass and height to provisions for moderate-income housing. While they can't quantify the developer's cost of providing this housing, it is important to keep in mind that moderate-income housing would provide a public benefit. He agreed the City should be able to obtain more tradeoff from developers than what has been described in the draft language. He agreed to update the document to address this concern.

Commissioner Wagner asked if the proposed zone would identify a minimum height limit. She cautioned that the language should prohibit single-story strip development. Staff agreed to make that change. Secondly, Commissioner Wagner suggested the language should also carefully address the issue

of impervious surfaces. She recalled the City Council's goal to create a green, sustainable Shoreline and noted that requiring green building standards could have some potential public benefit, as well. Mr. Szafran agreed the draft language does not explain any kind of green building requirements. Mr. Tovar advised that the citizens also made this comment. Staff would consider ways to articulate this concern, either as a bonus option or possibly as a requirement. However, because green roofs are very costly, the City must consider how to keep the public benefit options proportionate or commensurate with the return to developers.

Commissioner Harris said it must be understood that if a 6-story structure is built on the subject property, all of the surrounding property owners would lose the privacy of their backyard. Secondly, Commissioner Harris asked if terms such as façade articulation, vertical differentiation, etc. are common terms in the development community. Mr. Szafran answered that these terms came right out of the City's current code. Commissioner Harris expressed his belief that these types of design techniques are becoming so common place, that the new buildings are almost becoming boring. Lastly, Commissioner Harris asked if the façade details would be similar to the apartment building that was recently constructed on 15th Avenue and Northeast 183rd Street. Mr. Szafran said the intent of the proposed language was to require better architecture. Commissioner Harris suggested that the types of building materials used are just as important as the design elements. Mr. Szafran noted that Section 20.98.050.F.4.a briefly states that different materials and/or colors should be used. Commissioner Harris expressed his belief that quality and appearance would play a significant role in neighborhood acceptance of the proposed changes.

Commissioner Phisuthikul noted that while the proposed language would require building articulation, it does not make it clear exactly how much articulation would be required. Mr. Tovar agreed the proposed language should spell out these types of dimensions.

Commissioner Hall asked staff to give further consideration to options for encouraging affordable housing. He asked staff to at least consider changing the requirement to low-income housing instead of moderate income housing. Secondly, Commissioner Hall encouraged staff to keep in mind the good information that was shared by presenters at the recent speaker series events, such as what makes a plaza a public gathering place, becoming a Cascade City and utilizing the transfer of development rights concept, etc. Thirdly, Commissioner Hall suggested it would be appropriate for the City Attorney to be present at the October 18th public hearing to provide legal advice to the Commission as the hearing proceeds. Mr. Tovar agreed it would be appropriate for staff to review the speaker series presentations and determine which concepts might have application in the proposed amendments the Commission would consider over the next several months.

Mr. Tovar advised that, as part of their work on the South Aurora Triangle, staff has developed some language regarding the concept of transferring development rights from the rural area into the urban area. This project is currently on hold while the staff, Commission and City Council deal with more pressing matters. While there is no program in place in King County right now, they could create a place keeper in the proposed language that would allow a developer to avail themselves to this type of program if and when it is established by King County and accepted by the City of Shoreline.

Chair Piro pointed out that much of the public concern with both of the items on the Commission's agenda was related to traffic impacts. He suggested the parking requirements be more clearly delineated in the proposed language to address not only on-street and off-street parking requirements, but also require a parking management plan to address the impacts to adjacent neighborhoods.

Commissioner Phisuthikul referred to the proposed setback requirements in Section 20.90.030. He suggested the language be changed to make it clear that the setback for the upper stories would be greater than the setback for the middle stories.

Mr. Tovar advised that staff would create an updated draft of the proposed changes, utilizing the comments received thus far from the public and the Commission. Once it is ready, the draft would be posted to the City's website for the Commission and public to review. Staff would accept additional recommendations related to the draft, but they must distribute the final draft to the Commission by October 10th in preparation for the October 18th hearing. He noted that the public would also be invited to provide additional written comments regarding the draft language. Mr. Szafran added that citizens on the email list would receive a reminder notice about the upcoming hearing.

UNFINISHED BUSINESS

Transit Resolution

Chair Piro reviewed the typographical corrections that were discussed and agreed to at the Commission's earlier dinner meeting.

COMMISSIONER HALL MOVED THAT THE COMMISSION TRANSMIT THE TRANSIT RESOLUTION TO THE CITY COUNCIL. COMMISSIONER WAGNER SECONDED THE MOTION.

Chair Piro recalled that, at the earlier dinner meeting, staff offered a thought that the Commission may want to consider options for developing policy language to implement the concept when they review the Comprehensive Plan amendments again in 2008. The Commission agreed this would be appropriate if the document is adopted by the City Council.

Mr. Tovar reported that staff would prepare an updated version of the Commission's work program for the upcoming joint City Council/Planning Commission meeting. The new document would provide more details about their 2008 agenda.

