
Council Meeting Date: June 26, 2000

Agenda Item: 2(a)

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Annual report from the Council of Neighborhoods
DEPARTMENT:	Community/Government Relations
PRESENTED BY:	Ellen Broeske, Neighborhoods Coordinator 

EXECUTIVE / COUNCIL SUMMARY

Darlene Feikema, Chair and Dick Nicholson, immediate past Chair of the Council of Neighborhoods, requested time on your Council agenda to provide a report on Council of Neighborhoods activities during the past year and issues and challenges ahead.

Approved By: City Manager  City Attorney 

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CITY OF SHORELINE

SHORELINE CITY COUNCIL

SUMMARY MINUTES OF REGULAR MEETING

Monday, May 8, 2000
7:30 p.m.

Shoreline Conference Center
Mt. Rainier Room

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

ABSENT: None

1. CALL TO ORDER

The meeting was called to order at 7:32 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 Councilmembers Grossman and Ransom, who arrived shortly thereafter.

3. REPORT OF CITY MANAGER

Councilmember Grossman arrived at 7:33 p.m.

Assistant City Manager Larry Bauman asked Council to add an item to the agenda to consider a waiver of the \$221 permit fee for the Shorewood High School Stop the Hate Diversity March.

Mr. Bauman explained revisions to Ordinance No. 236, which appears on the agenda as item 7(c), and to Ordinance No. 235, which appears on the agenda as item 9(c).

Mr. Bauman reported that the Planning Commission has elected new officers: Marlin Gabbert, Chair; and Kevin McAuliffe, Vice Chair. The Council of Neighborhoods also elected new officers: Darlene Feikima, Chair; Bonnie Mackey, Vice Chair; and Margi King, Secretary.

Councilmember Ransom arrived at 7:38 p.m.

4. REPORTS OF BOARDS AND COMMISSIONS: None

5. PUBLIC COMMENT

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(a) Walt Hagen, 711 N 193rd Street, requested information about a technology center at 192nd Street and Aurora Avenue.

(b) Patty Crawford, 2326 N 155th Street, discussed construction along Thornton Creek at 2330 N 156th Place. She provided a photograph of recent activity at the site. She highlighted statements from the Statewide Strategy to Recover Salmon.

(c) Tim Crawford, 2326 N 155th Street, reviewed correspondence from and to Planning and Development Services Director Tim Stewart. He asserted that City staff is not protecting Thornton Creek.

Mayor Jepsen explained that the Washington State Department of Transportation (WSDOT) owns, and Metro-King County operates, the park-and-ride at 192nd Street and Aurora Avenue. He said Shoreline Community College and the Edmonds Community College seek to site a technology center in the Shoreline-Edmonds area, and the colleges are considering the 192nd Street site among many others. He commented that several parties are considering the future use of the 192nd Street site. He stressed that no decisions have been made.

In response to Mayor Jepsen, City Attorney Ian Sievers advised that the City will be party to litigation regarding construction near Thornton Creek. He recommended against public comment about the issue by Council or staff.

6. APPROVAL OF THE AGENDA

Councilmember Lee moved to approve the agenda. Deputy Mayor Hansen seconded the motion.

Deputy Mayor Hansen moved that Council move agenda items 9(b) and 9(c) to the consent calendar and that Council add consideration of a waiver of the \$221 permit fee for the Shorewood High School Stop the Hate Diversity March as new agenda item 9(b). Councilmember Gustafson seconded the motion, which carried 7-0.

Councilmember Montgomery moved that Council move new agenda item 9(b) to the consent calendar. Councilmember Grossman seconded the motion. Councilmember Gustafson objected; therefore, Council did not move new agenda item 9(b).

A vote was taken on the motion to approve the agenda, as amended, which carried 7-0.

7. CONSENT CALENDAR

Deputy Mayor Hansen moved that Council adopt the consent calendar, as amended. Councilmember Lee seconded the motion, which carried 7-0, and the following items were approved:

Minutes of Workshop Meeting of April 17, 2000
Minutes of Dinner Meeting of April 24, 2000

Approval of expenses and payroll as of April 14, 2000 in the amount of \$441,483.37

Ordinance No. 236, amending Ordinance No. 98 by closing the Advance Travel Fund

Motion to approve the amendments to Sections 4 and 7 of the City Manager's employment agreement and an incentive payment for 1999 in the amount of \$6,000

Ordinance No. 234 appropriating budget authority in 2000 for uncompleted 1999 capital projects

Ordinance No. 235 amending the 2000 budget for the early hire of three Public Works positions and the hire of one new position in October 2000

8. **ACTION ITEMS: PUBLIC HEARINGS**

- (a) Public hearing to consider citizens comments regarding Ordinance No. 233, which established a moratorium on the establishment of new pari-mutuel off-track betting facilities as a principal use or accessory use to existing commercial establishments with the City of Shoreline

Mr. Sievers reviewed the staff report.

Mayor Jepsen opened the public hearing.

(1) Ed Ives, 2106 N 156th Place, asserted his right to spend his time as he sees fit. He said health problems make it difficult for him to travel to Emerald Downs via public transportation. He commented that businesses on Aurora Avenue have no impact on students at Shorewood High School.

(2) David Osgood, 1411 4th Avenue, Suite 1500, Seattle, spoke as the attorney for Parker's. He questioned the need for the public hearing. He noted that Parker's received interim permission to provide off-track betting and that it has provided the service since May 4. He reported a lack of parking problems. He said secondary social impacts to Shoreline have only been positive. He asserted that King County Superior Court Judge Robert Alsdorf found as fact, and as a matter of law, that Parker's submitted an application to provide off-track betting prior to Council adoption of the moratorium. He questioned the use of tax revenues to fund the work of the City Attorney and two legal consultants to oppose off-track betting at Parker's. Noting that Parker's

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had offered to prohibit persons under 21 years of age from its premises, he said Shorewood High School and youth gambling will not be an issue. He asserted that Parker's wants to work positively with the City to address its concerns.

(3) Ken Howe, 745 N 184th Street, commented that gambling is getting out of control, as had been predicted during Council discussions earlier in the year. He said the Washington State Gambling Commission would not have allowed a new business to build and provide off-track gambling at the Parker's site. He asserted neighborhood opposition to off-track betting at Parker's. He said if Seattle makes gambling illegal, Shoreline should also.

(4) Carol Henry, 17001 Aurora Avenue N, spoke as General Manager of Parker's. She reported that Parker's provided off-track betting for the Kentucky Derby May 6. She anticipated that it will turn out to have been the busiest day of the year. She noted a lack of behavior and traffic problems.

(5) Bill Bright, 5701 Seaview NW, Seattle, supported the provision of off-track betting at Parker's. He commented that gambling at Parker's is safer than traveling to Emerald Downs. He mentioned that Parker's attracts customers for other Shoreline businesses.

(6) Ron Ray Bowes, 13111 82nd Avenue NE, Redmond, sought to speak on behalf of disabled people in support of Parker's as an accessible provider of pari-mutuel betting.

(7) Fred Rantz, 3008 NE 185th Street, mentioned his enjoyment of horse racing. He supported Parker's as local access to pari-mutuel betting.

(8) Chuck Potter, 419 S 146th Street, Seattle, spoke as the Director of Simul-casting at Emerald Downs. He noted that Emerald Downs has 18 other off-track betting sites in Washington and that it has not experienced opposition previously. He asserted a lack of negative impacts during the first weekend of operation at Parker's. He said Parker's employs several Shoreline residents. He mentioned that off-track betting helps to support horse racing at Emerald Downs.

(9) Jim Mumm, 1615 N 143rd Street, noted the long history of horse racing in the country and the region. He said patrons of off-site betting establishments are "less trouble" than those of mini-casinos. He commented that the Parker's site provides sufficient parking and accommodates traffic.

(10) Bob Frazier, 3501 20th Avenue Court SE, Puyallup, spoke as Director of Operations at Emerald Downs. He cited research by Emerald Downs identifying its average customers as 55-year-old, highly-educated men. He asserted a lack of negative impacts of off-track betting sites in other communities (e.g., Everett, Yakima and Auburn). He asserted the benefit of off-track betting at Parker's to horse racing enthusiasts. He noted that horse racing is recovering as an industry in the region.

(11) Don Dennis, 19817 10th Place NW, objected to the comparison of gambling on horse races to gambling on cards. He noted the round-trip distance from his home to Emerald Downs—80 miles—and the round-trip distance to Parker's—four and a half miles.

(12) Gene Sharpe, 16243 14th Avenue NE, reviewed his long involvement in horse racing. He supported off-track betting at Parker's, and he opposed the moratorium.

Councilmember Lee moved to close the public hearing. Councilmember Gustafson seconded the motion, which carried unanimously.

Mr. Sievers acknowledged the preliminary injunction against application of the moratorium to Parker's. He explained that the moratorium is necessary to address other potential sites in Shoreline while the City determines whether regulations are necessary to control this form of gambling.

Mayor Jepsen noted that Council is obligated under State law to hold a public hearing.

In response to Councilmember Ransom, Mr. Sievers said there is no settlement at this time concerning off-track betting at Parker's.

Councilmember Lee asserted that the moratorium is part of the "due process" that Council has undertaken to understand the implications of off-track betting in Shoreline.

Councilmember Gustafson asserted the need for the moratorium to consider the impacts of off-track betting at Parker's. He stressed his concern about the proximity of Shorewood High School.

9. OTHER ORDINANCES, RESOLUTIONS AND MOTIONS

- (a) Ordinance No. 237 establishing a moratorium on acceptance and processing of new franchise applications for telecommunications service providers within the City of Shoreline and declaring an emergency

Kristoff Bauer, Assistant to the City Manager, reviewed the staff report. He explained that the proposed moratorium provides time for staff to develop, and Council to consider and adopt, legislation to implement the new State law concerning management of municipal right-of-way.

Councilmember Montgomery moved that Council adopt Ordinance No. 237 establishing a moratorium on acceptance and processing of new franchise applications for service providers. Deputy Mayor Hansen seconded the motion.

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In response to Councilmember Grossman, Mr. Bauer said staff intends to propose draft legislation within the 65-day period of the proposed moratorium.

In response to Councilmember Ransom, Mr. Bauer explained that the moratorium applies to the application for, and the processing of, new franchises. He said utilities currently providing services in Shoreline are already franchised, and the moratorium will not disrupt the progress of franchise negotiations with other utilities. He said it would be difficult for staff to develop regulations at the same time that it processes franchise applications and permits.

In response to Councilmember Lee, Mr. Bauer said the new State law focuses on telecommunications. He explained that the moratorium will give staff time to develop regulations of sufficient specificity to allow the City to control the operation of wireless telecommunications providers in its right-of-way.

Councilmember Lee questioned the applicability of the City's ordinance regarding wireless telecommunications facilities. Mr. Bauer said the wireless telecommunications facilities ordinance references the City franchise ordinance in the case of wireless facilities in the right-of-way. He reiterated that the franchise ordinance may not be specific enough to be enforceable under the new State law. He said staff will propose new regulations related to the siting of wireless facilities in the right-of-way and a specific franchise application process for consideration by Council.

Councilmember Gustafson supported the adoption of the moratorium to give the City time to study and discuss options. Councilmember Montgomery agreed.

Councilmember Ransom expressed his willingness to support the moratorium and his opposition to its extension. Mr. Bauer noted that earlier drafts of the new State law included a delayed effective date to give cities time to implement necessary regulatory changes.

Mayor Jepsen said the moratorium is a response to what happened in Olympia. Deputy Mayor Hansen commented that the City was in compliance with the State laws that previously existed and that it needs time now to comply with the new law.

Councilmember Grossman asserted that the number of moratoriums the City has recently enacted is symptomatic of the complexity of the current regulatory environment.

A vote was taken on the motion, which carried 7-0, and Ordinance No. 237 establishing a moratorium on acceptance and processing of new franchise applications for service providers was adopted.

- (b) Waiver of fee in the amount of \$221 for the Shorewood High School Stop the Hate Diversity March

Mr. Bauman reviewed the request of Shorewood High School student Leah Montange, during public comment at the May 1, 2000 Council workshop, for a waiver of the right-of-way use permit fee for the Shoreline Diversity March.

Councilmember Lee moved to authorize the City Manager to waive payment of fees in the amount of \$221 for a right-of-way use permit to be issued to Shorewood High School for its Diversity March on May 10, 2000. Councilmember Ransom seconded the motion.

Councilmember Ransom asserted that Council should support a student-sponsored march as a "non-special expense item."

