

CITY OF SHORELINE—see page 5 for change

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

Monday, January 14, 2002
7:30 p.m.

Shoreline Conference Center
Mt. Rainier Room

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

ABSENT: None

1. **CALL TO ORDER**

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

2. **FLAG SALUTE/ROLL CALL**

Upon roll call by the City Clerk, all Councilmembers were present.

3. **REPORT OF CITY MANAGER**

City Manager Steve Burkett said the report of the Shoreline Water District Executive Director originally scheduled for January will be presented in February. He pointed out that the final draft of the survey of Shoreline residents is in the Council correspondence packet.

4. **REPORTS OF BOARDS AND COMMISSIONS**

(a) **Library Board Report**

The Chair of the Shoreline Library Board, Evelyn Phillips, reported to Council on the activities of the Board and of the Shoreline and Richmond Beach libraries. She commented on the increased usage of the new Richmond Beach Library and the continued growth in circulation at the Shoreline Library. She outlined various King County Library System (KCLS) programs. She said the Board is examining ways the libraries can provide better service to seniors. She noted that Judge Richard Eadie has been appointed to the KCLS Board of Trustees. Ms. Phillips concluded by outlining the impacts of Initiative 747 on KCLS and by describing Proposition 1, which voters will consider on the February 5, 2002 ballot. She encouraged Councilmembers to support KCLS by voting in favor of Proposition 1, which will increase KCLS property tax revenue by four cents per \$1,000 of assessed property value.

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Mayor Jepsen commented on the "amazing" circulation statistics that Chair Phillips outlined. He expressed his pleasure at Judge Eadie's appointment to the KCLS Board.

Councilmember Ransom commended the Library Board for its efforts and thanked Ms. Phillips for her six years of service. He noted two upcoming vacancies on the Board.

Deputy Mayor Grossman commented on the good coordination between KCLS librarians and the Shoreline School District.

5. PUBLIC COMMENT

(a) Charlotte Haines, 831 NE 194th Street, expressed concerns about time and cost overruns for some City Capital Improvement Program (CIP) projects. She suggested that the City focus on its priorities, particularly economic development through improvements to Aurora Avenue and North City. She also expressed concern about the potential assumption of the Ronald Wastewater District. She hoped this would not come up for four or five years, when other City projects have been completed.

Mayor Jepsen noted the diversity of opinion on the Council concerning assumptions. He anticipated much more Council discussion of the issue.

6. APPROVAL OF THE AGENDA

Councilmember Gustafson moved approval of the agenda. Deputy Mayor Grossman seconded the motion, which carried unanimously, and the agenda was approved.

7. CONSENT CALENDAR

Councilmember Montgomery moved to approve the consent calendar. Councilmember Ransom seconded the motion, which carried 7-0, and the following items were approved:

Minutes of the Workshop Meeting of December 3, 2001

Minutes of the Joint Dinner Meeting of December 10, 2001

Minutes of the Regular Meeting of December 10, 2001

Approval of expenses and payroll as of December 28, 2001 in the amount of \$5,025,188.35

Motion to authorize the City Manager to execute the contract with North Rehabilitation Facility for landscape maintenance for an amount not to exceed \$124,600

Motion to authorize the City Manager to execute a change order in the amount of \$113,196 with Ohno Construction to complete

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habitat mitigation work for the Shoreview Park Improvement Project

8. ACTION ITEMS: OTHER ORDINANCES, RESOLUTIONS AND MOTIONS

- (a) Motion to authorize the City Manager to amend the interlocal agreement for Law Enforcement Services with King County to include arson investigation

Larry Bauman, Assistant City Manager, explained that King County no longer provides free Countywide arson investigation services. He said Shoreline and other affected agencies have had to develop a process by which the King County Police can provide these services. He reviewed other options. He said staff recommends an amendment to the interlocal agreement with King County for Law Enforcement Services that identifies costs, costing methods and call-out protocols for arson investigation.

Councilmember Gustafson moved to authorize the City Manager to amend the interlocal agreement with King County for Law Enforcement Services to include arson investigation services. Councilmember Montgomery seconded the motion.

Responding to Councilmember Ransom, Mr. Bauman explained the differences between criminal arson investigation and the preliminary work done by the Fire Marshall to identify the cause and origin of a fire.

Councilmember Chang expressed concern that the County might stop providing other services that it has provided in the past without charge. Mr. Burkett added that Councilmember Chang had asked him if the County could do this with police services. He explained that these services are guaranteed through the contract, but the costs will continue to rise.

Responding to Councilmember Hansen, Mr. Bauman explained that the number of arson investigations has decreased in the past year because of the new call-out protocols. He said the numbers in the proposed amendment reflect this downward trend. He noted that if the numbers of investigations increase the City can pay for overtime. He said this is a better option than having an additional investigator in the contract.

Councilmember Hansen pointed out that the "free" services provided by the County to Shoreline are funded by \$8 million in taxes paid to the County by Shoreline residents.

A vote was taken on the motion, which carried unanimously, and the City Manager was authorized to amend the interlocal agreement for Law Enforcement Services with King County to include arson investigation.

- (b) Motion to adopt the 2002 Statement of Legislative Priorities

Noting that the 2002 legislative session began today, Mr. Burkett explained that adoption of the Legislative Priorities provides a basis for staff, Councilmembers and the City's lobbyists to move forward on items under consideration by the legislature.

Joyce Nichols, Community and Government Relations Manager, said the major issues during the session will be the same as last year: transportation and the budget. She noted the projected State budget shortfall of \$1.25 billion. She said one priority for Shoreline will be the restoration of the Initiative 695 backfill funding that has been cut in the Governor's budget. She said this funding, if cut, will probably never be replaced by another source.

Continuing, Ms. Nichols identified gambling tax rates as another major issue. State law currently allows cities to tax cardrooms to a maximum of 20 percent. The City opposes a reduction in this maximum rate. The Governor wants to reduce the city rate to 15 percent and add a State tax of ten percent. Shoreline opposes this plan because this is one of the few flexible sources of City revenue. Ms. Nichols also mentioned Senate Bill 6193, which proposes several changes harmful to Shoreline. She said the bill would expand gambling and affect the use of zoning to regulate gambling activity.

Ms. Nichols said Shoreline supports a balanced transportation funding package to insure funding for major City transportation projects, particularly the Aurora Corridor.

Ms. Nichols said King County may lobby the legislature to grant counties the authority to impose utility taxes. Explaining City opposition to this proposal, she mentioned the "urban subsidy," through which unincorporated areas in King County receive more dollars in services than they generate in tax revenues, and the County's failure to define its role as a provider of regional services. She said a Countywide utility tax would allow King County to spend its way out of its budget problems without addressing the issues of regional services and the urban subsidy.

Concluding, Ms. Nichols said the City is monitoring legislation that would require local communities to identify sites to house released sex offenders and proposed cuts in health and human service programs, which will reduce the safety net for vulnerable City residents and/or shift responsibilities for these program to local governments without providing appropriate funding.

Councilmember Montgomery moved to adopt the proposed 2002 Statement of Legislative Priorities. Councilmember Gustafson seconded the motion.

Responding to Councilmember Ransom's comment that there will be a \$3 billion shortfall in the State budget in the next biennium, Ms. Nichols agreed that budget problems will only get worse with time, unless the revenue stream increases or the economy improves.

Councilmember Ransom said the loss of sales tax equalization money should be a high priority issue. He noted that many new cities counted on this source of income to make their incorporations financially feasible.

Councilmember Ransom commented on the proposed reduction of the maximum gambling tax rate of 20 percent. He said the legislature approved legislation reducing the maximum rate to ten percent three times, but the Governor vetoed each bill. He said the gambling industry spends 80 percent of its revenues to comply with government regulations. He noted that an 11-percent city tax, such as that in Shoreline, leaves nine percent as a return on investment. He said the addition of a 10-percent State tax will reduce mini-casinos' profit margins to zero and put them out of business. ~~He asserted that electronic pulltabs represent the biggest threat to the City budget. He said the State collects tax revenues on electronic pulltabs, but the City does not. He said cardroom revenues are down, which affects the City budget, but electronic pulltab revenue has increased.~~ He explained the ramifications of allowing electronic pulltabs in locations other than Indian casinos. He said they threaten revenue from other sources of gambling. This could have an impact on the City's budget. He recommended that the City strongly advocate for a share of electronic pulltab tax revenues. Ms. Nichols said the most recent legislation she reviewed divided the tax revenue on electronic pulltabs between cities and the State.

