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CITY OF SHORELINE

SHORELINE CITY COUNCIL SUMMARY MINUTES OF SPECIAL MEETING

Monday, May 2, 2005
6:30 p.m.

Shoreline Conference Center
Mt. Rainier Room

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

ABSENT: none

1. CALL TO ORDER

The meeting was called to order at 6:30 p.m. by Mayor Hansen, who presided.

2. FLAG SALUTE/ROLL CALL

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

Mayor Hansen announced that Council was invited to attend a reception at 7:10 p.m. to honor the Shoreline School District Employee of the Year. There was Council consensus to recess the meeting at 7:10 p.m. in order to attend this event.

3. CITY MANAGER'S REPORT

City Manager Steve Burkett reported on the success of the City's volunteer breakfast, which recognized the 15,000 hours that volunteers contributed to a variety of City programs. He also reported on the success of the natural yard care event for Earth Day. He mentioned the near completion of the City gateway on NE 175th Street, and noted that staff is meeting with North City property owners prior to the North City groundbreaking on May 21. He briefly commented on the City's communications plan for the Aurora Corridor project and invited Kirk McKinley, Aurora Corridor and Interurban Trail Project Manager, to comment on correspondence received from the Shoreline Chamber of Commerce.

Mr. McKinley commented that the City wishes to implement several suggestions offered by the Chamber of Commerce in order to mitigate the impacts of the Aurora construction project on adjacent businesses, commuters and residents. The suggestions relate to business access during construction, staff availability, signage visibility, driveways, left-turn access, and lighting the "dark zones." The City also intends to use the knowledge

gained from the North City project to facilitate good communication between the City, businesses, and residents.

Councilmember Fimia wondered if there would be consequences if the contractor or construction management team does not fulfill their contract provisions.

Ian Sievers, City Attorney, and Mr. Burkett explained the methods the City can employ to ensure the provisions of the contract.

Responding to Councilmember Chang, Mr. McKinley outlined the anticipated course of construction for Aurora Corridor Phase 1. Construction will begin on the west side of Aurora at N 145th Street and then proceed up the east side. Construction will be focused in concentrated areas in order to avoid excessive disruption to the road or traffic.

4. REPORTS OF BOARDS AND COMMISSIONS: none

5. PUBLIC COMMENT

(a) Tracy Tallman, Edmonds, reported that the City and property owner of the Echo Lake site will meet with the King County Preservation Office this week to determine whether the Weimann house is eligible for landmark status. In the unlikely event that the building is deemed eligible, the City would be asked to pay \$1500-2000 to defray the cost of processing the application. She said she would not be interested in preserving the building if the interested parties cannot arrive at a mutual agreement. She encouraged the City to designate an expert on historic buildings to help determine which buildings the City would like to preserve. She expressed hope that the City could be more sensitive to its history and take a more proactive approach to historical preservation.

(b) Vicki Westberg, Shoreline, urged the Council to read a Seattle P.I. article which encourages the creation of healthier communities through infrastructure that accommodates more pedestrian facilities. She said "the environment that influences people the most is their neighborhood," and "people who live in walkable places weigh about 7 pounds less than people who live in sprawling areas." Finally, she provided photographs of the South Woods property jointly owned by the Shoreline Water District and Shoreline School District.

(c) Rick Stephens, Shoreline Chamber of Commerce, noted that Chamber members could not find any enforcement provisions for signage or business access in the contract for Aurora Corridor Project. He complimented the City for including the suggestions offered by the business community in the bid documents, but expressed concern about the lack of enforcement language. Speaking as a Shoreline property owner, he noted that the City paid CH2M Hill over \$5 million for Aurora Phase 1, whereas the City of Federal Way only paid the firm \$1 million for its segment of Aurora Avenue. He said CH2M Hill "vastly overcharged the City" and made many mistakes on the environmental process which took over nine months to correct. He urged the City to consider a different firm for Phase 2 of the project.