Councilmember Gustafson expressed support for student-sponsored activities. However, he advocated that Council consider the long-range ramifications of waiving fees for different activities.

Deputy Mayor Hansen agreed. He noted his concern about the precedent that Council is setting. He advocated that Council direct staff to develop a policy on fee waivers for Council consideration.

Councilmember Ransom asserted a relationship between Council policy on fee waivers for student-sponsored events and the willingness of the School District to waive fees for City use of District facilities.

Councilmember Grossman highlighted the need for increased awareness of diversity in the community. He said the demographics of elementary school students in Shoreline show "a huge change coming in the next 15 to 20 years." He advocated Council support for student efforts to foster positive awareness of the issue.

Councilmember Gustafson asserted his support for waiving the fee for the march, and he reiterated the need for a policy to address future requests for fee waivers.

Mayor Jepsen indicated his support for waiving City fees for student events sanctioned by the School District. He said this position is consistent with the Council position, in City negotiations of a memorandum of understanding with the School District, that taxpayers should not have to pay twice for public facilities.

Councilmember Montgomery expressed support for Council consideration of a policy on fee waivers.

A vote was taken on the motion to authorize the City Manager to waive payment of fees in the amount of \$221 for a right-of-way use permit to be issued to Shorewood High School for its Diversity March on May 10, 2000. The motion carried 7-0.

Councilmember Gustafson advocated that staff include the waiver of City fees in the memorandum of understanding between the City and the School District.

10. CONTINUED PUBLIC COMMENT

(a) Walt Hagen, 711 N 193rd Street, objected to the letter of May 4 from Mr. Stewart to the attorney representing Mr. and Mrs. Crawford. He asserted longstanding, common understanding of Thornton Creek as a salmonid creek. He commented that the City may have made a mistake in permitting construction near the creek. He said the City should admit the mistake and withdraw the building permit.

(b) Margi King, 20307 25th Avenue NE, mentioned the limited amount of parking available for City meetings at the Shoreline Conference Center and questioned the status of planning for a City Hall. She noted the presence of an off-duty police officer at the Richmond Highlands Teen Recreation Center, and she inquired about police presence, or police plans to respond to problems, at the Shoreline Eastside Late Night Teen Program at the Aldercrest Annex. Finally, she recognized the responsiveness of the City to citizen concerns.

(c) Sali Roguero, 2155 N 159th Street, advocated adoption of a City law to require pet owners to scoop and dispose of pet wastes.

Mr. Bauman agreed to discuss police presence at the Eastside Late Night Teen Program with Teen Program Supervisor Mary Reidy.

In response to Mayor Jepsen, Mr. Sievers commented that the City may be able to require pet owners to scoop and dispose pet wastes under its litter ordinance. Councilmember Lee commented that the City cannot enforce its leash law, let alone a scooping law. Mayor Jepsen identified these as public education issues.

Councilmember Lee recognized the City student interns in attendance at the meeting.

11. EXECUTIVE SESSION

At 9:00 p.m., Mayor Jepsen announced that Council would recess into executive session for 20 minutes to discuss one item of potential litigation.

At 9:45 p.m., the executive session concluded, and the regular meeting reconvened.

12. ADJOURNMENT

At 9:46 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

Monday, May 15, 2000
6:30 p.m.

Shoreline Conference Center
Mt. Rainier Room

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

ABSENT: Mayor Jepsen

1. CALL TO ORDER

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

2. FLAG SALUTE/ROLL CALL

Deputy Mayor Hansen led the flag salute. Upon roll by the City Clerk, all Councilmembers were present, with the exception of Mayor Jepsen.

Councilmember Lee moved to excuse Mayor Jepsen. Councilmember Gustafson seconded the motion, which carried 6-0.

(a) Planning Commission Commendations

Deputy Mayor Hansen presented commendations and plaques to Ted Bradshaw, Dan Kuhn, Roger Parker and Byron Vadset, who served on the Shoreline Planning Commission from October 1995 until earlier this year. Each of the former commissioners spoke briefly about his experience on the Commission.

3. CITY MANAGER'S REPORT AND FUTURE AGENDAS

Robert Deis, City Manager, suggested a joint dinner meeting of Council and the new Planning Commission.

Next, Mr. Deis reported that State Representatives Carolyn Edmonds and Ruth Kagi and State Senator Darlene Fairley will present a legislative briefing to Council at its workshop June 19.

Finally, he mentioned that the School District is close to concluding its consideration of the proposed memorandum of understanding (MOU) with the City. He explained that staff will present the MOU to Council after the School District completes its

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consideration and that staff will schedule a joint dinner meeting of Council with the School Board in June.

4. COUNCIL REPORTS

Councilmember Grossman said he attended a recent meeting of the Housing Partnership.

Councilmember Ransom reported that he attended the April 27 meeting of the Shoreline Water District. He said the tone of the meeting illustrated the hostility of the Water District toward the City. He expressed his concern about the ability of the City to implement its Comprehensive Plan given the apparent unwillingness of the Water District to cooperate with the City.

Continuing, Councilmember Ransom said he attended the King County Council meeting on alternative medicine earlier in the day at Bastyr University. He noted the April 29 groundbreaking for the new Richmond Beach Library as the culmination of a 15-year effort to construct the new facility. He mentioned the recent installation of the new Shoreline Library Board.

Finally, Councilmember Ransom said he attended the May 10 meeting of the Suburban Cities Association (SCA). He noted the election of Deputy Mayor Hansen to the SCA Board of Directors.

Councilmember Montgomery said the Regional Transit Committee will meet May 18 and again later in the month. She identified one agenda item: interim State funding to forestall transit service reductions in the wake of Initiative 695. She explained that the State gave the County the authority to propose a local sales tax option for transit services. She said committee members who represent suburban cities have said they cannot support or oppose the local sales tax option until the County determines how it will allocate service reductions.

Councilmember Gustafson noted the Association of Washington Cities meeting June 2 to address the Endangered Species Act. He mentioned the U.S. House of Representatives vote overwhelmingly in favor of a five-year extension of the moratorium on taxing Internet businesses.

5. PUBLIC COMMENT

(a) Bill Bear, 2541 NE 165th Street, spoke as the Director of the Briarcrest Neighborhood Association. He called attention to an article on salmon stream wetlands in the Briarcrest newsletter. He said citizens have ultimate responsibility for city government decisions that harm the environment. He asserted that affordable housing is underemphasized in the City Development Code.

(b) Dennis Lee, 14547 26th Avenue NE, spoke as President of Concerned Citizens for Shoreline. He asserted three problems in the City's new Development Code.

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He identified narrow access roads as the first problem. Second, he said the property setbacks in higher-density zones adjoining single-family zones are less than those in the previous code. Finally, he advocated the section on design standards that staff proposed originally, and that the Planning Commission revised.

(c) Clark Elster, 1720 NE 177th Street, read from a letter in which he urged Council to reconsider V.2.C-1 and V.2.C-2 of the Development Code Phase 2.

(d) Ken Howe, 745 N 184th Street, reported on his attendance at the May 11 open house on the Aurora Corridor Project.

(e) Don Brown, 727 N 193rd Street, advocated City enforcement of its fireworks ban before and on the Fourth of July.

(f) Walt Hagen, 711 N 193rd Street, recalled former Planning Commissioner Dan Kuhn's assertion that Shoreline citizens want a "stress-free environment." Mr. Hagen said the City is not providing this.

(g) Patricia Peckol, 19144 8th Avenue NW, discussed on-site recreation open space requirements for multi-family developments in the proposed Development Code. She requested that Council reconsider amendments number 164 and 165, which would modify or eliminate the exceptions to the open space requirements.

(h) Patty Crawford, 2326 N 155th Street, said the City has allowed construction along Thornton Creek that violates the 100-foot stream buffer required in the Shoreline Municipal Code. She contested the assertion that Thornton Creek is unmapped. She advocated that the City stop the construction.

(i) Tim Crawford, 2326 N 155th Street, said comments to him by City staff at a recent neighborhood association meeting alienated other neighborhood residents in attendance. He asserted that Planning and Development Services is not implementing City policies.

Noting that many of the comments concerned the Development Code Phase 2, Deputy Mayor Hansen said Council will hold a public hearing on the proposed code at its next meeting. Mr. Deis said Council can direct staff to address specific elements of the proposed code after the public hearing.

Mr. Deis advised that Shoreline Police confiscated fireworks last year but did not issue citations. He suggested that Police Chief Denise Pentony address Council at a future meeting regarding plans for the upcoming Fourth of July.

Deputy Mayor Hansen asserted the difficulty of enforcing the fireworks ban in Shoreline and of enforcing those in other cities.

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Mr. Deis asserted the difficult balance of enforcing City regulations. He mentioned that the City has begun enhanced enforcement of its dog leash law. Deputy Mayor Hansen supported this enhanced enforcement.

Councilmember Gustafson advocated a presentation by Chief Pentony about enforcement of the fireworks ban and additional Council discussion regarding the leash law.

Councilmember Grossman supported community education about the fireworks ban followed by enhanced enforcement. Councilmember Gustafson agreed.

6. WORKSHOP ITEMS

(a) Endangered Species Act Strategy

Public Works Director Bill Conner stressed the informational intent of the staff presentation. He said staff will return to Council in the future to present specific recommendations and to identify sources of funding. He noted impacts of the Endangered Species Act (ESA) to the City Capital Improvement Program (CIP)—especially to federally-funded and federally-permitted projects—and to operations and maintenance of City infrastructure.

Surface Water Manager Edward Mulhern explained that in March 1999 the National Marine Fisheries Service (NMFS) listed seven species of West Coast salmon as threatened under ESA. The listing of the Puget Sound Chinook salmon applies to the City of Shoreline. Mr. Mulhern went on to review key ESA provisions, including:

- Listing prohibits harm to a threatened species or to its habitat;
- Under Section 4(d), NMFS will publish a rule to protect listed species—the rule for the King, Snohomish and Pierce Tri-County area could be issued as early as mid-June or as late as December;
- Section 7 requires environmental review of federally-funded projects;
- Section 10 addresses long-term recovery plans—such plans provide long-term protection against liability for current and future listed species; but such plans include habitat conservation plans, which are costly to develop and implement; and
- Provisions for citizen lawsuits and third-party involvement regarding protected species.

Mr. Mulhern explained that the City may commit to comply with the Tri-County 4(d) rule. Then, City actions that follow the provisions of the rule would not be subject to NMFS review or enforcement actions. If the City considers the requirements of the Tri-County 4(d) rule to be too severe, it may conduct an independent examination of its programs and services to protect Puget Sound Chinook salmon. However, such programs and services would be subject to direct NMFS review.

Mr. Mulhern commented that ESA is similar to, and overlaps with, other regulations, including the Growth Management Act (GMA), the Shoreline Management Act and the

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State Environmental Policy Act (SEPA). He also mentioned regulations rising out of the Clean Water Act. He said ESA will require watershed planning and management, participation in regional funding, and habitat inventory, acquisition and enhancement. He noted the staff expectation of minimal Chinook habitat in Shoreline.

Deputy Mayor Hansen invited public comment.

(1) Peter Hayes, Continuing Co-Director, Thornton Creek Project, discussed the educational program which involves students at 35 schools in 12 square miles and promotes the understanding of the immediate community as a basic part of good education. He expressed enthusiasm at the participation of Shoreline, with Seattle, King County, local businesses and others, in the program.

Deputy Mayor Hansen said he learned through the SCA that the Tri-County 4(d) rule would be finalized in June. Mr. Conner acknowledged this possibility. He said the federal government has mentioned a December implementation date. He noted that the Earth Justice Legal Defense Fund may sue the government to require implementation of the 4(d) rule within 60 days of publication.

Councilmember Gustafson advocated the inventory of City watersheds. He has attended meetings of the Lake Washington Watershed and of Watershed Resource Inventory Area (WRIA) 8. He said information from these groups will help the City in its decision making. He expressed concern that listing of Puget Sound salmon species under ESA will represent an unfunded mandate for the City. He recommended contact with legislators to ensure federal and State funding.

In response to Councilmember Gustafson, Mr. Mulhern said staff believes that ESA listing of Puget Sound Coho salmon would have greater impact on the City than listing of the Chinook salmon because there is likely to be more Coho habitat in Shoreline.

Deputy Mayor Hansen noted the need to locate and correct "cross connections" of wastewater and storm water drains to prevent the release of untreated materials.