Councilmember Ransom recommended being proactive in the area of health and human services by advocating strongly for legislation that protects people. Ms. Nichols said this will definitely occur.

Councilmember Montgomery strongly supported the priorities and advocated keeping the 20 percent rate for the gambling tax rate for cities. She questioned the amount of opposition outside the Puget Sound area to countywide utility taxes. Ms. Nichols said staff is exploring this.

Responding to Councilmember Montgomery, Ms. Nichols said it is always very helpful when Councilmembers respond quickly to requests for contacts with legislators, either in writing or through testimony in Olympia.

Councilmember Gustafson commended Ms. Nichols for the clarity of the Statement of Legislative Priorities. He suggested that the City send them to the federal and State legislators representing Shoreline. He also emphasized the importance of support of youth services.

Responding to Councilmember Ransom, Ms. Nichols explained that the State has the responsibility to house sex offenders but it is pushing the planning for the number of beds to house sex predators in the local communities back on the counties and cities. The goal is to get the State to take back responsibility for the siting decisions that put those individuals in local communities.

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A vote was taken on the motion, which carried 7-0, and the 2002 Statement of Legislative Priorities was adopted.

9. UNFINISHED BUSINESS

- (a) Information regarding release of grant funding for the Interurban Trail Bridge Project

Mr. Burkett explained that the City has asked the State for more flexibility in terms of the deadlines for acceptance of the grants related to the building of a bridge over Aurora Avenue for the Interurban Trail. He asked Council to take no specific action tonight with regard to this issue. He said this will give staff more time to obtain a better cost estimate for the bridge and perhaps to identify other funding.

Councilmember Hansen pointed out the postponed motion on the floor from the December 10, 2001 meeting to authorize the City Manager to release the grant funds totaling \$534,292 back to the Washington State Department of Transportation and the Washington Traffic Safety Commission Target Zero Grant Program.

Councilmember Montgomery asked to withdraw her motion. Councilmember Hansen withdrew his second. There was no objection, and the motion was withdrawn.

Mayor Jepsen commented that Council has expressed a desire to "keep this alive a little longer" in order to fully review all options.

Responding to Councilmember Ransom's suggestion of using the money now to design the bridge, even if it has to be put "on hold" until later, Mr. Burkett said one of the conditions of the grant is that the bridge be built within three years. He said the State could require Shoreline to pay back the money if this does not occur.

Anne Tonella-Howe, Aurora Corridor Project Manager, said the State now appears to be exploring whether to impose this time deadline. She noted that by holding onto the design the City runs the risk that standards for construction might change in the future.

Councilmember Montgomery commented that no one wants to give the money back.

Mr. Burkett reminded Council of the other issue besides the timing of construction: the City has not identified a source of funding for bridge construction.

Deputy Mayor Grossman strongly advocated that the City keep the bridge in the trail project. He said the City has not substantiated the \$3.5 million cost estimate to build the bridge. He commented that the grant could help to firm up the costs. Ms. Tonella-Howe concurred that one of the purposes of the grant money was to get a more definitive cost estimate.

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Councilmember Gustafson said this is a high priority project and he does not want to give any money back until the City has exhausted all possibilities. He requested the confirmation of all information in writing.

Councilmember Chang asked when Council will know the State response to City questions. Mr. Burkett could not pinpoint an exact date. He said the best approach is to continue to work with the State to refine cost estimates and to look for other grant funding opportunities.

Councilmember Hansen concluded the discussion by commenting that he was unaware that the final decision had been made about whether even to build the bridge.

10. CONTINUED PUBLIC COMMENT: None

11. ADJOURNMENT

At 8:55 p.m., Mayor Jepsen declared the meeting adjourned.

Sharon Mattioli, CMC
City Clerk

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CITY OF SHORELINE

SHORELINE CITY COUNCIL

SUMMARY MINUTES OF WORKSHOP MEETING

Tuesday, January 22, 2002
6:30 p.m.

Shoreline Conference Center
Mt. Rainier Room

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

ABSENT: Councilmember Montgomery

1. **CALL TO ORDER**

The meeting was called to order at 6:35 p.m. by Mayor Jepsen, who presided.

2. **FLAG SALUTE/ROLL CALL**

Mayor Jepsen led the flag salute. Upon roll call by the City Clerk, all Councilmembers were present with the exceptions of Deputy Mayor Grossman and Councilmember Chang, who arrived shortly thereafter, and Councilmember Montgomery.

Councilmember Gustafson moved to excuse Councilmember Montgomery. Councilmember Hansen seconded the motion, which carried unanimously, and Councilmember Montgomery was excused.

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

Wendy Barry, Parks, Recreation and Cultural Services Director, provided an update on plans for Celebrate Shoreline in North City August 17, 2002. She said the parade will begin from St. Mark's Catholic School at NE 180th Street and 15th Avenue NE and end at Ridgecrest Elementary School, the festival site.

4. **COUNCIL REPORTS**

Councilmember Gustafson said he attended sessions regarding youth commissions during the National League of Cities (NLC) Conference. He advocated that Council do more to "tap the resources" of the Shoreline Youth Council.

Deputy Mayor Grossman arrived at 6:40 p.m.

Councilmember Hansen noted the ongoing reorganization of the Suburban Cities Association (SCA). He also requested an update on the North City Business District Improvement Project.

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Councilmember Ransom reported that the Jail Advisory Committee met with the SCA and with jail staff. He noted committee dissatisfaction with the completeness of information that jail staff provided. He advocated that the City pursue alternatives to contracting for jail services with King County while continuing to meet with the County to discuss services. Noting the County statement that it will not provide jail services to the City after six years, he said the City must eventually identify an alternative. He mentioned the County assertion of the high cost to operate the North Rehabilitation Facility (NRF).

In response to Mayor Jepsen, City Manager Steve Burkett said staff will present a jail services contract proposal with Yakima County at the February 11 Council meeting.

Deputy Mayor Grossman said he attended the King County Economic Development Conference. He reported that a panel of economists anticipated the continuation of the current economic decline for six to nine months and an economic rebound in six to 18 months.

In response to Councilmember Ransom, Deputy Mayor Grossman said the economists did not discuss the prevalence of hiring freezes. He went on to note the unavailability of funding for worker retraining.

Councilmember Hansen mentioned that he recently toured Shoreview Park. He expressed his enthusiasm about the project, and he encouraged other Councilmembers to tour the park.

Mayor Jepsen reported on the January 15 meeting about the formation of a sister cities association. Continuing, he congratulated City Clerk Sharon Mattioli for qualifying for second-level membership in the International Institute of Municipal Clerks.

5. PUBLIC COMMENT: None

6. WORKSHOP ITEMS

(a) Revisions to Council's Rules of Procedure

Ian Sievers, City Attorney, explained that the proposed changes to the Council's rules are meant: as simplifications and clarification; to reflect changes in the law; and to include detail from other controlling laws. He outlined the rule changes enumerated in the staff report.

Councilmember Ransom proposed changes to several sections as follows.

- Section 3.1 "... The agenda is subject to review and approval by the Presiding Officer."

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Councilmember Hansen objected to this change. He said it is not appropriate to give the Presiding Officer approval authority. Mayor Jepsen and Councilmember Gustafson concurred.

- Section 3.3 "An item may be placed on the agenda for a Council meeting at the time the Council approves the agenda during the meeting only if a Councilmember or the City Manager explains the necessity for placing the item on the agenda and receives a majority vote of the Council to do so."

Councilmember Ransom said this amendment clarifies this section.

Councilmember Hansen suggested eliminating the entire section as redundant. He pointed out that the previous section lists the methods for placing an item on the Council agenda. Council discussed the ways items can be placed on the agenda and expressed consensus for eliminating Section 3.3.

- Section 5.12 "At all Council Meetings, a majority of the Council (four members) shall constitute a quorum for the transaction of business. In the absence of a quorum, the members present may adjourn ~~the~~ that meeting to a later date."