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(d) Patty Crawford, Shoreline, referred to a memorandum she provided last week which she said indicates the City's Planning Director's belief that the Shoreline Municipal Code (SMC) does not currently protect riparian buffers. She disagreed with this assertion, noting that SMC sections 20.80.460 and 20.80.480 address riparian buffer protection. She read portions of a March 21, 2001 letter from Tim Stewart to Doug Hennick of Washington State Fish and Wildlife, and stated that "Tim Stewart should live by his own words." She said Superior Court has determined that the environmental process for the north Aegis site on Thornton Creek was not done correctly. She said Shoreline is not exempt from the implications of the Endangered Species Act.

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At 7:10 p.m. Mayor Hansen called for a 20 minute recess to attend the Shoreline School District reception. The meeting reconvened at 7:35 p.m.

6. ACTION ITEM

- (a) Motion to authorize the City Manager to execute a contract with CH2M Hill for public outreach and pre-environmental (POP) work for the Aurora Corridor Improvement Project (N 165th Street – N 205th Street)

Mr. McKinley reviewed the purpose of the public outreach and pre-environmental (POP) process for the Aurora Corridor Project, which is to provide:

- Support for public outreach and communication through Council and community meetings
- Analysis of baseline environmental conditions
- Creation of draft alignments (pre-design through 15%)
- Analysis of environmental impacts based on planning level alignments
- Agency confirmation of environmental documentation level for the project
- Development of preliminary preferred design

He outlined the selection process whereby CH2M Hill was chosen as the consultant for the Aurora Corridor project. CH2M Hill was chosen based on the firm's experience with other Highway 99 projects and breadth and depth of experienced staff. The Washington State Department of Transportation (WSDOT) confirmed that the City may continue to utilize CH2M Hill for future phases of the Aurora Corridor project based on the initial solicitation.

Mr. McKinley then addressed concerns raised by the Council at the previous meeting on this issue. He explained that several checks and balances are built into the process to ensure that the scope, time frame, and costs are reasonable. The project went through a constructability review to ensure the design had no fatal flaws. In addition, funding partners, such as the Federal Transit Administration, require value engineering to ensure

the project scope is reasonable, and the City has hired Harris & Associates to handle construction management. Mr. McKinley concluded his presentation by recommending that Council authorize the contract with CH2M Hill for the POP process.

Mr. Burkett said the key difference between Shoreline's costs and other jurisdictions is the fact that CH2M Hill had to spend so much more time on Shoreline's issues. Noting that Aurora Corridor Phase 1 was a seven-year process, he said the purpose of contracting with CH2M Hill for these services is to minimize costs and avoid another lengthy process.

Councilmember Gustafson moved to authorize the City Manager to execute a contract with CH2M Hill for public outreach and pre-environmental work for the Aurora Corridor Improvement Project (N 165th Street – N 205th Street). Councilmember Grace seconded the motion.

Councilmember Fimia spoke against the motion, noting that this is the second time Council has been asked to approve a contract without seeing it. She expressed concerns about whether the scope of work was identified during the request for qualifications process, noting that the project was once advertised as the segment from N 145th Street to N 165th Street. She said although she supports improvements on Aurora Avenue, she has not been impressed with CH2M Hill's "track record." She said the City could accomplish the work set forth in the contract for much less than CH2M Hill is charging.

Councilmember Ransom wondered if the contract constitutes a pre-agreement to a second contract for the next phase of the project. He also supposed that Shoreline's project costs are so much more than Federal Way's Hwy 99 project because of the environmental documentation and a more extensive public process.

Paul Haines, Public Works Director, said although CH2M Hill is favored because of their background and experience, they must perform according to the contract provisions. He commented on the substantial amount of work that would need to be recreated by contracting with another firm. He confirmed that Shoreline's Aurora project is different from the Federal Way project in terms of scope, public involvement, and environmental process.