Councilmember Grossman asked about the "trickle down implications" of the ESA on the City Development Code. He also asked about opportunities for negotiation (e.g., an increase in City action to benefit habitat, such as daylighting streams, in exchange for decreased regulation in other areas of less importance to listed species). Mr. Mulhern asserted the difficulty of the current negotiations between the Tri-Counties and NMFS. He said the City can directly negotiate its own long-term recovery plan with NMFS under ESA Section 10, but he reiterated that the development of such plans is expensive and time consuming.

Tim Stewart, Planning and Development Services Director, acknowledged the importance of ESA to the new Development Code. He said the City can consider opportunities to improve the health of watersheds (e.g., removal of obstacles) as it

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conducts its watershed inventories. He identified such opportunities as bases for negotiation regarding other requirements.

In response to Councilmember Grossman, Mr. Stewart confirmed that an inventory of existing habitat is the starting point for establishing a sound City plan. Mr. Conner said enforcement is based on current conditions. He noted this as a key reason the environmental community favors early implementation of the 4(d) rule.

In response to Councilmember Ransom, Mr. Conner said staff is not able at this time to identify impacts and estimate costs specific to Shoreline of the ESA listing of salmon species. He confirmed that the City will probably have to install special screens to filter storm water. He discussed potential changes in how the City maintains vegetation.

Councilmember Ransom asked if the City has an obligation to protect fish that citizens introduce into a waterway. Mr. Conner said City actions to protect such fish could be assets in settlement negotiations with the federal government. He mentioned that the City might participate in efforts to protect habitat of listed species outside of Shoreline in order to secure the right to manage redevelopment within Shoreline.

Deputy Mayor Hansen commented that hatchery fish have fallen out of favor with the State because of the lack of genetic diversity within hatchery fish populations.

Mr. Deis identified activities the City must undertake regardless of ESA requirements: inventorying drainage basins; inventorying and assessing surface water management facilities; and cataloging the data in the City Geographic Information System (GIS). He said the County did not provide a good inventory when it transferred surface water facilities to the City.

In response to Councilmember Gustafson, Mr. Conner said the City has the data to complete high-level mapping of its surface water management facilities within a few months. He explained that the City would need to collect new data to perform more detailed mapping and that such data collection would take much longer. Mr. Stewart noted the need for biological assessment of watersheds as well. Mr. Conner estimated that a good inventory would require three to six months to complete. Mr. Deis said the 2001 City budget for surface water management will identify specific timelines and costs.

Deputy Mayor Hansen supported the rehabilitation of streams that can be rehabilitated, regardless of whether they currently contain fish. He said he regards the ESA as more of an opportunity than a problem. He advocated the inventory and classification of streams as the City's first priority. He suggested monitoring water quality in City watersheds as the next priority. He noted that many of the regulations under discussion are already required by the Puget Sound Water Quality Management Plan. He pointed out that the City already complies with many of the regulations.

Mr. Deis identified two factors that will affect the actions the City undertakes to protect fish and fish habitat: 1) cost; and 2) infringement of development rights of private

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property owners. He asserted that the City must balance the needs of listed species and the Constitutional rights of property owners.

Deputy Mayor Hansen noted the activities of the privately-funded Deer Creek Hatchery in Edmonds. He advocated Boeing Creek as a site for a similar private or public undertaking.

Deputy Mayor Hansen stressed that the goal of the 4(d) rule is to achieve the recovery of the listed species.

Councilmember Grossman asserted the need for creative approaches that provide incentives for property owners and others to participate in species recovery.

(b) Review of Request for Proposals for Solid Waste Collection Services

Kristoff Bauer, Assistant to the City Manager, outlined the proposed Request for Proposals (RFP) process. He discussed the basis for the service level contained in the RFP. Finally, he addressed risks of the proposed timeline.

Mr. Bauer said the current solid waste service providers could challenge the City's right to terminate their contracts. He noted that staff has filed a declaratory judgment action to try to clarify the City's rights. He explained the goal to provide this information to Council for use in deliberating its final decision.

Mr. Deis identified mandatory collection for all residential customers as the most controversial of the mandatory alternate bid items. He acknowledged that many residents currently haul their own garbage. He stressed that staff included this item in the RFP for informational purposes only.

In response to Councilmember Gustafson, Mr. Bauer said the City of Seattle has mandatory collection for all residential customers.

Deputy Mayor Hansen invited public comment.

(a) Richard Johnsen, 16730 Meridian Avenue N, asked if the 1st Avenue NE transfer station will accept a wider variety of plastics for recycling as part of a new, expanded service level for solid waste collection. He asserted that people who make an effort to recycle should pay less for solid waste collection than those who do not.

Mr. Bauer said the service level contained in the RFP includes the collection of a wider variety of plastics for recycling. He clarified that this would not change the collection at the 1st Avenue NE transfer station, which is controlled by King County. He explained the intent of including recycling in the rate for solid waste collection is to allow customers to recycle more and pay less for using a smaller waste can.

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Councilmember Grossman supported a rate structure that promotes recycling.

Councilmember Montgomery noted the difference in the rates of Rabanco and Waste Management. Mr. Bauer said residents residing within the Waste Management service area do not have the option to choose Rabanco as their service provider.

In response to Councilmember Montgomery, Mr. Bauer noted few objections when Rabanco changed to a commingled collection service for recyclables.

Councilmember Gustafson supported the inclusion of vacation service cancellation as a mandatory alternate bid item.

In response to Councilmember Gustafson, Mr. Bauer explained that the "maximum annual tipping fee expenditure," included in the mandatory alternate bid item for community cleanup events, establishes an allowance for costs the hauler incurs for dumping solid waste from cleanup events at the County transfer station.

In response to Councilmember Gustafson, Mr. Bauer said the mandatory alternate bid item of a \$50,000 annual payment to support City programs to encourage recycling is meant to fund part of a recycling coordinator position on City staff.

Deputy Mayor Hansen confirmed Council consensus in support of the recommended RFP process.

7. CONTINUED PUBLIC COMMENT

(a) Kristina Stimson, 2155 NW 201st Street, discussed the City of Seattle program titled Leadership in Energy and Environmental Design (LEED). She recommended that the City consider the program during its preparation of the Development Code Phase 3 and in the development of a City Hall.

(b) Margi King, 20307 25th Avenue NE, recommended that the City enclose open ditches to minimize surface water drainage problems. She advocated the rehabilitation of Lyon Creek.

(c) Bill Bear, 2541 NE 165th Street, discussed the increasingly limited availability of affordable housing in Shoreline. He advocated the careful consideration of the issue in the next phase of the Development Code. He supported owner-occupied affordable housing—because it tends to result in more stable neighborhoods—and the wide distribution throughout Shoreline of high-density affordable housing.

8. ADJOURNMENT

At 9:06 p.m., Deputy Mayor Hansen declared the meeting adjourned.

Sharon Mattioli, CMC
City Clerk

May 22, 2000

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CITY OF SHORELINE
SHORELINE CITY COUNCIL
SUMMARY MINUTES OF JOINT DINNER MEETING

Monday, May 22, 2000
6:00 p.m.

Shoreline Conference Center
Highlander Room

Shoreline City Council

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

ABSENT: Councilmember Lee

STAFF: Robert Deis, City Manager; Larry Bauman, Assistant City Manager; Kristoff Bauer, Assistant to the City Manager

Lake Forest Park City Council

PRESENT: Mayor Hutchinson, Councilmembers Goss, Herzog, Kiest, Olstad, Sterner, Thompson

ABSENT: Councilmember Armanini

STAFF: Doug Jacobson, City Administrator; Sarah Phillips, Community and Government Affairs Manager

The meeting convened at 6:25 p.m. All Shoreline City Councilmembers were present with the exception of Councilmember Lee. All Lake Forest Park Councilmembers were present with the exception of Councilmember Armanini.

Mayor Jepsen welcomed the guests from Lake Forest Park. He explained the purpose of the meeting to address issues of mutual concern. He noted that such issues include water, the Endangered Species Act, transportation, transit and a Youth Council.

Mayor Jepsen mentioned that the City has been reviewing water services in Shoreline. He asked about the interests of Lake Forest Park in determining future water services.

Robert Deis, City Manager, explained that the City Comprehensive Plan calls for the City to be involved in utility services and to review delivery options. He noted the potential impact on Lake Forest Park, given that the Shoreline Water Department serves both cities.

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Mayor Hutchinson said his first question is whether there is a potential benefit to Lake Forest Park customers within the Shoreline Water District. He stressed that Lake Forest Park has an interest in whatever Shoreline decides to do.

Deputy Mayor Hansen commented that the City may eventually be better off operating its own water utility. He noted that the tax revenues that Seattle Public Utilities (SPU) collects from the Shoreline customers it serves go to the City of Seattle budget.

Councilmember Thompson pointed out that the SPU wastewater system is similar to the SPU water system in the manner of deciding who should be the service provider for Lake Forest Park.

Councilmember Kiest inquired as to the benefits of assuming the Shoreline Water District. Kristoff Bauer, Assistant to the City Manager, explained that some costs could be reduced through efficiencies and the reduction of related overhead expenses.

Councilmember Thompson said the Lake Forest Park City Council has not done enough analysis of water services to develop an opinion on the issue.

Doug Jacobson, Lake Forest Park City Administrator, said Lake Forest Park is reserving judgment regarding water services. Regarding the wastewater utility, he noted that the city may want to exercise its option to manage the wastewater utility within Lake Forest Park.

Councilmember Kiest commented that Lake Forest Park citizens are not eager to lose their voting rights in the Shoreline Water District should the City of Shoreline assume the water district. He said those customers believe that they receive a high level of service.

Mr. Deis said the analysis of service should include the amount that customers pay for the level of service they receive. He asserted that cities provide a higher level of oversight and accountability because of the higher level of citizen participation.

Councilmember Grossman said one has to question the decisions of the Shoreline Water District when one considers the policies it is pursuing. He asserted that District plans to use water from Lake Washington are questionable given the unlikely possibility of obtaining the necessary water rights.

Councilmember Ransom questioned the actions of the Shoreline Water District regarding the Cascade Water Alliance.

Councilmember Thompson said Lake Forest Park does not want to be perceived as delaying a decision by Shoreline.

Councilmember Kiest said the city would like to work with the 40 percent of Shoreline Water District customers residing in Lake Forest Park.

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Mayor Jepsen asked the Lake Forest Park City Council to consider whether it would like to assess any of the information that City of Shoreline staff has gathered about water services and the Shoreline Water District or whether it wants to wait to respond to City of Shoreline actions.

Councilmember Thompson suggested that Shoreline send Lake Forest Park a formal letter outlining options regarding water services that Shoreline is considering that they wish Lake Forest Park to consider simultaneously.

Councilmember Goss recommended that in the interests of the citizens of each city, both city governments should work towards the goals of the highest, most efficiently run water district.

On another issue, Mayor Hutchinson thanked the Shoreline City Council for making the teen program at the Aldercrest Annex a partnership. He asserted the value of the cities' partnership in Club Kellogg as well. He said he would like to explore a partnership with the City of Shoreline in summer recreation programs in the schools.

Mr. Deis commented that the Shoreline and Lake Forest Park City Councils have similar philosophies: to keep youth active. He noted that the Shoreline City Council has invested in improving youth services.

Noting that Lake Forest Park and Shoreline both have students attending Shorecrest High School and Kellogg Middle School, Councilmember Kiest encouraged the city councils to collaborate on youth programs.

Mayor Jepsen thanked the Lake Forest Park City Council and staff for attending the joint meeting.

The meeting adjourned at 7:25 p.m.

Larry Bauman, Assistant City Manager

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Tim Stewart, Planning and Development Services Director, indicated that the new Development Code will include changes in how the City defines critical areas, streams and other aspects of the environment. He said the City will use the best available science as it locates and maps stream corridors to enable classifications to withstand challenges from all sides. He mentioned that staff will address these issues in more detail in its next presentation to Council on the Endangered Species Act.

4. REPORTS OF BOARDS AND COMMISSIONS: None

5. PUBLIC COMMENT

(a) Ken Howe, 745 N 184th Street, addressed agenda item 7 (d) regarding design services for the Richmond Highlands Recreation Center. He asked that the consultants meet with the neighborhood association before actively engaging in further design work.

(b) Gretchen Atkinson, 17714 15th Avenue NE, spoke as President of the North City Business Association. She thanked the Department of Community and Government Relations for assisting North City in its application for the Neighborhoods USA Neighborhood of the Year Award.

(c) Teresa Rinker, 17555 Fremont Avenue N, said City staff rejected an application for a permit to build a wrap-around porch at her house because the existing porch does not cover 60 percent of the face of the home. She requested the revision of this requirement. Noting the current lack of differentiation between a residential and commercial variance and the \$3,000 cost of a variance, she also requested the implementation of a process for lower-cost residential variances.