Councilmember Ransom said this amendment clarifies this statement. There was Council consensus to accept this change.

Councilmember Chang arrived at 7:10 p.m.

- Section 5.15 Noting that Councilmembers are addressed as "the Honorable (surname)" in many venues, Councilmember Ransom suggested the following addition to this section: "Members of the Council shall be addressed as 'Councilmember (surname)' or 'the Honorable (surname).'"

There was Council consensus to accept this change.

- Section 5.14(B) "Any person making disruptive, impertinent, or slanderous remarks or who ~~becomes boisterous~~ demonstrates grossly unacceptable behavior while addressing the Council . . ."

Councilmember Ransom said the word "boisterous" is subjective and can refer to good or bad behavior. Mr. Sievers responded that the word "grossly" sets a very high standard of control by the Chair. After further discussion, there was Council consensus in favor of Councilmember Gustafson's suggestion to delete the phrase "or who becomes boisterous" because it does not add anything new to the description of unacceptable behavior.

- Section 6.2 Councilmember Ransom opposed deletion of the sentence "The Presiding Officer shall ask the rest of the Councilmembers if they have any comments or questions before the citizen is excused."

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Councilmember Ransom said he did not want to lose the ability to question a citizen and did not agree that this provision encourages a dialogue between citizens and Councilmembers. He said occasionally Councilmembers wish to ask for a clarification by a speaker.

Mayor Jepsen noted that the rule as currently written requires the Chair to ask whether there are questions, which is not current practice. He said he did not want to start doing this. There was Council consensus to delete the sentence.

- Section 6.5 Councilmember Ransom said he did not want to change the requirement that speakers provide their names and addresses. He noted that the word "name" was deleted in error from the draft. He said Councilmembers occasionally want to contact a speaker and need the address to verify the person's identity. He said Council can direct the City Clerk to leave the addresses out of the minutes in order to address privacy concerns.

Councilmember Hansen supported removal of the address. Mayor Jepsen said the important thing is whether a speaker lives in Shoreline.

Councilmember Ransom sought to ensure that speakers leave their addresses in writing on the sign-in sheet. Mayor Jepsen directed that a greater effort be made to ensure that speakers sign-in.

- Section 6.7(A) Councilmember Ransom proposed to add that "An additional 15 minutes during a public hearing may be requested in advance by an organization, and the Mayor or a majority of the Council may approve the request." He said this has occurred occasionally in the past and he wished to incorporate the procedure in the rules.

Councilmember Chang questioned how the City defines "a recognized organization." Mayor Jepsen responded that the Council has been very flexible in its interpretation of this rule. Councilmember Change suggested that two speakers be allowed to donate their time to another, which would allow a six-minute presentation on any topic.

Councilmember Gustafson supported leaving the rule as is. He said it has been effective in the past.

Councilmember Ransom said Council should allow an organization or business affected by an action a longer time to speak at a public hearing. He asserted that one, organized, longer presentation is preferable to a variety of speakers.

Mayor Jepsen commented that the Council can suspend its rules to provide a longer speaking time if Councilmembers feel this is appropriate.

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- Section 6.8 Councilmember Ransom suggested replacing the proposed new language with: "No more than two speakers may donate their time to another speaker." He said this would limit the potential for abuse while allowing some donation of time.

Mayor Jepsen opposed the donation of time by one speaker to another. Deputy Mayor Grossman and Councilmember Gustafson concurred.

Councilmember Chang commented that two minutes is not much time to present a particular idea. He asserted the appropriateness of limited donation.

Councilmember Hansen also "leaned against" donated time. He argued that Council has the flexibility to suspend its rules regarding the length of presentations.

- Section 7.17 Councilmember Ransom commented that non-profit organizations allow proxies in certain situations. He requested Councilmember opinions on this issue. He suggested votes by proxy in certain cases.

Deputy Mayor Grossman said votes by proxy will deny the Councilmember the ability to make a decision based on the discussion at the meeting. Councilmember Ransom suggested limiting votes by proxy to issues on which Council has held a workshop discussion.

Councilmember Gustafson said he does not support voting by proxy, but he does not want to prohibit alternatives such as teleconferencing. Councilmember Hansen concurred. He said he does not want to eliminate the potential of Councilmember participation in a meeting via technology.

Mr. Burkett asked if there would be a limit to the number of Councilmembers participating in this way. Mr. Sievers asserted the need for a quorum of Councilmembers physically at the meeting.

Mayor Jepsen said he does not wish to rely on teleconferencing. He noted Council support to delete the staff recommendation to limit meeting participation to Councilmembers actually present.

Councilmember Hansen called attention to the rule that motions can be withdrawn without the withdrawal of the second. He noted that this does not reflect current practice. The City Clerk confirmed that this will represent a change in practice.

Councilmember Hansen advocated, for the sake of consistency, the amendment of Section 5.2 to read "Any ~~Regular Meeting or Workshop~~ may be canceled." He requested a definition of the phrase "lack of agenda items." He suggested replacing the phrase with "no agenda items."

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Mr. Burkett said staff would like the flexibility, in consultation with the Mayor or Deputy Mayor, to make a judgment about the number of items on the agenda and whether they constitute a viable meeting.

Councilmember Hansen commented that the item says "The Mayor or Deputy Mayor may cancel a Council meeting for lack of agenda items." Mr. Burkett said it is appropriate for the City Manager to contact the Mayor to suggest the cancellation of a meeting. Councilmember Gustafson supported efficient meetings that consolidate actions and make the best use of everyone's time.

Councilmember Hansen suggested amending Sections 5.3 and 5.5 to clarify the time of the Council's holiday recess as "no meeting after December 15th." There was Council concurrence.

Councilmember Gustafson requested a simple listing of the main motions that Councilmembers might make during a meeting for quick referral.

Deputy Mayor Grossman said the provision regarding the interview process for candidates to fill a Council vacancy is too restrictive. He suggested deleting the requirement that "the Councilmembers will ask the same questions of each candidate." Noting that candidates will have different backgrounds, he asserted the appropriateness of different lines of inquiry. He said normal hiring usually includes a list of common questions for initial interviews and more varied questions for follow-up interviews. He said Councilmembers should have more flexibility because the process includes only one interview opportunity.

Councilmember Ransom suggested referring to topics instead of questions.

Mayor Jepsen said there should be some flexibility for follow-up questions based on answers provided. He wanted to be sure the questions would be pertinent to the subject at hand.

Mr. Burkett suggested the addition of language under which Council would develop a set of three or four questions and under which Council could then develop other questions.

Councilmember Ransom said the goal is to be consistent. He said the rules should state that the questions should be consistent.

Mayor Jepsen directed staff to redraft this section.

Mayor Jepsen commented on the order of agenda items at regular meetings. He favored moving action items closer to the beginning of the agenda. He suggested moving items such as the City Manager's Report, the Reports of Boards and Commission, and the Consent Calendar to the end of the meeting.

Ms. Mattioli pointed out that members of the public and staff sometimes attend for an item on the Consent Calendar and that they can leave after Council adopts it. She noted that moving the Consent Calendar to the end of the meeting will require these people to sit through lengthy discussions of other items.

Mr. Burkett added that if one of the concerns is to establish a time certain for public hearings, the rules could set a time (e.g., 8:00 p.m.), and Council could interrupt the meeting, if necessary, to hold the public hearing. With regard to the Consent Calendar, he asserted the psychological advantage of completing some work up-front.

Councilmember Hansen said the agenda has worked well over the years, and he favored retaining the current order.

Councilmember Ransom supported the idea of a time certain for public hearings. He said this would allow the public to be sure about when public hearings would occur. Councilmember Gustafson concurred.

(b) Discussion of Proposed Emergency Human Services Funding

Rob Beem, Assistant Director, Parks, Recreation and Cultural Services, reviewed the staff report.

Deputy Mayor Grossman supported the emergency human services funding process proposed by staff.

Councilmember Ransom mentioned the five suggestions he made during the discussion of the emergency funding at the December 11, 2001 Council meeting. He advocated that the funding process be broad enough to consider organizations other than social service agencies. He mentioned the Shoreline-Lake Forest Park Senior Center and the Shoreline Historical Museum as examples. Mr. Beem said the proposed process includes only social services. He explained that the process would include the senior center but not the Historical Museum.