Councilmember Chang opposed the motion, noting that CH2M Hill made serious mistakes on Phase 1. He pointed out that the Shoreline Chamber of Commerce, not CH2M Hill, was the party that initially notified property owners about the project. He wondered whether CH2M Hill or City staff made the decision to do an Environmental Assessment (EA) for Phase 1, noting the high costs associated with this higher level evaluation. He requested to see the City's past contracts with CH2M Hill.

Mr. Burkett noted that the Federal Highway Administration (FHA) suggested the EA process due to the high level of controversy surrounding the project. He said staff decided to do the more expensive and time-consuming EA after consulting with the FHA.

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and WSDOT. He clarified that the City's funding partners are not interested in approving studies that are not required for Phase 2.

Councilmember Grace and Deputy Mayor Jepsen expressed support for approving the contract. The former supported this action, pointing out that the contract goes far beyond just community outreach. He outlined the six major work elements of the contract and urged the Council to learn from the past but look toward the future.

Deputy Mayor Jepsen concurred, emphasizing that the contract requires many pre-design elements and deliverables as well as a recommendation on environmental process and public outreach.

A vote was taken on the motion, which carried 5-2, with Councilmembers Chang and Fimia dissenting.

7. WORKSHOP ITEMS

(a) Teen Programs Review

Dick Deal, Parks, Recreation and Cultural Services Director, introduced Mary Reidy and Sigrid Batara, Recreation Coordinators for Shoreline's Teen Program.

Ms. Reidy and Ms. Batara outlined the goals and outcomes of the Teen Program, noting that the program results are statistically valid and make a positive difference in the community. Ms Reidy provided a handout entitled "40 Developmental Assets," developed by the Search Institute, and described how the Teen Program contributes to the healthy development of young people. She explained that teens that have more developmental assets are more likely to succeed and less likely to engage in risky behavior.

Ms Batara explained how the Teen Program incorporates the developmental assets. She said staff is expanding its programs in response to a survey which indicated unmet needs in the areas of homework and volunteering. She noted that several teen participants have returned as staff, which illustrates the program's success.

Alexis Govan and Waldo Nambo Ojeda, Teen Program Assistants, outlined the many clubs and activities offered through the Teen Program, including: after-school programs at Kellogg and Einstein Middle Schools; girls group; teen trips; Empowering Youth Everywhere (EYE); Ballinger Homes; The Center; teen clubs and classes; and special events. Ms. Govan and Mr. Nambo Ojeda provided statistics demonstrating an increase in teen program participation over the past two years. They introduced teen program volunteers V.J. Valeriano and Heather Hill, who spoke favorably of the programs and their positive influence on youth.

Councilmember Ransom inquired about the process of determining whether teens possess the developmental assets. Ms. Reidy clarified that the teens self-report the assets via a

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questionnaire. She added that the more assets that they report, the more resilient they are to negative influences.

Councilmember Fimia expressed support for the programs but wondered if the teens' transportation needs were being met.

Mr. Deal explained that the City has three vehicles, although there is a need for a handicap-accessible vehicle in the future. He said some teens provide their own transportation and some use the bus system, although the City provides most of the transportation service.

Mayor Hansen spoke favorably about the program, noting that the Rotary's 1-2-3 program is based on the 40 Developmental Assets, and Councilmember Gustafson commented that the school district staff and counselors are being trained in the 40 Developmental Assets. He encouraged partnerships with other such entities and said that while the City could be doing more, this is a step in the right direction.

The Council commended staff and participants for their efforts in making the program a success and for making a valuable contribution to the community.

(b) Continued deliberations of the Update of the Comprehensive Plan and master plans

Tim Stewart, Planning and Development Services Director, and Mr. Haines provided the staff report on the Surface Water Master Plan Capital Facilities Element (SWMP). Mr. Stewart emphasized that the SWMP is a 20-year planning document that could be amended each year through annual review or through the budget process. He noted that the plan does not increase surface water management rates, but serves as an indication of general direction. The Growth Management Act (GMA) requires that the City's Comprehensive Plan be balanced between growth (land use), the level of service (LOS), and the capital facilities in place or planned within a "probable funding level."