(d) Gretchen Atkinson, 17714 15th Avenue NE, noted the excitement of the North City Business Association about the upcoming design workshop for the North City Sub-area Plan. She said the association hopes to attract new businesses to locate in North City.

(e) Janet Way, 940 NE 147th Street, represented the Thornton Creek Legal Defense Fund and the Thornton Creek Watershed Management Committee. She expressed satisfaction with the recent court ruling against the City of Seattle and Simon Properties. She said she has advocated that the City of Seattle pay for revisions to a map that Seattle Public Utilities created of the Thornton Creek Watershed to reflect the outcome of the lawsuit.

(f) Patty Crawford, 2326 N 155th Street, said the City ignored concerns about construction at 2330 N 156th Place until she and her husband threatened to sue. She stated that the City has received the results of past scientific analyses which classified the waterway at the site as Coho salmon habitat. She said the State, not the County, regulates water and fish. She asserted the lack of variances from stream buffers. She favored the

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application of the reasonable use regulation of the new Development Code because a panel or judge would need to evaluate the situation.

(g) Tim Crawford, 2326 N 155th Street, distributed a copy of a letter from the State Department of Fisheries. He reiterated that the State regulates water and fish. He asserted that the City has ignored previous information about the waterway at 2330 N 156th Place.

Mayor Jepsen said the City developed a master plan for the Richmond Highlands Recreation Center with community input. He noted that the Parks, Recreation and Cultural Services Advisory Committee reviewed the master plan. Mr. Deis explained that planned improvements to the recreation center focus on interior mechanical systems. He said staff committed to obtain additional public input on the expenditure of any funds remaining after completion of these improvements.

Mr. Deis agreed that staff will follow up with Ms. Rinker.

Mr. Deis said the documentation that staff obtained from the State Department of Ecology provided the solid legal standing the City needed to stop work at 2330 N 156th Place.

Councilmember Montgomery advocated Council consideration of the cost of variances. Councilmembers Hansen and Ransom agreed. Mr. Deis said staff will review the issue for further Council consideration.

6. APPROVAL OF THE AGENDA

Councilmember Montgomery moved approval of the agenda. Councilmember Lee seconded the motion, which carried 7-0.

7. CONSENT CALENDAR

Councilmember Lee moved adoption of the consent calendar. Councilmember Ransom seconded the motion, which carried 7-0, and the following items were approved:

Minutes of Regular Meeting of April 24, 2000
Minutes of Workshop Meeting of May 1, 2000

Approval of expenses and payroll as of May 12, 2000 in the amount of \$1,231,723.02

Motion to authorize the City Manager to execute an agreement for design services for the North City Sub-area Plan with Lennertz, Coyle & Associates in the amount of \$60,000

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Motion to authorize the City Manager to execute an agreement for design services for the Richmond Highlands Recreation Center with Kubota Kato Chin Inc. in an amount of \$91,050

8. **ACTION ITEMS: PUBLIC HEARING**

- (a) A public hearing to consider citizens comments regarding Phase 2 of the Development Code

Mr. Stewart addressed three technical corrections to the proposed Development Code.

Mayor Jepsen opened the public hearing.

(1) Ginger Botham, 16334 Linden Avenue N, presented a letter and discussed her concern about open space. She said the proposed Development Code shrinks open space noticeably. She noted the elimination of tot lots and the reduction of setbacks from 20 to 15 feet between single-family and multi-family development. She opposed the ten-foot minimum road width. She commented that surface water tracts can satisfy up to 50 percent of the open space requirement and that the slope of such tracts can be as much as 33 percent. She urged Council to revise the proposed code to increase open space requirements.

(2) Dennis Lee, 14547 26th Avenue NE, advocated revisions to the proposed code provisions related to open recreational space, setbacks between single-family and multi-family development and design standards. He recommended that the City act soon to classify streams.

(3) Bill Bear, 2541 NE 165th Street, reviewed written testimony in which he advocated the restoration of the design standards deleted by the Planning Commission's acceptance of amendments 156-159.

(4) Janet Way, 940 NE 147th Street, advocated adoption of amendment 280, which would require the daylighting of a creek, when feasible, in the case of new development. She recommended that staff replace all references to "drainage ditch" with "creek." She referenced the decision in the court case against the City of Seattle and Simon properties as support for this point of view.

(5) Harry Allen, 1820 NW 195th Street #3, spoke as President of the Park Richmond Condominiums Association. He said the Comprehensive Plan limited mixed-use buildings to three stories and 35 feet in height. He noted that the proposed Development Code allows such buildings up to four stories and 60 feet in height, provided the extra story is stepped back from the street wall at least eight feet. He asserted that the step-back provision for the extra story does not mitigate the height of the building for neighboring property owners. He advocated protection of neighboring property owners by requiring that the bonus floor be stepped back from all walls at least eight feet.

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(6) Randy Bannecker, 2240 E Blaine Street, Seattle, represented the Seattle-King County Association of Realtors. He supported the proposed Development Code. He said it promotes housing development consistent with the existing community.

(7) Peter Schwindt, 2209 NE 177th Street, commented on the success of the Planning Academy in which he participated. He asserted that staff incorporated the community values that participants expressed in the proposed Development Code. He advocated the restoration of the design standards, an increase in the amount of recreational open space required in multi-family development and an increase in the size of setbacks between single-family and multi-family development.

(8) Rob Hill, 17104 13th Avenue NW, advocated the inclusion of a conditional-use process in the proposed Development Code to allow the City to consider exceptions to height limitations. He explained that property he owns in a high-density residential zone is limited to 35 feet in height; whereas adjoining properties could be zoned as community business, accommodating buildings up to 60 feet in height.

(9) Rob Garwood, 155 NW 183rd Street, asserted that the City will have difficulties enforcing regulations in the proposed Development Code regarding fences. He advocated his amendment to remove the restriction on six-foot fences in front yards (amendment 274) or an amendment to revise the definition of "front yard" to achieve the uniform application of the restriction on six-foot fences to through, corner and interior lots.

(10) Felicia Schwindt, 2209 NE 177th Street, supported the provisions of Chapter V, Section 5 regarding tree conservation.

(11) Naomi Hardy, 17256 Greenwood Place N, strongly advocated amendment 150 to require that new and newly remodeled water and wastewater utility lines be connected to public utility lines in front of the property. She supported amendment 156.

(12) Jim Soules, 195 Second Street, Langley, represented The Cottage Company, which developed the Third Street Cottages in Langley. He provided materials addressing issues raised during meetings of the Planning Commission.

(13) John Chang, 14817 Aurora Avenue N, spoke as owner of Quest Inn. He said the current code requires motels to provide one parking space per unit. He said this requirement does not reflect his 18 years of experience at Quest Inn, where as many as nine parking spaces remain unused when the motel is full. He noted that many customers use bus transportation or come in groups. He asked Council to consider changing the requirement to .8 or .7 spaces per unit.

(14) Walt Hagen, 711 N 193rd Street, supported the earlier comment that the bonus floor on a mixed-use building should be stepped back from all walls at

least eight feet. He expressed support for the revision of the proposed code to require more recreational open space. He stressed the importance of design standards. He advocated amendments 164 and 165.

(15) George Mauer, 1430 NW 191st Street, advocated amendment 163 in favor of a setback between multi-family and single-family development of 20 feet.

Councilmember Montgomery moved to close the public hearing. Councilmember Lee seconded the motion, which carried 7-0, and the public hearing was closed.

Mayor Jepsen identified three frequently-repeated comments during the public hearing: support for additional recreational open space in multi-family development; support for increasing the size of setbacks between single-family and multi-family development; and support for design standards. He suggested that staff address the public comments and that Council take time to consider the information before proceeding. Council agreed.

Mayor Jepsen suggested that staff and Council address the classification of streams in Shoreline during the two upcoming discussions about the Endangered Species Act. Councilmember Gustafson agreed.

In response to Mayor Jepsen, Mr. Stewart explained that amendment 280 would revise VIII.8.D-3 of the proposed Development Code to read "The City shall ~~may~~ require that a culvert be removed from a stream as a condition of approval. . . ." He said the Planning Commission advocated that the removal of culverts be left to the applicant's discretion. Councilmembers Gustafson, Lee and Montgomery supported the existing language.

In response to Deputy Mayor Hansen, Anna Kolousek, Assistant Director, Planning and Development Services, said properties to the north of the Park Richmond Condominiums are zoned neighborhood business. She acknowledged that Exception B-1.1d in V.4 of the proposed development code will allow mixed-use buildings in this zone up to four stories or 60 feet.

In response to Mayor Jepsen, Ms. Kolousek acknowledged that Figure B-1.1e in V.4 of the proposed development code does not represent the text of Exception B-1.1d exactly. She explained that the exception, as currently written, does not require that the bonus floor be stepped back from the side and back walls of the building, unless the building occupies the corner of two streets.

In response to Councilmember Lee, Mayor Jepsen confirmed that properties north of the Park Richmond Condominiums are zoned residential and that the properties east and west of the property are zoned neighborhood business.

Mr. Stewart suggested that staff reconsider Exception B-1.1d in terms of where it would apply in Shoreline and that staff prepare alternatives for Council consideration. There was Council consensus in support of this suggestion.

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Mayor Jepsen commented that he is more comfortable with the bonus floor pictured in Figure B-1.1e than with that allowed in Exception B-1.1d.

In response to Mayor Jepsen, Mr. Stewart said the reduction in the maximum height of multi-family buildings (from 60 feet to 35 feet) is offset, in part, by the decrease in the size of the setbacks between single-family and multi-family development (from 20 feet to 15 feet). He agreed that staff will address the maximum height as an aspect of the information it prepares for Council regarding the size of setbacks.

Councilmember Grossman asserted that it would not be economically possible to achieve the allowed density in a multi-family zone given the height limitation. He said rental rates in Shoreline are not sufficient to justify underground parking, and surface parking will seriously limit the size of a building on a multi-family site. Mr. Stewart explained that the City established the 35-foot maximum height in the Comprehensive Plan.

Mr. Stewart noted extensive debate at the Planning Academy and Planning Commission of the restriction on fence height in front yards.

Councilmember Ransom said six families in his neighborhood agreed to a 20-foot easement for an alley behind their homes. He opposed requirements that would subject these families to additional setbacks or that would prohibit them from constructing a six-foot fence along the easement. He asked staff to provide additional information on this issue for Council consideration at its next meeting.

Mr. Stewart read V.2.C-3.1. He said the proposed code allows six-foot fences on an alley with a 20-foot setback. He noted the need to modulate such a fence to avoid creating a "tunnel" effect (V.2.C-3.2).

Noting that the easement Councilmember Ransom described runs behind the homes, along their rear yards, Ms. Kolousek said rear yard fences can extend to the property line; whereas, front yard fences are restricted.

Mayor Jepsen explained his understanding that V.2.C-3.2 was meant to address fences along private roads accessing new homes on short plats behind older homes. He said such fences run along the side yards of the older homes. Therefore, he suggested that the proposed code focus on fences along side yards.

Deputy Mayor Hansen asserted that the proposed code should define hedges and that hedges serving as fences should be treated as fences.

Councilmember Lee advocated revision and clarification of V.2.C-3. She went on to ask how the City will enforce restrictions on fences. Mr. Stewart said the City would allow all existing structures to continue as legal, non-conforming uses. He explained that the City would apply the restrictions to new development permits. He mentioned the City's code enforcement program as the means to address new structures that violate the Development Code.

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Councilmember Grossman advocated City efforts to educate property owners about the Development Code to prevent violations and code enforcement actions.

Mr. Stewart agreed that staff will revise V.2.C-3 in an effort to clarify it further.

Mayor Jepsen addressed amendment 150. Mr. Stewart acknowledged the logic of the amendment for the installation of utilities in a new subdivision. He asserted that the amendment is impractical in Shoreline where utilities have already been installed in almost every area.

Mr. Stewart went on to address minimum parking requirements. He said the City should be able to waive parking standards for developments that depend on mass transit. He referenced V.6.B-2.2, under which the Director may approve a reduction of up to 50 percent of the minimum required number of spaces.