Mayor Jepsen commented that the motion allocating \$100,000 in one-time funding for distribution for health and human services did not include Councilmember Ransom's five suggestions.

Councilmember Ransom said he had intended the funding to address more than just social services. He explained that he also meant to include youth services, the Shoreline Historical Museum and the Shoreline-Lake Forest Park Arts Council.

In response to Deputy Mayor Grossman, Mr. Beem confirmed that the proposed funding process includes youth services.

Councilmember Ransom expressed concern that the funding process address the broad base of services for which Council allocated the emergency funding.

Mayor Jepsen expressed support for the process proposed by staff.

Councilmember Ransom supported the proposed process provided that it admits applications for a broader scope of services.

Mayor Jepsen explained that the proposed process does not include the Historical Museum or the Arts Council because the past criteria for human services have not included them. He noted the question of whether to include them in the process. Mr. Burkett expressed concern about broadening the process to consider the funding needs of the Arts Council and the Historical Museum. He commented that that the City will not have any criteria to limit or assess applications for funding.

Councilmember Gustafson concurred with Councilmember Ransom that Council allocated the emergency funding to address a broad base of services. He noted human services as the primary focus. He said he understood that the City could use the money for other activities as well.

Assuming the validity of the criteria for human services as the basis of the proposed process, Councilmember Chang expressed support for the staff proposal.

Mr. Burkett recommended that the City separate consideration of funding for the Arts Council and the Historical Museum from the emergency human services funding process. Councilmember Gustafson supported this recommendation.

Mr. Beem expressed concern about asking the members of the Human Services Allocations Committee to balance the different needs for a finite pool of funds. He indicated that broadening the process to consider other funding needs will encourage more applications and extend the process. He noted the staff goal to complete the emergency funding allocation before beginning the two-year funding cycle in April.

Mayor Jepsen asked how Council would divide the \$100,000 to separate consideration of funding for the Arts Council and the Historical Museum from the emergency human services funding process.

Councilmember Gustafson supported the proposed process for emergency human services funding and the separate consideration of the needs of the Historical Museum and the Arts Council. He requested that staff develop and prepare a recommendation. Councilmember Chang concurred.

Deputy Mayor Grossman suggested that staff request proposals from the Arts Council and the Historical Museum for presentation to Council with the recommendations resulting from the emergency human services funding process. He noted that this will allow staff to proceed with the proposed human services funding process.

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Councilmember Ransom supported Deputy Mayor Grossman's suggestion. He said it is appropriate that Mr. Beem develop processes for the Arts Council and the Historical Museum now that Health and Human Services is part of the Parks, Recreation and Cultural Services Department.

Deputy Mayor Grossman commented that Council, with input from community groups, established the Human Services Needs Assessment to acknowledge, and to begin to address, unmet social service needs in Shoreline. He said the assessment did not address the relationship of human service needs to other needs in the community (e.g., the Arts Council, the Historical Museum). He asserted that that relationship is a matter of policy choices.

Councilmember Ransom said the Director of Parks, Recreation and Cultural Services has internal procedures for evaluating recreation, arts and museum programming needs.

Deputy Mayor Grossman commented that funding for human services is discreet from that for parks, recreation and cultural services.

Noting the support of three Councilmembers for the inclusion of the Arts Council and the Historical Museum, Mayor Jepsen commented that Council advocates a slightly broader process for allocating the emergency funding than that proposed by staff.

Mr. Burkett proposed that staff proceed with the emergency human services funding process and, separately, request proposals from the Arts Council and the Historical Museum. He said staff will present the Arts Council and museum proposals to Council together with the human services funding recommendations.

Mayor Jepsen confirmed Council support of this proposal.

(c) Development Code Amendments

Planning and Development Services Director Tim Stewart reviewed the staff report.

In response to Mr. Stewart, Mayor Jepsen agreed to bypass consideration of the 30 non-controversial amendments to focus on the nine controversial amendments. Councilmember Hansen suggested that Council take public comment before discussing the separate amendments.

(1) Daniel Mann, 17920 Stone Avenue N, commented on Tab 32. He said the Shoreline Chamber of Commerce, the Aurora Improvement Council and many people in the business community are unaware of the inclusion of changes to the sign ordinance in the Comprehensive Plan amendment process. He suggested that Council direct staff to create a committee involving business owners in the development of the amendments to insure a proactive process.

Mr. Stewart first reviewed Tab 8, an amendment to add recreational vehicles (RVs) to the residential use table (Shoreline Municipal Code [SMC] 20.40.120) as a Permitted Use with Indexed Supplemental Criteria (P-I) in every zone and to add information to the Index of Supplemental Use Criteria allowing RVs in any zone with the owner's permission for up to two weeks. He said the Planning Commission does not recommend the amendment because property owners can accomplish this now with a temporary use permit. He said the City would use the "three strikes" code enforcement process to address violations.

Councilmember Ransom referred to the amendment he recommended in his memorandum of January 22: "Allow up to two weeks occupancy at a private residency for one recreational vehicle (RV) if self-contained, and up to one month if connected for water, sewer, and electricity. Not more than two occupancies per calendar year will be allowed with no permits required. If neighbors complain, then the private resident must register the use, or obtain permits as determined by the building official/code enforcement officer." He said Mr. Sievers suggested the deletion of the final sentence in favor of the standard City code enforcement process. He noted that the City of Mountlake Terrace allows RV occupancy for up to two weeks and that the City of Lynnwood allows occupancy for up to 30 days of RVs connected to utility systems. He advocated his amendment as a reasonable compromise for Shoreline residents.

Planning Commission Chair Marlin Gabbert said Reverend Steve Ulmer, who submitted the amendment at Tab 8, accepted the temporary use permit process as the means to allow RV occupancy.

Councilmember Ransom said Rev. Ulmer has since expressed concern that the temporary use permit process would be burdensome. Councilmember Ransom asserted that the requirement of a temporary use permit is unnecessary.

Chair Gabbert asked how the City will enforce Councilmember Ransom's recommended amendment. Councilmember Ransom said complaints by neighbors will initiate City enforcement.

In response to Mayor Jepsen, Mr. Stewart said the target timeline for processing a temporary use permit application is 15 days. He went on to review the criteria for such permits in SMC 20.40.540. He said the cost of a temporary use permit is \$119.

Mayor Jepsen said Shoreline residents are unlikely to obtain temporary use permits for two-week-long RV occupancies. He asked how the City would enforce the code after receiving a complaint about an occupied RV. Mr. Stewart said the Customer Response Team (CRT) would prioritize the complaint, conduct an investigation, and, in the case of a code violation, work with the property owner in an effort to obtain voluntary compliance.

In response to Mayor Jepsen, Mr. Stewart said a two-week occupancy of an RV in a resident's driveway is, technically, a code violation. Mr. Burkett commented that most

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RV occupancies are likely to end before CRT begins to try to obtain voluntary compliance. He asserted the ineffective enforcement in all cities of code provisions concerning RV occupancy.

Mayor Jepsen questioned the prevalence in Shoreline of churches using RVs as temporary housing for visitors and volunteers. He noted this as one area in which he would share Councilmember Ransom's concern.

Chair Gabbert explained the Commission concern about RV occupants overstaying their welcome in single-family residential neighborhoods. He acknowledged that churches regularly use RVs to house volunteer workers.

Councilmember Hansen commented that Rev. Ulmer seeks to operate within the rules. He noted a paragraph of the October 18, 2001 Planning Commission meeting minutes on page 54 of the Council packet: "Both Chair Gabbert and Commissioner Harris expressed their opinion that the rules should be clear and consistent. Mr. Stewart explained that there is a fee and a process associated with a temporary use permit." Councilmember Hansen said a visitor should not have to pay a fee to occupy an RV in a resident's driveway or in the street in front of the resident's house. He asserted that any City enforcement of an RV occupancy provision is a waste of staff time. He advocated passage of the proposed amendment to establish a policy with clear rules.

Noting that the amendments proposed by Rev. Ulmer and Councilmember Ransom differ, Mayor Jepsen asked which version would best achieve what Councilmembers Hansen and Ransom suggest. Mr. Stewart suggested that staff prepare legislation for Council consideration at the public hearing regarding the code amendments. He noted that Councilmember Ransom's amendment focuses exclusively on private residences. Councilmember Ransom said he did not intend to exclude churches.