Mr. Stewart said staff recommends that Council approve the Surface Water sections of the draft "Capital Facilities Element." If the Council wishes to change projects or the funding level within the SWMP, it must ensure that the land use, level of service, and capital facilities elements are balanced.

Mr. Haines described the responsibilities of the Surface Water Utility, which include Operations and Maintenance (O&M), Repair and Replacement (R&R), and Capital improvement projects. He then outlined the three priority levels of service for the three areas of focus: flood protection, water quality, and habitat. He explained that if the Council decides to fund Priorities 1, 2, and 3 for all three areas, the estimated cost over the 20-year period would be \$39.5 million. Staff's recommendation to fund Priorities 1 and 2 for the same time period is estimated to cost \$27.2 million.

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Continuing, Mr. Haines outlined the funding challenges and proposed rate structures for surface water fees, noting that Shoreline's rate of \$102 per single family residence is comparable to other jurisdictions. He speculated about whether some jurisdictions would be modifying their own rate structures in the near future. He then highlighted various surface water projects within both current and future Capital Improvement Plans (CIP).

Councilmember Fimia commented that Priority 3 projects are not addressed even under the proposed rate structure, which increases fees over the 20-year period. She also noted that Priority 3 projects are only described in general terms. She questioned the use of surface water funds for major transportation projects.

Mr. Stewart said the Planning Commission debated this issue extensively and concluded that the surface water utility should pay for the surface water components of capital projects. He said other utilities would be required to pay their portion in similar projects.

Mr. Haines emphasized the need to reserve enough money in the utility so that funds are available when stormwater upgrades to capital projects are needed. He said the proposal assumes the program is driven solely by rates, although it does not preclude the City from making assumptions about alternate sources of revenue.

Councilmember Grace moved to accept the surface water components of the Capital Facilities Element dated April 7, 2005. Councilmember Ransom seconded the motion.

Councilmember Ransom noted that storm water fees were recently increased about 20 percent, from \$85 to \$102 annually, to be comparable with King County. He felt that many Shoreline residents might not support the kind of increases in the proposed rate schedule. He suggested that the fee be increased \$9 next year, with an additional \$9 increase spread out over the next three to five years.

Responding to Council questions, Jesus Sanchez, Public Works Operations Manager, explained the scope of work for proposed improvements at Darnell Park, Cromwell Park, and the Thornton Creek corridor. He described the drainage problems in the Ronald Bog sub-basin, noting that the entire corridor needs a comprehensive assessment of water quality and flows.

Mr. Haines reminded the Council that it adopted a strategy for improving the water quality of the Ronald Bog sub-basin in 2001. He emphasized the need to refine the estimates because of recent upstream improvements at Ronald Bog.

Responding to Councilmember Gustafson, Mr. Sanchez noted the possibility that estimates for Cromwell Park might not be as much as initially anticipated. However, he felt that a placeholder amount should remain in the event that capacity improvements are needed. Mr. Haines emphasized the importance of timing, noting that other improvements are imagined for Cromwell Park.

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Councilmember Gustafson noted that Council can revise the plan each year, so if staff discovers later that the estimate for Cromwell Park is too high, then perhaps some Priority 3 projects can be funded.

Mr. Stewart concurred. He pointed out that the 20-year plan establishes the general framework of projects, which are then further refined in the six-year CIP and then even further refined in the annual budget.

Councilmember Gustafson suggested that the Council discuss potential changes to the amount of revenue the City and the King County Conservation District receives for preserving natural resources. Mr. Burkett affirmed that this topic is planned for a future Council agenda.