Mayor Jepsen returned to the issue of the size of setbacks between single-family and multi-family development. Ms. Kolousek said the size of the setback relates to the height of the multi-family development and perception of the development from a distance. She acknowledged the 20-foot setback in the previous code, but she noted the reduction of the maximum height from 60 feet in the previous code to 35 feet in the proposed code. She noted that the previous code stipulated the same maximum height for single-family residences. She indicated that this reduction in maximum height, combined with the design standards for multi-family developments in the proposed code (e.g., modulation of the façade, modulation of the roof line and landscaping requirements), justified the 15-foot setback.

Referring to Ms. Botham's letter, Councilmember Lee expressed concern about the ten-foot minimum width of joint-use driveways in the proposed code. Ms. Kolousek explained that the ten-foot minimum width applies only to single-family driveways (Engineering Development Code [Attachment A], page 8).

Councilmember Ransom read the definition of hobby kennel in King County Code 21.04.525: "Hobby kennel" means a noncommercial kennel at or adjoining a private residence where four or more adult small animals are bred and/or kept for hunting, training and exhibition for organized shows, field, working and/or obedience trials, or for the enjoyment of an identifiable species." He noted that the proposed code limits the number of small animals to three per household. He suggested the addition of a "hobby kennel" provision.

Mr. Stewart pointed out that the definition Councilmember Ransom read was from the 1993 King County Code. He said the County removed the definition before the City adopted portions of the King County Code by reference. He commented that staff could add a "hobby kennel" provision to IV.2.B, "Use Tables," of the proposed code.

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CITY OF SHORELINE

SHORELINE CITY COUNCIL SUMMARY MINUTES OF REGULAR MEETING

Monday, May 22, 2000
7:30 p.m.

Shoreline Conference Center
Mt. Rainier Room

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

ABSENT: None

1. **CALL TO ORDER**

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

2. **FLAG SALUTE/ROLL CALL**

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

3. **REPORT OF CITY MANAGER**

Wendy Barry, Parks, Recreation and Cultural Services Director, reviewed the nomination form and process for selecting the Grand Marshall of the Celebrate Shoreline parade.

City Manager Robert Deis addressed construction along Thornton Creek at 2330 N 156th Place. He explained that neither Council nor staff responded to previous public comments about the issue because of imminent and actual legal action. He said staff used 50-year-old records, obtained from the State Department of Ecology, to identify the waterway at the property in question as a Class 2 stream. This necessitates a 65-foot buffer between the development and the stream. Mr. Deis said staff has advised the applicant and stopped work at the site. He went on to discuss the process the City followed in issuing the permit for the site. He commented that the applicant can submit a new application and request a variance, and staff can use criteria in the City code to determine whether to allow the variance.

In response to Councilmember Lee, Mr. Deis confirmed that the County records the City possessed did not identify the Class 2 stream at the property.

Councilmember Gustafson advocated the accurate classification of all streams in Shoreline. Mr. Deis advised that the records staff obtained from the Department of Ecology apply only to the property in question.

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In response to Mayor Jepsen and Councilmember Gustafson, Councilmember Ransom estimated at least 100 hobby kennels currently located in Shoreline. He said he talked recently with two hobby kennel owners.

Councilmember Montgomery asked why the County removed the definition of hobby kennel from its code. Mr. Stewart said staff would research the removal and report back to Council.

Deputy Mayor Hansen commented that staff should add "Bull trout" to the definition of "Salmonid" in Chapter II of the proposed code.

Mayor Jepsen confirmed Council direction to staff to provide additional information on the following: Section V.2.C-3; mixed-use development; hobby kennels; design standards; setbacks; and open space. Mr. Deis requested policy direction from Council on these items.

Mr. Stewart explained the policy issue of design standards as a question of whether to include Sections V.2.C-1 and V.2.C-2. Councilmember Gustafson requested that staff provide the arguments for and against the inclusion of these sections. Mayor Jepsen asserted the need for further Council discussion.

Mayor Jepsen compared the issue of setbacks between multi-family and single-family development to that of mixed-use development. He requested additional information in order to understand better the setbacks that staff has proposed.

Regarding open space, Mr. Stewart referenced pages 153 and 154 of the proposed code. He noted V.3. Exception B-4.1b as the focus of contention. He said staff will develop information for Council about the positive and negative aspects of the proposed language.

Mayor Jepsen advocated additional discussion regarding V.3. Exception B-4.1c as well.

Councilmember Lee expressed concern about smaller setbacks between multi-family and single-family development combined with smaller minimum road widths. Mr. Stewart said staff will work to clarify the distinction between "driveway" and "road."

Councilmember Lee went on to express concern about V.3. Exception B-4.1b.

Councilmember Gustafson expressed his inclination to eliminate V.3. Exception B-4.1b in favor of preserving open spaces. He advocated further Council discussion of the issue.

There was Council consensus in favor of additional time for further Council consideration of the proposed code. Council will consider Ordinance No. 238 at its June 12 regular meeting.

MEETING EXTENSION

At 9:58 p.m., Councilmember Gustafson moved to extend the meeting until 10:15 p.m. Councilmember Lee seconded the motion, which carried unanimously.

9. CONTINUED PUBLIC COMMENT

(a) Ginger Botham, 16334 Linden Avenue N, discussed the history of the maximum height in R-8 and R-12 zones. She said the comprehensive plan that the County adopted for the area of Shoreline in 1995 increased the maximum height for R-8 and R-12 zones from 35 feet to 60 feet. She stressed that the proposed Development Code merely returns the maximum height to that in effect before the County action.

(b) Rob Hill, 17104 13th Avenue NW, reiterated his request for a conditional-use process in the proposed Development Code to allow the City to consider site-specific exceptions to the 35-foot height limitation. He agreed that a 60-foot multi-family development 15 feet from a single-family home would be unreasonable. He explained that the property he owns is located in a high-density area of office and apartment buildings. He said the County issued a building permit for the site prior to the incorporation of the City; however, the permit was omitted from the list of active projects that vested at the time of incorporation.

(c) Matt Howland, 19237 Aurora Avenue N, noted the competing goals in Shoreline of preserving large residential lots and meeting the requirement for new housing under the Growth Management Act (GMA). He encouraged Council to consider the difficulty of constructing a multi-family development of 48 marketable and affordable units given the 35-foot maximum height and the open space, setback and parking requirement in R-48 zones. He commented that young families and retired elderly residents need affordable housing.

In response to Mayor Jepsen, Mr. Stewart noted potential alternatives to address Mr. Hill's situation (e.g., a sub-area or small area plan for the property; a request during the annual review of the Comprehensive Plan for a new designation in conjunction with a rezone).

Councilmember Gustafson expressed his appreciation for the citizen input and staff development of the proposed code.

10. ADJOURNMENT

At 10:10 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

Monday, June 5, 2000
6:30 p.m.

Shoreline Conference Center
Mt. Rainier Room

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

ABSENT: Councilmembers Lee and Montgomery

1. **CALL TO ORDER**

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

2. **FLAG SALUTE/ROLL CALL**

Mayor Jepsen led the flag salute. Upon roll by the City Clerk, all Councilmembers were present, with the exceptions of Councilmembers Lee and Montgomery.

Councilmember Gustafson moved to excuse Councilmembers Lee and Montgomery. Deputy Mayor Hansen seconded the motion, which carried unanimously.

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

City Manager Robert Deis mentioned the participation of Shoreline Police in the Party Patrol, an interagency project involving King County, Kenmore, Lake Forest Park and Burlington Northern to minimize the impacts of teenage drinking.

He noted a memorandum regarding County Executive Ron Sims's invitation to serve on the Siting Advisory Committee for a wastewater treatment plant. Deputy Mayor Hansen agreed to serve as an alternate to Mayor Jepsen, who will represent the City.

Next, Mr. Deis discussed proposed improvements to the Hamlin Park Maintenance Facility to accommodate Public Works equipment and operations. There was Council consensus in support of the proposal.

4. **COUNCIL REPORTS**

Councilmember Ransom mentioned an upcoming meeting of the King County Jail Advisory Committee and his recent meeting with one of the Shoreline Water District Commissioners.

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Councilmember Gustafson attended the Association of Washington Cities forum on the Endangered Species Act (ESA). He recommended the designation of ESA as a standing agenda item for Council workshops.

Deputy Mayor Hansen reported that the Suburban Cities Association Board of Directors passed an assessment on member cities to fund the work of ESA consultants working with the Tri-County group.

Mayor Jepsen said he accepted the Washington Quality Initiative's Breaking the Mold Award last week for the Aurora Corridor Pre-Design Study. He acknowledged the work of staff and of participants in the Citizens Advisory Task Force.

5. PUBLIC COMMENT

(a) Kathy Halliburton, 18315 Wallingford Avenue N, addressed the trees the City must remove to complete the improvements to the Hamlin Park Maintenance Facility. She suggested that the City offer the trees to citizens willing to move them.

(b) Manny Diaz represented the Lake City Elks Lodge, 14540 Bothell Way NE, Lake Forest Park. He discussed the monthly dances for teenagers that the lodge is sponsoring to provide supervised activity for area youth. He requested City support for the dances.

Mayor Jepsen suggested that Teen Director Mary Reidy continue to work with Mr. Diaz to promote the dances.

6. WORKSHOP ITEMS

- (a) Status Report on Joint Use Agreement between Shoreline School District and the City of Shoreline

Wendy Barry, Parks, Recreation and Cultural Services Director, reviewed the staff report. She noted that the proposed agreement consists of a global agreement and a series of addenda. She explained that the global agreement contains provisions concerning the relationship between the City and the School District and the operation of joint-use facilities; whereas, each addenda is specific to a particular joint-use site. She said the provisions of each addenda supersede those of the global agreement.

Councilmember Gustafson said the proposed agreement is "a giant step" toward the stronger intergovernmental relations targeted in item six of the City Council 1999-2000 Work Plan. He noted his support of the following aspects in particular: joint scheduling and programming; the elimination of priority usage for the District; annual review; and the inclusion of the Shoreline Center. He said he understood the inclusion of the District's policy on shared decision making. He advocated central scheduling of gyms and fields by the District and the City.

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Councilmember Gustafson went on to review issues and concerns about the proposed agreement. On page 17, he noted the omission of three facilities under "Shoreline School District 1998 Use of City of Shoreline Facilities:" Hamlin Park (for cross country); Shoreline Tennis Courts; and the Richmond Highlands Recreation Center (he mentioned Shorewood High School cooking classes at this site in the past). Referencing Section 7 on page 21, he requested the clarification of City and District responsibilities for the tennis courts at Meridian Park. Ms. Barry said the City provides the nets and maintenance, and the District provides supervision, including the control of litter, during school hours. Councilmember Gustafson said the District may be willing to provide the nets in light of the expense to the City for resurfacing the courts.

Referencing Section 9 on page 22, Councilmember Gustafson advocated an annual report to Council regarding the financial implications of eliminating user fees. He recommended that staff shorten the final sentence in the "Supervision" section of each addenda to end with "during the school year." On page 30, in Section 6, he noted the need to revise the second sentence under "Hamlin Park: Fields and Trails" to read, "From September 1st 30th through October 31st, the District will prepare fields for District-scheduled usage." He suggested that the addendum concerning Shoreline Center and Shoreline Park (pages 37-39) address the two fields just west of the stadium, and he suggested that the final sentence in the "Supervision" section of this addendum end with "during the school year."

Referencing Section 7 of the addendum for the Shoreline Pool (page 41), he said the District should not be solely responsible for the costs of equipment that the City also uses. He suggested the allocation of costs in keeping with the percentage of use.

Finally, Councilmember Gustafson said the agreement should address the joint-use and maintenance of the Aldercrest site. He mentioned County installation of the tennis courts there and joint County-District funding of the ball field. He noted the need to address Meridian Park as well.

In response to Councilmember Ransom, Ms. Barry said the District currently schedules use of the gymnasium at the Shoreline Center. She explained the plan for the District and City schedulers to meet to prepare a sensible schedule based on user requests. She noted that this would prevent over utilization of facilities and help to insure adequate maintenance and long-term sustainability of facilities.

Councilmember Ransom asserted that the City is more consistent and less biased in its scheduling than the District. He mentioned the example of preferential District treatment of historical users. Councilmember Gustafson said the joint scheduling plan will resolve inconsistencies. He noted the effectiveness of the joint scheduling program that the District and the County operated. Ms. Barry explained that the City and the District will each continue as the main public contact for those facilities that each currently schedules. In addition, she said the City will use systems the District has in place for programming and scheduling of those facilities not included in District centralized scheduling.

DRAFT

In response to Councilmember Ransom, Ms. Barry explained the goal for City recreation staff to meet with principals to discuss and resolve programming and scheduling in advance.