Mayor Jepsen supported the last paragraph of Rev. Ulmer's proposed amendment. He expressed uncertainty about the preceding paragraph, which proposes to add RVs to the residential use table with a "P-I" symbol in every zone designation column. He requested clarification of the implications of this approach.

Deputy Mayor Grossman asserted a distinction between RV occupancy in a residential neighborhood and that at a church property. For example, he said he would not notice the occupancy of several RVs on the Crista campus. He supported church use of RVs as temporary housing for volunteers. He noted a need for monitoring to prevent RVs from becoming permanent facilities. He asserted the need to clarify Rev. Ulmer's amendment (e.g., about the frequency of RV occupancies, the number of RVs occupied). He said Councilmember Ransom's amendment does not address non-residential properties.

Councilmember Gustafson favored a compromise amendment to those proposed by Rev. Ulmer and Councilmember Ransom. He opposed the use of the temporary use permit process for RV occupancies. Councilmember Chang concurred.

Mr. Burkett and Mr. Stewart said staff will prepare language to allow RV occupancy subject to time and frequency limitations.

Mr. Stewart went on to review Tab 10, which addresses small livestock. Noting the staff position against entitling the use of small livestock in residential zones, he explained that staff now recommends that Council not adopt the proposed amendment.

In response to Mayor Jepsen, Mr. Stewart said the City will continue to address cats, dogs and fact-specific cases.

Councilmember Ransom suggested an amendment to allow pets of less than a specified number of pounds.

Mayor Jepsen confirmed Council consensus not to consider Tab 10 or a related amendment.

Next, Mr. Stewart reviewed Tab 15, which addresses height limitations in the R-48 zone. He noted that the height limitations of the proposed amendment vary depending on whether the R-48 property abuts low-density property (R-4 or R-6). Chair Gabbert said the Commission devoted a great deal of time to this amendment. He noted that the Commission recommends Council adoption.

In response to Councilmember Gustafson, Chair Gabbert said the Commission was unanimous in recommending adoption of Tab 15. In response to Councilmember Hansen, he acknowledged the absence of three Commissioners from the December 20 meeting during which the Commission voted on the amendment.

In response to Councilmember Chang, Mr. Stewart said a typical 60-foot-high building would include five stories.

Mayor Jepsen said a height increase from 35 feet to 50 feet on an R-48 property abutting an R-6 property is substantial. He noted his hesitation to support the amendment without fully understanding "where this is happening." He expressed even greater concern about allowing an additional ten feet in height with a special use permit.

Continuing, Mayor Jepsen said the proposed amendment does not address how the design code affects the zoning code. He noted his assumption that the design code would not allow an abrupt shift from 35 to 60 feet in height. He anticipated the tiering of the building from the height of the surrounding neighborhood. Mr. Stewart agreed that modulation of the building height would be a critical element of whether the building meets the standards for a conditional use permit.

Planner Brian Krueger reviewed a map illustrating the locations of the 15 R-48 properties in Shoreline adjacent to R-6 properties, the three R-48 properties adjacent to R-8 properties and the 29 R-48 properties adjacent to other, higher-density zones.

Mayor Jepsen requested additional information on the provision allowing a maximum height of 60 feet with a special use permit on R-48 lots abutting R-4, R-6 and R-8 properties. Mr. Stewart expressed staff willingness to prepare supplemental information. He said the process for obtaining a special use permit is rigorous. In response to Mayor Jepsen, he confirmed that Council would make the final decision of whether to grant a special use permit.

In response to Councilmember Ransom, Mr. Stewart said staff studied the building dimensions necessary to achieve R-48 density with units of various sizes. He offered to provide this information to Council. He explained that a building with 48 units must include multiple levels of sub-grade parking to comply with the height limits of the current Development Code.

Councilmember Ransom asked why the City has not separated high-density and low-density residential zones with medium-density residential zones. Mr. Stewart said Shoreline inherited many of the abutting high-density and low-density residential zones from King County. Chair Gabbert stressed the public input and constraints included in the conditional-use permit process.

In response to Councilmember Chang, Mr. Stewart said the City has received inquiries about proposals for buildings of 50-60 feet in height.

Mayor Jepsen anticipated the need for more Council discussion of Tab 15.

In response to Councilmember Hansen, Mayor Jepsen confirmed Council support of Tab 8, subject to specific wording, and Council opposition to Tab 10. Mayor Jepsen asserted Council support for Tab 15 with the understanding that staff will provide additional information to clarify the proposed amendment.

Mr. Stewart went on to review Tab 16, which addresses height limitations in industrial zones abutting R-4 and R-6 residential zones. He referenced the proposed "Figure Exception 20.50.020(2)" on page 42 of Attachment A. He said that portion of a building in an industrial zone abutting an R-4 or R-6 zone would be limited to 35 feet. He noted a required ten-foot setback for the next two stories and another required ten-foot setback for the final two stories.

Deputy Mayor Grossman noted the substantial grade difference between the site of the proposed Transit-Oriented Development (TOD) at Aurora Avenue N and N 192nd Street and the residential properties to the west. He asked if the Development Code takes such differences into account. He questioned a building height step back requirement in locations in which the abutting residential properties are substantially higher. Mr. Stewart said the Development Code does not take such grade differences into account. He said a TOD project at Aurora Avenue N and N 192nd Street would involve a "huge amount of public input" and would probably result in formal adoption of a master plan and accompanying zoning regulations.

Mayor Jepsen noted Council support of Tab 16.

Mr. Stewart went on to review Tab 23, which addresses the maximum allowable height of front yard fences. He explained the difficulty of enforcing the current limit of three and a half feet.

Deputy Mayor Grossman said he supports the current three-and-a-half-foot limit. He asserted that six-foot-high fences have a significant impact on neighboring property owners. He suggested better public education as the means of addressing the enforcement problem.

Councilmember Ransom supported the proposed amendment to increase the maximum height of front yard fences to six feet. He said the City should not be dictating a lower maximum fence height to property owners.

Mayor Jepsen said he supports the concept and the goal of the current three-and-a-half-foot limit. However, he commented that Council may not have appreciated the complexity of the issue. He suggested a statement encouraging that front yard fences not exceed three and a half feet with information explaining why.

Chair Gabbert said the Planning Commission originally recommended the three-and-a-half-foot limit for front yard fences but became more pragmatic as the difficulty of enforcing the limit became apparent.

In response to Councilmember Chang, Mr. Stewart advised that the Development Code allows trees, shrubs and hedges over six feet in height. Councilmember Hansen noted that the City of Edmonds enforces a six-foot height limit for hedges.

Councilmember Gustafson supported Mayor Jepsen's suggestion that the City encourage, but not enforce, a three-and-a-half-foot maximum front yard fence height.

Deputy Mayor Grossman objected to increasing the maximum height of front yard fences to six feet. Councilmember Ransom asserted the rationality of increasing the maximum height for front yard fences to the same as that for back yard fences.

Next, Mr. Stewart reviewed Tab 24. He noted the staff recommendation to amend the Planning Commission recommendation from "Any/all lighting shall be non-glare and shielded . . ." to "Any/all lighting should be non-glare and shielded. . . ." Chair Gabbert supported the proposed change.

Mayor Jepsen supported the revised amendment as "a step in the right direction."

Mr. Stewart went on to review Tab 26, which stipulates that garages and covered carports not protrude beyond the front facade of the main structure.

Mayor Jepsen asked if a garage could protrude beyond the front facade of a house if the house sat back from the required front setback. Mr. Stewart explained that the proposed amendment applies to "single family attached and multifamily design standards" (e.g., townhouses). Mayor Jepsen expressed support for the proposed amendment, and there were no other Council questions.

Mr. Stewart went on to review Tab 29, which proposes to change clearing and grading from a Type B to a Type A permit process and to increase the State Environmental Policy Act (SEPA) threshold from 100 cubic yards to 500 cubic yards.

Mayor Jepsen asked that staff return to Council with specific examples of projects that exceeded the 100-cubic-yard threshold. Mr. Stewart said staff will prepare illustrations for Council consideration.