Based on the Commission's final action related to the resolution, Chair Piro said staff recommends the City provide a courtesy copy of the document to the various transit agencies to start the communication process. The Commission agreed that would be appropriate. Commissioner Hall suggested that a courtesy copy of the document could also be forwarded to the planning commissions of the other jurisdictions identified in the resolution.

THE MOTION WAS APPROVED UNANIMOUSLY.

ANNOUNCEMENTS

No additional announcements were provided during this portion of the meeting.

AGENDA FOR NEXT MEETING

Chair Piro reminded the Commission of their joint meeting with the Hearing Examiner on September 20th.

ADJOURNMENT

The meeting was adjourned at 9:52 P.M.

Rocky Piro
Chair, Planning Commission

Jessica Simulcik Smith
Clerk, Planning Commission

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE: 2008 Proposed Budget Department Presentations
DEPARTMENT: City Manager
PRESENTED BY: Robert Olander, City Manager

PROBLEM/ISSUE STATEMENT: The City Manager presented the 2008 Proposed Budget to the City Council on October 15, 2007. Tonight's agenda includes an opportunity for departments to review their budget proposals with the City Council. The proposed 2008 budget has been made available to the public and is available at the City Hall, Shoreline Police Station, Neighborhood Police Centers, Shoreline Library and Richmond Beach Library. In addition the November issue of "Currents" is a special 2008 Budget issue that was sent to all residents within the City.

The focus of the departmental presentations will be on any significant changes between the department's 2007 budget and the 2008 proposed budget. This will serve to expedite the budget review process and make the best use of the Council meeting time. Although this is the case, all Department Directors will be available to answer questions. Those departments with planned presentations include:

October 22	November 5
Economic Development	Planning & Development Services
Community Services	Public Works
Finance	
Police	
Parks, Recreation & Cultural Services	

Tonight we plan to complete department review through the Parks, Recreation & Cultural Services Department. Future budget workshops are planned for November 5, and November 19. Attachment A to this staff report is a suggested schedule for topics that will be covered at each of these workshops. Public hearings on the budget will be held on November 5th and 19th. The hearing on November 19th will have special emphasis on revenue sources and the 2008 property tax levy. The budget is scheduled for adoption on November 26.

FINANCIAL IMPACT: The 2008 Proposed Budget totals \$93,928,230.

RECOMMENDATION

No action is required by the City Council. Department presentations will be for informational purposes and provide an opportunity for Council to ask specific questions regarding proposed department budgets.

Approved By: City Manager  City Attorney ____

ATTACHMENTS:

Attachment A: Proposed Budget Review Schedule

INTRODUCTION

The presentation for the public hearing will provide a broad overview of the proposed 2008 budget. Department presentations will focus on any substantial changes from 2007 to 2008.

DISCUSSION

The 2008 proposed budget is the overall plan for allocating City resources to the programs necessary to keep the community safe, enhance the quality of life, and maintain and develop the City's infrastructure. The proposed budget totals \$93,928,230.

The most significant changes from 2007 included in the 2008 proposed budget include:

- *Property Tax:* The projected 2008 property tax levy rate is \$1.07 per \$1,000 assessed valuation. This is a 2.7% reduction from the 2007 tax rate of \$1.10. The budgeted property tax levy, 99% of the projected levy, is \$7,236,228, a 2.4% increase compared to 2007.
- *Salary & Benefit Changes of Existing Positions:*
 - Market salary adjustments and budgeted step increases. The budget includes an overall 3.15% market adjustment for all regular personnel classifications (\$290,565) and anticipated step increases for eligible employees (\$166,209). The 2008 proposed budget includes an additional \$54,000 as a contingency to implement the 2008 salary survey. The City's compensation policy establishes salary ranges that are set at the median of the City's comparable organizations. As was approved in 2005, the City reviews one-third of the City's classifications annually, ensuring that all classifications are reviewed once every three years. Any recommended salary schedule changes, as a result of the survey, will be discussed during the budget process. The salary schedule is currently planned to be discussed on November 19.
 - Increases in the employer contribution to the City's Social Security replacement program, and Medicare will increase by \$31,897, 4.3%, as a result of the recommended market adjustment and anticipated salary step increases.
 - Health benefit costs are projected to increase by \$83,632, 5.46%.
 - The Washington State Public Employees Retirement System (PERS) employer contribution rate will go from 6.13% to 8.31% effective July 1, 2008. This rate increase is part of the planned rate increases through 2011 that have been adopted by the State Legislature to meet the actuarial funding requirements for the system. Another rate increase is expected to occur July 1, 2009, which will raise the employer contribution rate to 9.1%. The 2008 budget reflects increased retirement contribution costs of \$159,063, a 30.5% increase when compared to the 2007 budget.
- *New Staff Positions:* The 2008 proposed budget recommends an increase to the City's regular employee full-time equivalents (FTE's) by a net 1.0 FTEs. The proposed position changes include:

- A 0.5 FTE Administrative Assistant be hired for the Community Services division. This division is focused on community involvement and support within a single division. These programs include Neighborhoods, Emergency Management, Customer Response Team, and Human Services. This division does not have an administrative position that can provide division-wide support and one is necessary. (Salary, \$20,800; Benefits \$7,943);
 - A regular 0.5 FTE Recreation Assistant position. This position will work in the Specialized Recreation program. The position is being funded with revenue generated from increased programming in this area and a reduction in the existing extra-help budget. As a result there is a net zero impact to the budget.
- *Police Contract:* Overall, the City's cost for police services is projected to increase by \$476,993 (5.7%) when comparing the estimated 2008 cost to the City's 2007 budget. This is primarily a result of paying a full year for the Street Crime Officer added in 2007 (in 2007 we only paid 0.58 FTE since the position was added mid-year), increased personnel costs charged through the King County contract, and an increase in the City's share of activity based cost allocations such as the Fraud and Forgery unit.
- *Jail:* The City's 2008 jail costs are expected to increase at the lowest level in several years, approximately \$74,800 or 6.1%, over the 2007 budget. In 2007 we have started to see a downward trend in jail usage. Because of the limited amount of time that we have seen this trend, we are not comfortable in reducing the projected use for 2008, and therefore are projecting a 2008 cost of \$1.3 million. Staff will continue to monitor the trend and see if there are opportunities to reduce the budget in the future.
- *Human Service Funding:* The 2008 budget includes the biennial human service funding approved by the City Council. Since that time the Council has approved an additional \$18,000 for the Senior Center for 2008 and included \$25,000 to provide utility assistance for low-income residents.
- *Use of Operating Reserves:* The only budgeted use of operating reserves (fund balance) is the allocation of \$805,000 of the general fund fund balance for budget and insurance deductible contingencies, as per the City's reserve policies, and the use of \$105,565 of fund balance within the City Street fund for establishing a contingency for street light costs.
- *Fee Changes:* The 2008 budget reflects the policy adopted by the City Council in 2000 to adjust development and recreation fees by the CPI-U for Seattle which is estimated at 3.5%. The 2008 fee schedule also includes a proposed \$4, 3%, annual increase in the City's surface water utility rate, bringing the annual residential rate to \$124. This rate adjustment was included in the surface water master plan adopted by the City Council in 2005. In 2008 the City will conduct a rate review process to identify any rate adjustments that will be needed over the next few years.
- *One-Time Expenditures:* The 2008 General Fund budget includes \$422,500 in one-time resource allocations and an additional \$45,000 that is part of a three year funding package for Kruckeberg Garden transition plan. The one-time expenditures provide funding for the following:

<u>Department</u>	<u>Item</u>	<u>Budget</u>
Finance	Implement IFAS 7i Application & Architecture - Financial Software	\$ 101,500
Finance - GIS	Digital Aerial Photography and Mapping	75,000
Parks & Recreation	Kruckeberg Garden Operation Funding (1st year of 3 year funding)	45,000
Parks & Recreation	Metal Storage Building - Hamlin Park	40,000
Parks & Recreation	Spartan Recreation Center Weight Room Equipment	40,000
Parks & Recreation	Parks Equipment including Athletic Field ATV, Field Rake/Drag, Field Truck & Trenching Blade	56,000
Planning & Development Services	Construction Inspection Services	35,000
Planning & Development Services	Southeast Shoreline Subarea Plan	75,000
Total		\$ 467,500

- *Liability and Property Insurance Assessment:* The City's liability and property insurance assessment will increase by \$35,031 from 2007 to 2008. This is approximately an 8% increase.
- *Surface Water Utility Fund:* The 2008 budget accurately reflects the accounting for the surface water utility (SWM) by budgeting for both the operational and capital components of the utility in a single fund. Of the total \$10.48 million utility budget, \$7.1 million is for capital improvements. The most significant improvements include the Pan Terra Pond and Pump project, Ronald Bog South, Boeing Creek Park, and East Boeing Creek drainage improvements. These projects were included in the adopted 2008-2013 Capital Improvement Plan.

In addition to the major changes identified above, the City Council will have an opportunity to review each of the City's department budgets. Formal presentations will not be made by all departments as the department presentations will focus on those departments with significant budget and/or service level changes. This will serve to expedite the budget review process and make the best use of the Council meeting time. Although this is the case, all Department Directors will be available to answer questions. Those departments with planned presentations include:

<u>October 22</u>	<u>November 5</u>
Economic Development	Planning & Development Services
Community Services	Public Works
Finance	
Police	
Parks, Recreation & Cultural Services	

SUMMARY

The 2008 proposed budget is balanced and totals \$93.9 million. The City Council will have three workshops to review the proposed budget. The public will have an opportunity to speak to the Council about the budget at each of the Council meetings as part of either public comment or during the two formal budget public hearings held on November 5 and November 19. The City Council is scheduled to adopt the 2008 budget on November 26.

RECOMMENDATION

No action is required by the City Council. Department presentations will be for informational purposes and provide an opportunity for Council to ask specific questions regarding proposed department budgets.

ATTACHMENT A

2008 Proposed Budget Review Schedule

October 22	November 5	November 19
City Council City Manager Economic Development Community Services City Clerk City Attorney Finance Human Resources Police Parks & Recreation & Cultural Services	Criminal Justice Planning & Development Services Public Works	2008 Fee Schedule 2008 Salary Schedule