Councilmember Ransom said the previous joint scheduling system worked well for regular user groups but not for occasional users. Ms. Barry said such occasional users will continue to contact the City or the District, as appropriate, and the City or the District will continue to work to accommodate their requests.

Councilmember Ransom noted the past unwillingness of some school principals to allow use of school facilities. Mayor Jepsen acknowledged this concern. He said the School Board will need to enforce the joint-use agreement within the District.

Councilmember Grossman expressed enthusiasm about the possibilities for coordination between the City and the District. He noted recreational programming as the most immediate opportunity. He proposed that the City and the District finalize an agreement on those issues on which they agree and that they continue discussing those issues on which they disagree.

In response to Mayor Jepsen, Ms. Barry confirmed that the agreement will establish limits on both City use of the Shoreline Center and on District use of the Shoreline Pool and fees for use that exceeds those limits.

Mayor Jepsen questioned the implications of the statement in Section 1.c on page 20 that "This shall include the District's policy on shared-decision making." Ms. Barry commented that the District is still finalizing its policy on shared-decision making and that the impacts of the policy are unknown.

Councilmember Grossman suggested that principals either participate in programming and scheduling or that they delegate programming and scheduling to District staff.

Mayor Jepsen questioned the statement in Section 3 on page 20 that "For this scheduling, each entity will keep foremost in its thoughts and actions the needs of our youth." Deputy Mayor Hansen also questioned the statement. Mayor Jepsen said the City's mission is broader than the needs of youth alone.

Councilmembers Gustafson and Grossman supported the statement. Councilmember Ransom noted that a youth priority has resulted in inconsistent scheduling in the past. He advocated the participation of all Shoreline citizens. Mayor Jepsen mentioned the need for input from Councilmembers Lee and Montgomery on this issue. Mr. Deis advocated Council discussion with the School Board on the issue during the joint meeting later in June.

Mayor Jepsen asserted that the first sentence of Section 7 on page 21—"The City shall furnish and supply . . ."—should be followed by a similar sentence concerning the District.

Deputy Mayor Hansen advocated the use of technology to facilitate the joint scheduling of facilities.

(b) Update on the Shoreview Park Improvement Project Preliminary Design

Ms. Barry reviewed the staff report. She noted the changes to the first-draft schematic design of improvements for Shoreview Park that Council reviewed at its March 20, 2000 workshop. She focused on the recommendations of the Parks, Recreation and Cultural Services Advisory Committee.

Mayor Jepsen invited public comment.

(1) Margi King, 20307 25th Avenue NE, advocated a second restroom in the vicinity of the grandstand for the Little League field. She supported similar improvements at the "old Kellogg site."

(2) Mike Moore, 2650 204th Street NW, spoke on behalf of the former Shoreline Recreation Advisory Council. He described the original plans for the site. He thanked the people who had the tenacity to stick with the project over the years.

Mayor Jepsen advocated consideration of a second restroom facility as an alternative in the request for bids. Ms. Barry said the preliminary cost estimate for a restroom facility is \$100,000-\$110,000.

Mayor Jepsen expressed concern about possible long-term parking problems given the distance from the Little League field to the nearest parking area. He asked about the possibility of parking east of the maintenance access road adjacent to the Little League field. Deputy Mayor Hansen, Councilmember Gustafson and Ms. Barry said the area is very steep. Mr. Deis asserted the importance of signage at the site to direct drivers to the parking areas.

Deputy Mayor Hansen estimated the cost of providing sanicans near the Little League field during peak season at \$900 per year. He compared this to the high capital and maintenance costs of a second restroom facility. He said the proposed restroom facility is not far from any of the recreation facilities. He opposed a second restroom facility.

Councilmember Grossman supported inclusion of a second restroom facility in the request for bids to enable Council to consider the cost.

Councilmember Ransom indicated his preference for locating the restroom facility west of the presently-proposed site to improve the visibility of children to parents elsewhere in the park. Ms. Barry said the proposed site will allow the City to preserve some large trees and will help to minimize pedestrian traffic congestion.

June 5, 2000

Councilmember Ransom expressed concern about planting trees at the top of the slope east of the existing softball field. He noted that many people park and sit in their vehicles to watch their children play softball. Ms. Barry said staff does not propose to add trees to those already located at the top of the slope. She acknowledged the importance of lines of sight at the park. She said this will be a design criteria for the landscape architect.

Councilmember Ransom advocated a second restroom facility in the vicinity of the Little League field. He also suggested that the first restroom include more stalls.

Councilmember Gustafson supported the recommendation to include a second restroom facility as an alternative in the request for bids. He went on to suggest the location of a bus turnaround at the south end of the south parking area.

Mayor Jepsen advocated that the City design and construct an enclosure for sanicans in the vicinity of the Little League field if it elects not to construct a second restroom facility.

7. CONTINUED PUBLIC COMMENT

(a) Margi King, 20307 25th Avenue NE, suggested alternate road and parking configurations from those proposed for Shoreview Park.

Councilmembers explained that the topography at Shoreview Park precluded the configurations that Ms. King suggested.

8. EXECUTIVE SESSION

At 8:34 p.m., Mayor Jepsen announced that Council will recess into executive session for 20 minutes to discuss one item of current litigation.

At 9:04 p.m., the executive session concluded and the workshop reconvened.

9. ADJOURNMENT

At 9:04 p.m., Mayor Jepsen declared the meeting adjourned.

Sharon Mattioli, CMC
City Clerk

June 12, 2000

DRAFT

CITY OF SHORELINE

SHORELINE CITY COUNCIL

SUMMARY MINUTES OF DINNER MEETING

Monday, June 12, 2000
6:00 p.m.

Shoreline Conference Center
Highlander Room

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

ABSENT: Councilmember Lee

STAFF: Robert Deis, City Manager; Larry Bauman, Assistant City Manager

The meeting convened at 6:10 p.m.

Mayor Jepsen explained his concerns about design standards for single-family residential construction.

Councilmember Gustafson asserted that the design standards that the Planning Commission reviewed and rejected were too restrictive.

Mayor Jepsen said the objective of the proposed code section no longer seems to be met with the strike out, which includes no design standards. He advocated that Council pass the Development Code as proposed and then direct the Planning Commission to develop stronger design standards.

Councilmember Grossman said design standards were meant to address neighborhood character. He noted the lack of a clear definition of "neighborhood character."

Mayor Jepsen mentioned newspaper coverage of the barge grounded off Richmond Beach in Puget Sound.

City Manager Robert Deis requested Council feedback on the process that staff has proposed for responding to citizen correspondence to Council.

Mayor Jepsen supported the proposed process. He said letters have already improved.

Councilmember Gustafson supported the proposed process. He recommended that staff respond with phone calls instead of letters in some cases.

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Mr. Deis said some citizen correspondence requires substantial staff work. He asked how Council wants staff to handle the correspondence in cases in which it resolves problems through initial phone contact.

Mayor Jepsen advocated that staff draft and mail a letter to the citizen to confirm the phone discussion. Deputy Mayor Hansen and Councilmembers Grossman and Ransom agreed.

Councilmember Montgomery said staff could, in some cases, note the details of the phone discussion on the original correspondence. Mayor Jepsen agreed. Mr. Deis proposed that the staff member include the details of the phone discussion in an electronic mail message to his executive assistant and that he share such messages with Council.

Assistant City Manager Larry Bauman distributed design options for new letterhead for Council consideration. Councilmembers selected the second option for the Council letterhead.

Mr. Bauman noted Councilmember Ransom's suggestion to display photographs of individual Councilmembers in City Hall.

Councilmember Ransom mentioned that Larry Bingham did not have his photograph taken during his term as a City Councilmember.

Councilmember Gustafson recommended that staff hold on to the photographs of individual Councilmembers until there is place to display them, such as a City Hall. Other Councilmembers agreed.

Deputy Mayor Hansen advocated that staff provide photographs of individual Councilmembers to the Shoreline Historical Museum for its records.

Mayor Jepsen noted King County Executive Ron Sims's proposal to seek voter approval of a 0.3 percent local-option sales tax for transportation.

Mr. Deis said County Executive Sims proposes to use \$80 million of the \$120 million in revenue from the 0.3-percent tax to replace most of the funding for bus transit eliminated by passage of Initiative 695. He explained the intent to dedicate the remaining \$40 million to other transportation projects. He identified two key questions: 1) would Shoreline receive the same level of transit service that it received prior to passage of I-695? and 2) would the County use the \$40 million to fund projects to support Shoreline, such as the extension of light rail to Northgate?

Councilmembers discussed positions to address the needs of Shoreline.

Mayor Jepsen said the City should seek, at a minimum, the restoration of bus service in Shoreline to the level existing prior to passage of I-695.

June 12, 2000

DRAFT

Councilmember Gustafson suggested that the City also advocate the dedication of the \$40 million toward the extension of light rail to Northgate.

The meeting adjourned at 7:25 p.m.

Larry Bauman, Assistant City Manager

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE: Approval of Expenses and Payroll as of June 16, 2000
DEPARTMENT: Finance
PRESENTED BY: Al Juarez, Financial Operations Supervisor

EXECUTIVE / COUNCIL SUMMARY

It is necessary for the Council to approve expenses formally at the meeting. The following claims expenses have been reviewed by C. Robert Morseburg, Auditor on contract to review all payment vouchers.

RECOMMENDATION

Motion: I move to approve Payroll and Claims in the amount of \$1,243,057.21 specified in the following detail:

Payroll and benefits for May 14 through May 27 in the amount of \$276,566.39 paid with ADP checks 2886, 4259 through 4319 vouchers 220001 through 220106 benefit checks 4629 through 4639 and

the following claims examined by C. Robert Morseburg paid on May 19, 2000:

Expenses in the amount of \$491.32 paid on Expense Register dated 6/2/00 with the following claim check: 4584 and

Expenses in the amount of \$524,400.76 paid on Expense Register dated 6/5/00 with the following claim checks: 4585-4612 and

Expenses in the amount of \$91,456.54 paid on Expense Register dated 6/6/00 with the following claim checks: 4613-4628 and

Expenses in the amount of \$19,073.30 paid on Expense Register dated 6/7/00 with the following claim checks: 4640-4665 and

Expenses in the amount of \$8,763.82 paid on Expense Register dated 6/8/00 with the following claim checks: 4666-4682 and

Expenses in the amount of \$125.00 paid on Expense Register dated 6/9/00 with the following claim check: 4696 and

Expenses in the amount of \$125.00 paid on Expense Register dated 6/9/00 with the following claim check: 4697 and

the following claims examined by C. Robert Morseburg paid on June 16, 2000:

Expenses in the amount of \$134,333.53 paid on Expense Register dated 6/12/00 with the following claim checks: 4698-4718 and

Expenses in the amount of \$1,360.00 paid on Expense Register dated 6/12/00 with the following claim checks: 4719-4722 and

Expenses in the amount of \$3,371.42 paid on Expense Register dated 6/13/00 with the following claim check: 4723 and

Expenses in the amount of \$735.00 paid on Expense Register dated 6/13/00 with the following claim checks: 4724-4728 and

Expenses in the amount of \$976.58 paid on Expense Register dated 6/13/00 with the following claim checks: 4729-4747 and

Expenses in the amount of \$138,273.93 paid on Expense Register dated 6/15/00 with the following claim checks: 4748-4774 and

Expenses in the amount of \$37,014.63 paid on Expense Register dated 6/15/00 with the following claim checks: 4775-4796 and

Expenses in the amount of \$5,989.99 paid on Expense Register dated 6/16/00 with the following claim checks: 4797-4801

Approved By: City Manager _____ City Attorney _____

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE: Contract With CH2M Hill For Additional Analysis On Water Service Alternatives.
DEPARTMENT: City Manager's Office
PRESENTED BY: Kristoff T. Bauer, Assistant to the City Manager

EXECUTIVE / COUNCIL SUMMARY

At your Council's January 18, 2000 workshop, staff presented to your Council a report drafted by CH2M Hill exploring water service alternatives for the City. This analysis is part of the City's ongoing efforts to ensure the adequate provision of urban services as required by the state Growth Management Act and defining our role vis-à-vis other utility providers in our City. We have conducted similar analysis in the provision of electrical services. In response to discussion at that meeting staff returned to your Council on February 22, 2000 with additional comparative analysis regard three potential service alternatives, i.e.:

- 1. Annexing to the District:** Staff would focus on negotiating an interlocal supporting District efforts to acquire and operate SPU's service area in Shoreline.
- 2. Assuming the Districts' current water service system:** Staff would focus on analysis and legal process, as established by state law, necessary to assume the District's assets, liabilities, and personnel. The current relationship with SPU would not change.
- 3. Acquiring SPU's and assuming the District's service systems and serving all of Shoreline:** This combines the second option with acquiring SPU's service area resulting in a City utility serving all of Shoreline and potentially part of Lake Forest Park.