Chair Gabbert said 500 cubic yards is a standard SEPA threshold in other jurisdictions. Mayor Jepsen suggested that staff provide information about other jurisdictions to Council as well.

Mr. Stewart went on to review Tab 32, which addresses the "Signs" subchapter of the Development Code. He said the Planning Commission agreed with staff about the need for more work before proposing major changes to the subchapter and instead recommended only technical amendments. He noted Commission support of a staff work plan to include groups such as the Shoreline Chamber of Commerce in a review of the sign ordinance, including issues related to banners, inflatable and rooftop signs. Chair Gabbert said the Commission decided to postpone substantive changes due to the lack of business community participation. He asserted the importance of business involvement in consideration of proposed changes to the "Signs" subchapter.

In response to Councilmember Ransom, Mr. Stewart said staff originally proposed to amend the "Signs" subchapter to remove banners and inflatable signs from the list of prohibited signs. He explained that the Planning Commission subsequently deleted the proposed amendments. He said the Development Code does not prohibit banners and inflatable signs now, and the proposed amendments would not change this status quo.

In response to Councilmember Hansen, Mr. Stewart confirmed that an existing sign would be grandfathered. He mentioned Planning Commission interest in Council input on the amortization of non-conforming signs. He suggested this as an agenda item for another Council workshop.

MEETING EXTENSION

At 9:58 p.m., Deputy Mayor Grossman moved to extend the meeting until 10:30 p.m. Councilmember Ransom seconded the motion, which carried 4-2, with Councilmembers Gustafson and Hansen dissenting.

In response to Mayor Jepsen, Mr. Stewart explained that the information on pages 88 through 96 of Attachment A represents proposed amendments to the Development Code. He commented that the underlined additions and struck-out deletions are relatively non-controversial. He said other amendments were more controversial. For example, he pointed out that the addition of "banners and inflated signs or figures" to the list of prohibited signs (SMC 20.50.550) has been struck (page 92 of Attachment A). He suggested that staff clarify the actual, proposed changes in advance of the public hearing on the Development Code amendments. Mayor Jepsen supported this suggestion.

Deputy Mayor Grossman questioned the recommended, technical amendments given the acknowledged lack of business community participation. Chair Gabbert said the amendments the Planning Commission approved benefit businesses (e.g., increasing the maximum sign area). Mr. Stewart noted a number of technical amendments and clarifications.

Mayor Jepsen expressed confusion about the proposed changes to SMC Table 20.50.540B. Mr. Stewart said staff will prepare information to clarify the changes.

Mr. Stewart went on to review the topics for consideration on the 2002 planning work program that the Planning Commission recommended (page 43 of the Council packet).

Councilmember Ransom referred to the Development Code Amendment Comment Form that he submitted regarding SMC 20.50.550(E) (page 100 of Attachment A). He said Council struck the prohibition of rooftop signs from the Comprehensive Plan. He noted that Commissioner McClelland referred to his objection of the prohibition of rooftop signs during the November 1 Planning Commission meeting (page 65 of the Council packet). He said staff dismissed the objection. He asserted that Council discussed rooftop signs and removed the prohibition of them from the Comprehensive Plan. He questioned the inattention to the Development Code amendment that he submitted.

Mr. Stewart noted that SMC 20.50.550(E) has prohibited rooftop signs since July 2000 when Council adopted Ordinance No. 238. He said staff considered Councilmember Ransom's Development Code Amendment Comment Form as a comment on the proposed amendments, not as an amendment. He offered to include it during the next round of amendments the City considers.

Councilmember Ransom objected to including the amendment in the next round. He said Council discussed rooftop signs many times, and Council voted to strike the prohibition of rooftop signs from the Comprehensive Plan. He stated that the Development Code should reflect this decision. He asserted the need to delete the prohibition of rooftop signs from the Development Code.

Mayor Jepsen recommended review of the Council vote to which Councilmember Ransom referred to clarify whether it specifically addressed rooftop signs. He further recommended comparison of the Council vote to Ordinance No. 238 to identify any

contradiction between the two. He asked if Council adoption of Ordinance No. 238 superseded previous ordinances.

In response to Mr. Burkett, Councilmember Ransom said the Council vote addressed all rooftop signs. He recalled extensive discussion and debate of the issue during Council consideration of the Comprehensive Plan. He asserted that a Council majority voted to delete the prohibition of rooftop signs. He said Council, Terry Green and the Shoreline Chamber of Commerce later discussed signage, including flashing signs, such as Ms. Green's sign at Highland Terrace. He recalled that Council subsequently approved flashing signs. He noted City approval of the flashing sign at the Drift On Inn. He questioned the prohibition of rooftop and flashing signs in the Development Code given Council discussion and debate and business community input.

Mayor Jepsen reiterated his recommendation to review the Council discussion of rooftop signs. He said he remembered the Council discussion but not a Council vote. Mr. Burkett commented that Council can decide now to change the Development Code to allow rooftop signs. Mayor Jepsen asserted the need to determine whether the Development Code language on pages 91 and 92 of Attachment A contradicts Council action during past discussion of the signage issue. He requested that staff include the pertinent meeting minutes as part of its report on the proposed amendments. He said each Councilmember can then decide what to do regarding the prohibition, in SMC 20.50.550, of "Spinning devices; flashing lights; pennants" and "Signs mounted on the roof."

Councilmember Ransom stated the importance of addressing flashing and rooftop signs. He asserted business community concern about these issues. He said the business community would be extremely concerned about amortization of non-conforming signs. He mentioned that the owner of the Drift on Inn spent \$250,000 on the flashing sign there.

Councilmember Ransom asked the Planning Commission to reconsider sign restrictions on churches in residential zones. He said the Development Code seems to limit churches to small signs with a maximum height of 42 inches. He commented that many of the restrictions are continuations of those the County imposed long ago. He stated his support for the Shoreline Community Church position that the code consider churches like neighborhood businesses and, thereby, allow churches to have larger and taller signs. He mentioned that the code limits a block-long church to one sign but that it allows neighborhood businesses of similar size to have two signs. He said four churches have addressed the issue of signs with him. He advocated Planning Commission attention to the issue.

Mayor Jepsen thanked the Planning Commission for its work on the Development Code amendments. He also expressed appreciation to the individuals who submitted amendments.

7. CONTINUED PUBLIC COMMENT

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(a) Daniel Mann, 17920 Stone Avenue N, expressed the interest of the business community in having a standing body to work with the Planning Commission and staff on ordinances affecting "their ability to advertise their products." Referring to Tabs 15 and 16, he said residents of properties zoned R-8 and R-12 should have the same protections as residents of properties zoned R-4 or R-6.

(b) Deb Moore-Marchant, 16261 12th Avenue NE, asserted the importance of insuring police and fire department access to front yard fences. She also asserted the importance of addressing lights on signs (e.g., spotlights).

8. ADJOURNMENT

At 10:24 p.m., Mayor Jepsen declared the meeting adjourned.

Sharon Mattioli, CMC
City Clerk

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CITY OF SHORELINE

SHORELINE CITY COUNCIL

SUMMARY MINUTES OF DINNER MEETING

Monday, January 28, 2001
6:00 p.m.

Shoreline Conference Center
Highlander Room

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

ABSENT: Councilmember Hansen

STAFF: Steve Burkett, City Manager; Larry Bauman, Assistant City Manager; Ian Sievers, City Attorney

The meeting convened at 6:00 p.m. All Councilmembers were present with the exception of Councilmember Hansen.

Councilmembers discussed plans for attending the Association of Washington Cities Conference in Olympia starting January 29.

Mayor Jepsen raised the issue of Council subcommittees to recommend new members for the Planning Commission and the Library Board.

Steve Burkett, City Manager, reported a conversation with the Director of the Ronald Wastewater District. He said District commissioners have shown interest in Council discussions about the future relationship with the District.

Councilmember Montgomery mentioned that she watched the January 22 meeting, which she had not been able to attend.

Mayor Jepsen distributed a copy of the electronic mail message that Randy Farrell of the Aurora Improvement Council (AIC) wrote to members of the United States Congress. Mayor Jepsen expressed his concerns about inaccuracies in the information and the lack of clarity about who constitutes the leadership of the AIC. He noted that the message mentions that the Board of the AIC includes three former presidents of the Shoreline Chamber of Commerce and a City Councilmember. He raised the question of how the Council will express differences of opinion regarding key issues. He wondered if the City should respond to the e-mail since it was sent to the City by a State representative, who also received it.