Councilmember Chang pointed out that King County takes a considerable portion of the City's property tax, although Shoreline has assumed responsibility for many of the services the County previously provided. He felt the City should educate its voters and work with the Suburban Cities Association to see that Shoreline receives a larger proportion of funds. He emphasized the magnitude of capital needs in the City.

Councilmember Gustafson commented on the County's ongoing need for funding to preserve salmon and endangered species as part of Water Resource Inventory Area 8. He felt the Council should have a comprehensive discussion about how the City's priorities relate to the County's needs.

Deputy Mayor Jepsen noted that approving the plan tonight does not commit the City to the rate increases. He asked staff to clarify the \$1.7 million expenditure for the 3rd Avenue NW Drainage project in the 2005-2010 CIP.

Jill Marilley, City Engineer, noted that the chart provided by staff does not show all the components of the project.

Mr. Sanchez said part of the scope involves pumping water from Pantera Pond into Boeing Creek. He said this type of project would be quite complex and expensive.

Deputy Mayor Jepsen wondered if the \$2,083,000 identified for co-located transportation projects is earmarked for specific projects. Ms. Marilley said it is an estimation of the surface water responsibility there would be in transportation projects in the master plan.

Responding to Deputy Mayor Jepsen, Mr. Sanchez explained that the \$100,000 oil-water separator was not included the current 3rd Avenue NW project. He said staff is looking at ways to incorporate features that will improve surface water quality as projects are being developed.

Councilmember Ransom expressed concern about the \$8 million in surface water funding needed for Aurora Corridor Phase 2, noting that surface water needs for Phase 1 were

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funded entirely by grants. He felt the City should proceed with grant requests to cover this expense and not include it as a major project in the Capital Facilities Element.

Mr. Haines clarified that the \$8 million figure is for all transportation projects, not just the Aurora Corridor. He said the utility must be ready to act when another project is underway, so it is prudent to have some reserve funds to invest in those projects.

Mayor Hansen said a key element of the capital facilities plan is that it recognizes that the surface water utility is liable for capital improvements.

Councilmember Ransom reiterated his suggestion that the rate be increased only \$9 initially and then an additional \$9 over the next few years.

Mr. Haines felt the primary purpose of the discussion is to consider categories of projects to see if they make sense. He felt Council should focus on shorter term needs before considering long-term rate adjustments.

Councilmember Fimia questioned the rationale for not including Priority 3 projects in the SWMP. She recalled seeing a list of lower priority projects relating to streams and habitat and wondered if someone had already made a policy decision to eliminate these priorities.

There was discussion about the process used to determine the relationship of Priority 2 projects to Priority 3 projects. Staff noted that the projects were developed through community discussions as well as discussed by the Planning Commission.

Councilmember Grace reiterated that the Council would still have many opportunities to make adjustments to the priorities in the coming years.

Mr. Burkett concurred, noting that in the six-year CIP, projects in the latter three years are less certain than those in the first three years. He said some miscellaneous priorities were eliminated because staff did not want to recommend a higher utility rate than what is proposed. He agreed that priorities could change based on changes in revenue sources.

Mr. Haines pointed out that habitat projects are the most difficult to estimate. He said the level 3 projects will require much more work to validate in the 20-year plan.

Councilmember Fimia felt she could not support the motion because the plan diverts a significant amount of funding from surface water to transportation projects. She encouraged staff to acquire as much grant funding as possible and ensure that a higher proportion of funding is spent on construction than design and engineering. She felt the City should concentrate on existing surface water infrastructure rather than starting new construction projects.

A vote was taken on the motion, which carried 6-1, with Councilmember Fimia dissenting.

There was brief discussion about whether surface water improvements could be financed through private development. Mr. Stewart asserted that there would be many opportunities for private investment in improvements because water quality and quantity standards are required for new development.

Mayor Hansen speculated that private investment might eliminate some of the City's burden and create more opportunities for additional projects.

8. ADJOURNMENT

At 9:57 p.m., Mayor Hansen declared the meeting adjourned.

Scott Passey, Deputy City Clerk