The level of analysis on all of these alternatives has been fairly broad and general. However, public interest and discussion since the February 22nd meeting has focused on the pros and cons of option 2. The Shoreline Water District, the City of Lake Forest Park, and interested citizens have raised a number of very specific issues regarding this alternative, e.g. "what would this mean for rates?" "what would happen to current assets of the District?" "how would District employees be integrated into the City?" and more. Answering these questions requires detailed analysis based either upon actual policy decisions or specific policy alternatives. Addressing these issues is also directly relevant to Council's consideration of option 3, and is likely to assist your Council in identifying policies to be addressed in an interlocal with the District consistent with option 1.

The proposed contract provides professional assistance to work with staff and your Council to identify and make the key policy decisions necessary to support the detailed analysis necessary to address these issues. Once your Council has provided preliminary direction on these policy issues, or chosen to analyze specific policy alternatives, detailed analysis regarding the impact of this option on service and operations will be performed with the intent of responding to concerns raised by the Water District, the City of Lake Forest Park, and interested citizens. This information is also intended to provide your Council with more detailed information to assist in charting the City's path regarding the provision of this urban service.

The maximum contract amount is \$49,000, which will be charged hourly by invoice. This expenditure was not anticipated in the drafting of the City's current budget. Staff recommends, however, that this expenditure be covered through savings in other budgeted programs. Principally, the City's Police Services contract is projected to be \$70,000 below the budgeted amount. Your Council previously authorized an expenditure for equipment to support the City's Government Channel that relied upon \$15,000 of this projected savings. This contract would utilize most of the remaining projected savings in this area.

RECOMMENDATION

Staff recommends that your Council authorize the City Manager to execute a contract for services with CH2M Hill not to exceed \$49,000 to provide analysis related to water service alternatives.

Approved By: City Manager LB

City Attorney 

ATTACHMENTS

Attachment A – Propose Scope of Work For Analysis Related to Water Service Alternatives.

Attachment A

**Propose Scope of Work Hill For Analysis
Related to Water Service Alternatives.**

Exhibit A

Scope of Work, Budget, and Schedule for further analysis regarding the potential impact of assuming the Shoreline Water District

Purpose

The purpose of the Scope of Work is to assist the City in performing additional analyses regarding the potential impact of specific policy decisions in relation to the City's role in assuring the adequate provision of water services, from initial meetings with City staff to define potential implementation issues, to options and impact analysis to assist in the preparation of a statement of City policy on this issue. The goal of this analysis will be to develop answers to specific questions regarding the operational and service impacts that may result should the City assume the Shoreline Water District. If the City Council chooses not to assume the District, much of this information may be used in the development of an interlocal with the District.

Work Plan

Timing

The scope of work will be completed by November 30, 2000, subject to Council availability and participation, if required, by adjacent entities such as the City of Lake Forest Park.

Scope of Work

Since incorporation, the City of Shoreline has been investigating methods to improve the quality of its infrastructure and delivery of services to City residents consistent with policies adopted as part of the City's comprehensive plan including:

- U1: Promote the provision of utility services citywide that meet service levels established in the Capital Facilities Element at reasonable rates.
- U2: Investigate alternative service provision options that may be more effective at achieving these service standards or in meeting other policy goals found in the Comprehensive Plan.

Consistent with these policies, the City is currently considering a number of options related to water service including the assumption of the Shoreline Water District. Discussing this assumption option has raised a number of issues that cannot be addressed without further analysis. As requested, CH2M HILL has developed a scope of work and fee estimate to assist the City in this process.

Retail potable water service within the City limits is provided by the City of Seattle and by the Shoreline Water District (District). The District boundaries include portions of the City of Shoreline and the City of Lake Forest Park. Retail potable water service within

the City of Lake Forest Park is provided by the City of Seattle, Shoreline Water District, Northshore Utility District, and King County Water District No. 83.

Task 1

The first task is to work with City staff to identify key policy decisions that will materially affect the operational and service impacts of assuming the Shoreline Water District should the City move forward with that option. Issues raised by the Shoreline Water District and the City of Lake Forest Park will be central to this analysis. A closed list of issues and related analysis will be developed through discussions with the City Council. A specific budget and timeline for completion of the remaining tasks will be developed based upon this closed list of issues and related analysis.

Estimated Cost: \$4,000

Task 2

Working with City staff and the City Council, a list of key policy recommendations related to the issues identified in Task 1 will be developed and receive Council approval. These policy recommendations may, in limited cases, include policy alternatives for additional analysis. This will include the development of a recommended implementation plan for staff and other operations, and a Water System Management Plan, including management procedures, operation and maintenance procedures, staffing plan, and transition plan. The purpose of this information is to respond to specific concerns raised by the Shoreline City Council, the Shoreline Water District, and the Lake Forest Park City Council and is not intended to preclude other options, e.g. interlocal, etc..

Estimated Cost: TBD based upon Task 1

Task 3

Analysis of change to key operational and service characteristics, including projected rate impacts, based upon the policy recommendations or alternatives identified in the previous task will be completed and presented to the City Council along with the information developed in Task 2.

Estimated Cost: TBD based upon Task 1

Task 4

If the City Council wishes to proceed, a report will be developed which, together with supporting documentation and analyses, will provide the basis for draft agreements that would be necessary to complete an assumption of the water district. The purpose of the report will be to define the means by which water service may be provided in the future under this option and to define a recommended implementation process.

Specifically, the report will include at a minimum recommendations and analysis related to the maintenance and operation of facilities, the allocation of costs, the financing and construction of new facilities (if necessary), the application and use of assets, the

disposition of liabilities and debts, the performance of contractual obligations, and any other matters arising out of the inclusion of the district within City operations.

Estimated Cost: TBD based upon Task 1

It is CH2M HILL's understanding that the City will develop the draft agreements based upon the report provided for in Task 4. In addition, CH2M HILL will provide coordination and facilitation services during the development of any necessary draft agreement, with legal consultant assistance obtained by the City, and prepare supporting documentation as required. In the preparation of supporting documentation, the evaluation of planning and Growth Management Act considerations will be completed by City Staff.

Cost Estimate

The services to complete the above-described tasks will be paid on an hourly basis at the rates described in Paragraph 2 of the Agreement for Services. The contract maximum, including expenses, based upon the preliminary estimate of service costs is \$49,000.

Assumptions Used in Developing This Scope of Work and Fee Estimate

There are a number of assumptions that were used in developing this scope of work and fee estimate that could affect project scope, schedule and cost. These assumptions include the following:

1. If the City of Shoreline moves forward with the assumption of the Shoreline Water District, it will assume the entire District including the portion of the District in the City of Lake Forest Park.
2. Further, the City will operate and maintain the entire District water system after assumption, should such occur, including the portion inside Lake Forest Park.
3. There is a substantial amount of system data that will be required from the District, particularly with respect to the financial analysis. This proposal and fee estimate assumes that invocation of the Public Disclosure Act will not be required to obtain required information or if required will be completed by City staff.

Council Meeting Date: June 26, 2000

Agenda Item: 7(d)

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Approval of Resolution No. 168 for the Interurban Trail Grant Application to the Interagency Committee for Outdoor Recreation (IAC).
DEPARTMENT:	Public Works
PRESENTED BY:	William L. Conner, Public Works Director <i>WLC</i>

EXECUTIVE / COUNCIL SUMMARY

The purpose of this report is to obtain your Council's approval authorizing staff to complete a grant application (Attachment A) to secure funding from the Interagency Committee for Outdoor Recreation (IAC) for the Interurban Trail project.

At your February 14, 2000 City Council meeting, your Council approved the design contract for the preliminary design of the Interurban Trail. At that meeting, staff presented an overview of the funding that has been acquired for the trail. In addition, staff indicated that additional funding would be pursued from various sources for this project in order to increase overall funding availability.

At this time, the City has the opportunity to apply for a grant offered by the IAC. This grant would match previously obtained federal and local funds, and would not require additional matching City funds. If received, these funds would be applied to the design and construction phases in 2001/2002. Staff is requesting funding in the amount of \$771,000 for the Interurban Trail Segment from N 155th Street to N. 175th Street. Approximately, \$150,000 would be used for design with the remaining \$621,000 to be applied to the construction.

Staff has been actively pursuing grant funding for the completion of the Interurban Trail. Over the last three years, the City of Shoreline has received \$2,093,000 in federal funds to complete the preliminary design for the entire length of the Interurban Trail project. In addition, \$524,000 in federal funding has been secured for the final design and construction for the trail segment from N 145th Street to N 155th Street. This trail segment is scheduled to be constructed in 2001.

A significant portion of the funding (\$1,200,000) has also been obtained for the final design and construction of the northern most trail segment (N. 188th Street to N. 205th Street). The final design of this segment will be completed in 2001.

At this time, the trail segments from N. 155th Street to N 175th Street and N 175th Street to N. 188th Street are partially funded. Staff is exploring every opportunity to secure the additional funding estimated to be \$1,106,500 required to fully fund all segments of the Interurban Trail project. Attachment B summarizes all estimated project costs and funding sources.

The IAC is a state agency that funds a variety of projects that support recreation activities, such as ball fields and trails. The IAC has previously funded trail projects in other portions of the state.

RECOMMENDATION

Staff recommends that your Council approve Resolution Number 168 authorizing the City Manager to make a formal application to IAC for funding assistance for the Interurban Trail Project.

ATTACHMENTS

Attachment A – IAC Grant Application

Attachment B – Project Budget

Approved By: City Manager LB

City Attorney [Signature]

RESOLUTION NO. 168

A RESOLUTION OF THE CITY OF SHORELINE, WASHINGTON, AUTHORIZING APPLICATION FOR FUNDING ASSISTANCE FOR A WASHINGTON WILDLIFE AND RECREATION PROGRAM (IAC) AS PROVIDED IN CHAPTER 79A.15 RCW, ACQUISITION OF HABITAT CONSERVATION AND OUTDOOR RECREATION LANDS

WHEREAS, the City of Shoreline has approved a Comprehensive Plan that includes the Interurban Trail project area; and

WHEREAS, under the provisions of 79A.15, state funding assistance is requested to aid in financing the cost of land acquisition and/or facility development for the Interurban Trail – South Central Segment; and

WHEREAS, our organization considers it in the best public interest to complete the project described in the grant application;

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SHORELINE, WASHINGTON AS FOLLOWS:

Section 1. Authorization. The City Manager or designee is authorized and directed to execute on behalf of the City a formal application to IAC for funding assistance, which has been filed with the City Clerk and given Clerk's Receiving Number 1232.

Section 2. Mutual Understanding. The City of Shoreline certifies and represents as follows and directs this resolution be included as part of the formal application to IAC:

(a) Any fund assistance received be used for implementation of the project referenced above;

(b) The City's share of project funding is committed and will be derived from \$102,158 in allocated City of Shoreline funds, \$269,400 from participating sponsors, (Hagan Foods) and a \$581,155 Statewide Transportation Enhancement Program Funds Grant;

(c) The City acknowledges that any property acquired or facility developed with IAC financial aid must be placed in use as an outdoor recreation facility and be retained in such use in perpetuity unless otherwise provided and agreed to by our organization and IAC; and

(d) Staff provided appropriate opportunity for public comment on this application.

ADOPTED BY THE CITY COUNCIL ON JUNE 26, 2000.

Mayor Scott Jepsen

ATTEST:

Sharon Mattioli, CMC
City Clerk

Attachment A
IAC Grant Application



Washington Wildlife and Recreation Program

Trails Category

Application Project Summary

TITLE: Interurban Trail - South Central Segment			NUMBER: 00-1324D (Development)	
			STATUS: Application Submitted	
APPLICANT: Shoreline Parks & Rec Dept			CONTACT: Bethany Wolbrecht (206) 546-8297	
COSTS:			SPONSOR MATCH:	
IAC	\$771,287	45 %	Appropriation \ Cash	\$102,158
Local	<u>\$952,713</u>	55 %	Cash Donations	\$269,400
Total	\$1,724,000	100 %	State Grant	\$581,155

DESCRIPTION:

The Interurban Trail is a multi-jurisdictional recreational trail of statewide significance. The Shoreline portion of the trail is three miles long extending from the Seattle/Shoreline boundary on North 145th Street to the Snohomish County line. This project will design and construct the South Central Segment (SCS) of the Shoreline Interurban Trail (155th-175th), including landscaping & historical interpretation signage. The Shoreline Interurban Trail is a vital north-south link in the regional Puget Sound Trail system, and its development will fill a great safety need for bicyclists and others seeking a recreational trail. The Shoreline Interurban Trail runs through an area of significant residential population, currently about 5,000 people per square mile, and will connect persons to services, other modes of transportation, employment, and housing. The greater Shoreline and regional community has been involved in the development of the Trail, since its beginnings in early 1980s. This Trail is mentioned by name in the Shoreline Park, Open Space, and Recreation Services Plan, Shoreline Comprehensive Plan, and State of Washington Trails Plan, to name a few. The SCS is .96 mi long, and will be 12 ft wide with 2 ft shoulders, developed to AASHTO standards.