Deputy Mayor Grossman asserted the importance of responding and of setting the record straight.

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Mayor Jepsen stated his belief of the importance of setting the record straight with the State legislators who represent Shoreline.

Mr. Burkett said the City can prepare a response stating the facts. He pointed out that the message includes inappropriate comparisons between the Shoreline's Aurora Corridor Project and the Lynnwood Highway 99 project.

Mayor Jepsen suggested discussing the message with State Representative Maralyn Chase, who forwarded it to the City.

Mr. Burkett went on to note King County Councilmember Carolyn Edmonds' report that she expects to receive funds to distribute to District 1 programs and projects.

Mayor Jepsen discussed the issue of the proposed King County utility tax.

Mr. Burkett mentioned the February 4 meeting of King County city managers and Jay Fossett of the County Executive's Office to discuss the utility tax.

Mayor Jepsen noted Mr. Burkett's suggestion that Council consider possible dinner meeting discussion topics. He commented that the list of 2001 discussion topics "looks good." He suggested meeting with County Councilmember Edmonds and a representative from the County Executive's Office. Other Councilmembers suggested meetings with the Parks, Recreation and Cultural Services Advisory Committee and the Library Board.

Councilmember Chang suggested inviting AIC Board members.

Mayor Jepsen said he is still wondering who represents the AIC. He asserted the need to clarify the membership of the AIC Board.

Councilmember Montgomery said she had no objection to meeting with groups on the list that Mr. Burkett distributed, as long as there are issues to discuss.

Mayor Jepsen suggested that Council schedule no more than 12-14 dinner meetings with guests. Mr. Burkett suggested ten-12 meetings including guests.

Councilmember Gustafson raised the question of who will serve on the subcommittees to recommend new members for the Planning Commission and Library Board. He added that Council needs to appoint a representative to the Shoreline Water District Advisory Committee.

Councilmembers discussed their interest in serving in one or more of these roles.

Councilmember Chang reiterated his suggestion to meet with the AIC Board to work out issues about the Aurora Corridor Project. He then left the meeting at 7:15 p.m.

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Mr. Burkett turned the discussion to Shorewood Hills. He mentioned that Councilmember Chang, as a homeowner in the subdivision, may not participate in the Council discussion. Mr. Burkett advised that a group of homeowners intend to address Council soon on issues in Shorewood Hills.

At 7:25 p.m., Mayor Jepsen declared the meeting adjourned.

Larry Bauman, Assistant City Manager

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CITY OF SHORELINE

SHORELINE CITY COUNCIL SUMMARY MINUTES OF REGULAR MEETING

Monday, January 28, 2002
7:30 p.m.

Shoreline Conference Center
Mt. Rainier Room

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

ABSENT: None

1. **CALL TO ORDER**

The meeting was called to order at 7:35 p.m. by Mayor Jepsen, who presided.

2. **FLAG SALUTE/ROLL CALL**

Upon roll call by the City Clerk, all Councilmembers were present.

3. **REPORT OF CITY MANAGER**

City Manager Steve Burkett acknowledged that Councilmembers have called him to discuss phone calls they received from citizens, who said Shoreline Police had advised them that the City does not have a noise ordinance. He stressed that the City has a noise ordinance, and he mentioned a memorandum to Council outlining staff efforts to improve awareness and enforcement of the ordinance. Mr. Burkett also requested that Council add an executive session to the meeting agenda to discuss personnel issues.

4. **REPORTS OF BOARDS AND COMMISSIONS:** None

5. **PUBLIC COMMENT:** None

6. **APPROVAL OF THE AGENDA**

Councilmember Montgomery moved to approve the agenda with the addition of an executive session. Councilmember Ransom asked to pull the minutes of the January 14, 2002 regular meeting from the consent calendar. Councilmember Gustafson seconded the motion, which carried unanimously, and the agenda, as amended, was approved.

7. **CONSENT CALENDAR**

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Councilmember Gustafson moved to approve the consent calendar as amended. Councilmember Hansen seconded the motion, which carried 7-0, and the following items were approved:

Minutes of the Special Meeting of January 7, 2002

Minutes of the Dinner Meeting of January 14, 2002

Approval of expenses and payroll as of January 18, 2002 in the amount of \$2,128,108.99

Ordinance No. 297 terminating franchises of Allied Waste Industries, Inc., dba Rabanco Companies; and repealing Ordinance Nos. 181 and 201

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

- (a) Motion to adopt Ordinance No. 298, amending Ordinance No. 294 by increasing the appropriation in the Street Fund to fund the provisions in a Memorandum of Understanding with Seattle City Light regarding the operating costs of identified traffic signals and streetlights; and to authorize the City Manager to enter into this Memorandum of Understanding

Art Maronek, Interim Public Works Director, reviewed the staff report. He said staff has started the process of reviewing the Seattle City Light (SCL) inventory of street lights and traffic signals for discrepancies. He noted the staff recommendation that Council adopt Ordinance No. 298 to amend the 2002 City Budget by \$208,885 and authorize the City Manager to sign the Memorandum of Understanding (MOU) with SCL.

Mr. Maronek acknowledged other outstanding street lighting issues in Shoreline. For example, he said some residents favor additional street lighting. He noted the need to insure equity of service to Shoreline residents within City financial capacity. He mentioned funding alternatives, including a street lighting utility to help pay for street lighting and undergrounding. He anticipated the need for a substantial amount of work before staff can make a recommendation to Council about long-term means to address community perceptions about service levels and inequities in street lighting.

Mayor Jepsen invited public comment.

(1) Walt Hagen, Shoreline, said he understood the staff recommendation to mean that the City will take financial responsibility from SCL for traffic signals and street lights in Shoreline. He advocated a City inventory and repair program of inoperative street lights. He said inoperative street lights use the same amount of electricity as operative street lights. He noted two inoperative street lights at 6th Avenue

NW and NW 175th Street and intermittently inoperative street lights at 193rd Street and Firlands Way and at Crista Way and Fremont Avenue.

Councilmember Gustafson mentioned an inoperative street light at 8th Avenue NW and NW 200th Street.

Mr. Burkett clarified that King County previously paid SCL for the electricity for traffic signals and streetlights in Shoreline. He said SCL will continue to maintain streetlights in Shoreline. He encouraged residents to report inoperative streetlights to the Customer Response Team (CRT), which will contact SCL to arrange repairs.

Councilmember Hansen moved that Council adopt Ordinance No. 298 to amend the 2002 Budget by \$208,885 and authorize the City Manager to sign the MOU. Councilmember Gustafson seconded the motion.

Councilmember Ransom noted intermittently operative streetlights at N 170th Street and Meridian Avenue N and N 170th Street and Burke Avenue N. He advocated consideration of the creation of a street lighting utility. He said staff previously estimated the need for one full-time employee for such a utility. He asserted the value of a street lighting utility to coordinate service and ensure repairs.

Mr. Burkett acknowledged the lack of uniformity in street lighting in Shoreline. He said some residents requested installation of a streetlight, and SCL bills those residents for the related operating costs. He mentioned that staff included questions about street lighting, and the cost to fund it, in the citizen satisfaction survey. He noted that some Shoreline residents oppose street lighting, while others favor more.

Councilmember Chang noted that some neighborhoods pay for street lighting on a monthly basis. He stated the need to insure equity for Shoreline residents and to prevent double payment to SCL. Mr. Burkett said staff will make sure that the City does not pay SCL street lighting costs already paid by Shoreline residents.

Mr. Maronek said SCL can easily identify and verify payments for a "grouping" of streetlights. He explained that identification and verification of the individual streetlights that SCL originally installed at residents' requests is more problematic.

Councilmember Chang said the residents on NE 167th Street between 15th Avenue NE and 18th Avenue NE pay for street lighting. He asked what these residents should do. Mr. Maronek explained that staff must determine whether the City can afford to take financial responsibility for such streetlights and whether residents are willing to transfer control to the City.

Councilmember Chang asked if the City will compensate residents who have paid for street lighting. Mr. Maronek said the City is not now proposing to take responsibility for street lighting for which residents currently pay. He asserted that the City is unlikely to compensate residents retroactively for street lighting costs.

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In response to Mayor Jepsen, Mr. Maronek estimated monthly street lighting costs at \$1.50 per fixture.

In response to Councilmember Hansen, Mr. Burkett said the City has not paid the first payment on the accumulated unpaid billings, which was due in December 2001. He said the City will pay that payment, and another in 2002, upon Council passage of the ordinance and authorization of the MOU. He clarified that the 2002 City Budget includes funds to pay SCL for current streetlight power use.

In response to Councilmember Gustafson, Mr. Burkett said Shoreline is not the only newly-incorporated city dealing with street lighting. He noted that the water and wastewater districts in some other cities pay street lighting costs.

Councilmember Gustafson acknowledged street lighting as a City responsibility. He advocated that the City: verify the streetlight inventory; address the issue of streetlights for which residents currently pay; and include language in the MOU requiring SCL maintenance and repair of streetlights within a reasonable period of time. Mr. Maronek said SCL maintains streetlights using a demand-response system. He commented that the system works well, provided that residents report problems. Councilmember Gustafson suggested that the City notify residents to report streetlight problems to CRT.

In response to Deputy Mayor Grossman, Mr. Maronek confirmed that City incorporation included the assumption of responsibility for street lighting from King County. Deputy Mayor Grossman commented that the City therefore owes SCL the street lighting operating costs.

Deputy Mayor Grossman asked about the accuracy of the SCL inventory. Mr. Maronek said SCL can now display all streetlights by type and number. He noted a deficiency in tracking the origin of installations given poor King County records. He anticipated that City and SCL staff will reconcile discrepancies and create a "clear and certain" inventory within the MOU period.

Deputy Mayor Grossman said he looks forward to staff suggestions for addressing the issue of equity of street lighting costs and services for Shoreline residents.

Councilmember Montgomery asked if the SCL inventory is sufficiently accurate to prevent the City from paying for streetlights for which residents are already paying. Mr. Maronek said staff can make it a priority to obtain clarification from SCL of all privately-billed systems in Shoreline and to insure against double billing in those areas.

A vote was taken on the motion that Council adopt Ordinance No. 298 to amend the 2002 Budget by \$208,885 and authorize the City Manager to sign the MOU. The motion carried 7-0, and Ordinance No. 298 was adopted, and the City Manager was authorized to sign the MOU.

- (b) Appointment of Council subcommittees to review Planning Commission and Library Board applications

City Clerk Sharon Mattioli provided a brief overview of the staff report.

Mayor Jepsen suggested that Council also appoint its representative to the Shoreline Water District Advisory Committee.

Councilmember Gustafson moved to appoint Councilmember Hansen as Council representative to the Shoreline Water District Advisory Committee and Councilmember as the alternate. Councilmember Montgomery seconded the motion, which carried 7-0.

Councilmember Montgomery moved to appoint Councilmembers Gustafson and Ransom to a subcommittee to review applications for the Library Board. Deputy Grossman seconded the motion, which carried 7-0.

Mayor Jepsen said he, Deputy Mayor Grossman and Councilmembers Chang, Montgomery and Ransom have expressed interest in serving on a subcommittee to review applications for the Planning Commission.

Councilmember Hansen moved to appoint Mayor Jepsen, Deputy Mayor Grossman and Councilmembers Chang, Montgomery and Ransom to a subcommittee to review applications for the Planning Commission. Councilmember Gustafson seconded the motion.

Mayor Jepsen noted that the proposed five-member subcommittee would represent a quorum of Councilmembers, requiring public notice of subcommittee meetings and public access to subcommittee interviews of applicants. Also, he mentioned that the subcommittee would, in effect, appoint, not recommend, Planning Commissioners, given that it would constitute a Council majority.

Councilmember Hansen withdrew his motion. Councilmember Gustafson withdrew his second.

Mayor Jepsen expressed his interest in promoting economic development in Shoreline and in insuring the representation of a broad range of interests on the Planning Commission.

Deputy Mayor Grossman noted his professional experience in land use and real estate and his participation in community planning efforts prior to his election to Council. He asserted that he could apply both pragmatic and policy perspectives to the process of screening applicants for the Planning Commission.

Councilmember Montgomery said she is able to "sift through" applications, ask questions and listen to people. She noted that she served on the Planning Commission selection

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subcommittee previously, and she asserted her interest in contributing on the subcommittee again.

Councilmember Ransom mentioned his past participation on the selection subcommittees for the Parks, Recreation and Cultural Services Advisory Committee and the Library Board. He noted that he has not served on the Planning Commission selection subcommittee. He asserted the value of diverse Council participation on the subcommittee.

Councilmember Chang mentioned his development experience in Shoreline prior to and since City incorporation and his participation on the board of a homeowner's association. He said participation on the subcommittee will also provide him the opportunity to learn more about the selection process.

In response to Councilmember Hansen, City Attorney Ian Sievers confirmed that a subcommittee of five Councilmember would necessitate public notice of subcommittee meetings and public access to subcommittee interviews of applicants.

In response to Councilmember Ransom, Mr. Sievers advised that the selection subcommittee could deliberate its recommendations of candidates in executive session.

Councilmember Gustafson recommended a three-member selection subcommittee. He suggested that each Councilmember vote for three Councilmembers to serve on the subcommittee and that the three receiving the most votes constitute the subcommittee.

Ms. Mattioli called the names of the five Councilmembers interested in serving on the selection committee and identified those Councilmembers voting for each:

- Councilmember Chang received two votes—Councilmembers Chang and Hansen;
- Deputy Mayor Grossman received six votes—Mayor Jepsen, Deputy Mayor Grossman and Councilmembers Gustafson, Hansen, Montgomery and Ransom;
- Councilmember Ransom received two votes—Councilmembers Chang and Ransom;
- Councilmember Montgomery received four votes—Mayor Jepsen, Deputy Mayor Grossman and Councilmembers Gustafson and Montgomery; and
- Mayor Jepsen received the votes of all seven Councilmembers.

Councilmember Gustafson moved to appoint Mayor Jepsen, Deputy Mayor Grossman and Councilmember Montgomery to a subcommittee to review applications for the Planning Commission. Deputy Mayor Grossman seconded the motion, which carried 6-1, with Councilmember Hansen dissenting.

9. CONTINUED PUBLIC COMMENT

(a) LaNita Wacker, Shoreline, requested that Council establish an environmental quality commission. She asserted the importance of such a commission to the preservation of the quality of life in Shoreline. She suggested that a commission review the effectiveness of City ordinances, address tree preservation, air and water quality and

the inventory of Shoreline streams, and make recommendations to Council for legislative improvements. She mentioned the clearing of the former Department of Natural Resources property at 25th Avenue NE and NE 150th Street. She asserted the loss of trees and hundreds of acres of land to development since incorporation. She advocated preservation of the night sky in Shoreline.

(b) Walt Hagen, Shoreline, supported the request for an environmental quality commission. He went on to assert that citizens expect Council to approve proposals representing the interests of Shoreline residents. He stated that the Planning Commission "has largely rubber stamped those things that went to them." He advocated appointment of lay people to the Planning Commission "who are truly caring about the quality of life in Shoreline."

Mayor Jepsen and Councilmembers Gustafson and Chang supported Council consideration of an environmental quality commission.

Mayor Jepsen noted the appointment of lay people to the Planning Commission as one of Council's primary objectives in the past. Councilmember Hansen said Council has taken care to insure diverse representation on the Planning Commission, and he asserted the independence of the Planning Commission from the Council. Councilmember Ransom commented that Council has deferred to Planning Commission recommendations resulting from strong majority votes.

10. EXECUTIVE SESSION

At 8:45 p.m., Mayor Jepsen announced that Council would recess into executive session for 30 minutes to consider personnel issues.

At 9:15 p.m., Mayor Jepsen announced a 15-minute extension of the executive session.

At 9:40 p.m., the executive session concluded, and the regular meeting reconvened.

11. ADJOURNMENT

At 9:41 p.m., Mayor Jepsen declared the meeting adjourned.

Sharon Mattioli, CMC
City Clerk