LOCATION INFORMATION:

This project is located in the City of Shoreline in N King County.

COUNTY: King

SCOPE (ELEMENTS):

Architectural & Engineering	Park Furniture	Trails
Fencing & Gates	Sales Tax	Utilities
Instream	Signing	
Landscaping	Site Preparation	

PERMITS ANTICIPATED:

Building Permit	Endangered Species Act Compliance [E SEPA
Clear & Grade Permit	NEPA Shoreline Permit

LAND CHARACTERISTICS:

ANTICIPATED ACREAGE TYPE	Existing Acres	Acres To Acq	Acres To Dev	Acres To Renov	Total
Uplands	12.12		1.94		12.12

LAND COMMENTS:

The South Central property portion of the Interurban is 100 feet wide of undeveloped Seattle Light Right of Way (ROW). The area is undeveloped upland. The land is basically flat, with few inclines.

LAST UPDATED: June 8, 2000 **DATE PRINTED:** June 8, 2000



Development Costs

Shoreline Parks & Rec Dept
Interurban Trail - South Central Segment

00-1324 D
WWRP - Trails

Element/Item	Unit	Quantity	Unit Cost	Total Cost	Description Needed	Description
Fencing & Gates						
Bollards	Each	12.00	333.33	4,000.00	Material	Steel, immovable
Fencing - wood	Linear Ft	620.00	32.26	20,000.00	Height	42 inches
Stream						
Culvert upgrades	Each	1.00	8,000.00	8,000.00	Optional	Near Boeing Creek, to upgrade existing culvert
Landscaping						
Drainage system	Lump sum	1.00	480,200.00	480,200.00	Describe	Storm detention and conveyance
Grass - hydro seed	Acres	.50	30,000.00	15,000.00	Optional	Likely creeping red fescue/peren. rye/highland colonial bent
Irrigation - manual for shrubs/planters	Sq Ft	10,000.00	.50	5,000.00	Optional	
Trees/shrubs	Lump sum	400.00	75.00	30,000.00	Optional	
Park Furniture						
Benches	Each	8.00	312.50	2,500.00	Describe	Located at trailheads
Bike racks	Each	8.00	312.50	2,500.00	Optional	Located at trailheads
Picnic pads - concrete	Each	2.00	5,000.00	10,000.00	Size	8'x12'
Tables	Each	2.00	3,000.00	6,000.00	Describe	Wood-picnic style
Trash receptacles	Each	2.00	500.00	1,000.00	Describe	Locked set, adjacent to tables
Signing						
Interpretive signs	Each	10.00	300.00	3,000.00	Describe	Historical reference
Miscellaneous signs	Lump sum	6.00	200.00	1,200.00	Optional	Directional/recreational opportunities
Trail signs	Each	8.00	162.50	1,300.00	Optional	Directional
Trailhead/bulletin board signs	Lump sum	2.00	1,000.00	2,000.00	Optional	
Site Preparation						
Clearing	Acres	.50	100,000.00	50,000.00	Optional	
Erosion control	Lump sum	1.00	115,000.00	115,000.00	Describe	Filter fabric, silt fences, straw
Grading	Acres	.50	80,000.00	40,000.00	Optional	
Mobilization	Lump sum	1.00	182,800.00	182,800.00	Optional	
Trails						
Culverts	Each	3.00	5,000.00	15,000.00	Optional	May pass under trail or run parallel
Retaining wall	Each	1.00	29,500.00	29,500.00	Optional	NE 155th, block, pile, or concrete
Trails - asphaltic concrete	Miles	.96	312,500.00	300,000.00	Width/depth	12' path, 2' shoulder, 16' total
Utilities						
Bio filtration - drainage swell	Lump sum	1.00	60,000.00	60,000.00	Describe	Sod lined at appropriate grade
Catch basins	Each	10.00	2,000.00	20,000.00	Optional	



Development Costs

Shoreline Parks & Rec Dept
Interurban Trail - South Central Segment

00-1324 D
WWRP - Trails

Element/Item	Unit	Quantity	Unit Cost	Total Cost	Description Needed	Description
L&E Amount				280,000.00		
Tax Amount				40,000.00		
Total Costs				<u>1,724,000.00</u>		



Description and Funding Information

Shoreline Parks & Rec Dept

00-1324 D

Interurban Trail - South Central Segment

WWRP - Trails

Description of Project

The Interurban Trail is a multi-jurisdictional recreational trail of statewide significance. The Shoreline portion of the trail is three miles long extending from the Seattle/Shoreline boundary on North 145th Street to the Snohomish County line. This project will design and construct the South Central Segment (SCS) of the Shoreline Interurban Trail (155th-175th), including landscaping & historical interpretation signage. The Shoreline Interurban Trail is a vital north-south link in the regional Puget Sound Trail system, and its development will fill a great safety need for bicyclists and others seeking a recreational trail. The Shoreline Interurban Trail runs through an area of significant residential population, currently about 5,000 people per square mile, and will connect persons to services, other modes of transportation, employment, and housing. The greater Shoreline and regional community has been involved in the development of the Trail, since its beginnings in early 1980s. This Trail is mentioned by name in the Shoreline Park, Open Space, and Recreation Services Plan, Shoreline Comprehensive Plan, and State of Washington Trails Plan, to name a few. The SCS is .96 mi long, and will be 12 ft wide with 2 ft shoulders, developed to AASHTO standards.

Driving Directions

The Interurban Trail - South Central Segment will be located on the Seattle City Light right of way (ROW) running parallel to Aurora Avenue South (Highway 99). This ROW is located approximately 100 feet east of Aurora Avenue. The ROW can be accessed at all major cross streets, 165th, 160th, and 155th. Access can also be gained through several of the properties located west of the ROW. From I-5 take exit 176 (Shoreline, 175th exit).

IAC Program Request

WWRP - Trails	771,287.00
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Applicant Participation Amount

Appropriation \ Cash	102,158.00
Cash Donations	269,400.00
State Grant	581,155.00
Total for Applicant	952,713.00

IAC and Applicant Amount

1,724,000.00

Project Cost Estimate

Acquisition Cost Estimate	0.00
Development Cost Estimate	1,724,000.00

Project Total

1,724,000.00



Applicant Information

Shoreline Parks & Rec Dept
Interurban Trail - South Central Segment

00-1324 D
WWRP - Trails

Organization Information

Name: Shoreline Parks & Rec Dept
Type: Parks Departments

Organization Address:
Shoreline Parks & Rec Dept
17544 Midvale Ave N
Shoreline, WA 98133

Billing Address:
Shoreline Parks & Rec Dept
17544 Midvale Ave N
Shoreline, WA 98133

Phone Numbers:
Work - day (206) 546-8207
FAX - day (206) 546-1524

Internet Address:
bwolbrec@ci.shoreline.wa.us

Applicant Contact Information

Name:
Mr. Paul Cornish
Capital Projects Manager

Contact Type:
Alt Project Manager

Business Address:
1100 North 175th St
Shoreline, WA 98133

Second Address:

Phone Number:
FAX - day (206) 546-0780
Work - day (206) 546-0786

Internet Address:
pcornish@ci.shoreline.wa.us

Name:
Ms. Bethany Wolbrecht

Contact Type:
Project Manager

Business Address:
17544 Midvale Avenue N.
Shoreline, WA 98133

Second Address:

Phone Number:
Work - day (206) 546-8297

Internet Address:
bwolbrec@ci.shoreline.wa.us



Project Worksite Information

Shoreline Parks & Rec Dept
Interurban Trail - South Central Segment

00-1324 D
WWRP - Trails

Driving Directions

The Interurban Trail - South Central Segment will be located on the Seattle City Light right of way (ROW) running parallel to Aurora Avenue South (Highway 99). This ROW is located approximately 100 feet east of Aurora Avenue. The ROW can be accessed at all major cross streets, 165th, 160th, and 155th. Access can also be gained through several of the properties located west of the ROW. From 1-5 take exit 176 (Shoreline, 175th exit).

General Area of Project

This project is located in the City of Shoreline in N King County.

Current Landowners

The current owner of the Interurban Trail - South Central Segment is:

Seattle City Light
700 Fifth Avenue
Suite 3300
Seattle, WA 98104-5031

A license agreement for use of the Interurban Trail - South Central Segment is currently being negotiated.

Worksite: #1 - Interurban Trail - Shoreline

Description: (None)

Landowner Type:

Coordinates: (Lat) 47 44 46 (Long) -122 20 42

Geographic Areas:

County King
Cong District 07
Leg District 32
City Shoreline

Recreation/Habitat Areas:

Water:

Main Stream:
WaterbodyAKA:
Stream#:

River Mile:
LLID:



Land Characteristics

Shoreline Parks & Rec Dept
Interurban Trail - South Central Segment

00-1324 D
WWRP - Trails

Project Acreage Type	Existing Acres	Acres to be Acq	Acres to be Dev	Acres to be Renov	Total Acres
Uplands	12.12	0.00	1.94	0.00	12.12
Total:	<u>12.12</u>	<u>0.00</u>	<u>1.94</u>	<u>0.00</u>	<u>12.12</u>

Land Comments

The South Central property portion of the Interurban is 100 feet wide of undeveloped Seattle Light Right of Way (ROW). The area is undeveloped upland. The land is basically flat, with few inclines.

Trail Information

Trail Miles	Trail Miles to be Acq	Trail Miles to be Dev	Trail Miles to be Renov
Trail Miles	0.00	0.96	0.00



Miscellaneous Information

Shoreline Parks & Rec Dept
Interurban Trail - South Central Segment

00-1324 D
WWRP - Trails

Permits Required

Building Permit	Assessment of all permits is included in preliminary design.
Clear & Grade Permit	Assessment of all permits is included in preliminary design.
Endangered Species Act Compliance [ESA]	Assessment of all permits is included in preliminary design.
NEPA	Assessment of all permits is included in preliminary design.
SEPA	Meeting has been scheduled for June 23 with federal, state, and local agencies to determine permitting issues.
Shoreline Permit	



Application Questionnaire

Shoreline Parks & Rec Dept
Interurban Trail - South Central Segment

00-1324 D
WWRP - Trails

- 1 of 14 *Who will be responsible for administration, design, and/or implementation of this project (i.e. in-house staff, paid consultants, contractors, volunteers, other agency staff, etc.)? Explain:*
Paul T. Cornish, Capital Project Manager, City of Shoreline, is responsible for the administration of the entire Interurban Trail development. In early January 2000, the City of Shoreline entered into contract with Otak Inc. (620 Kirkland Way, Suite 100, Kirkland, WA 98033) to provide professional design services for the entire length of the Interurban Trail. The services include: surveying and base mapping, community involvement (newsletters and meetings), preliminary design (cost estimates, retaining wall size, drainage analysis), environmental analysis, soil investigation, etc.
- 2 of 14 *What type of landowner currently owns the property? Federal, Local, Private, State or Tribal*
Local - Seattle City Light
700 Fifth Avenue, Suite 330
Seattle, WA 98104-5031
- 3 of 14 *Does the applicant have title to the site? If yes, explain:*
No.
- 4 of 14 *Does the applicant hold a lease, easement, or legal use agreement on the site that permits the proposed use? If yes, when will it expire? Explain.*
The City of Shoreline and Seattle City Light are currently negotiating a long-term agreement for joint use of the property.
- 5 of 14 *Is there, or will there be, any significant public access or use restrictions? If yes, explain:*
No motorized vehicles will be allowed on the trail. Upon completion, the general public will have 24 hour access for 100% use of the Interurban Trail. There will be no trail specific lighting. However, the route follows closely lighted areas, including residential property, roads and arterials.
- 6 of 14 *Is the work site(s) located within a park, wildlife refuge, natural area preserve, or other recreation or habitat site? If yes, name the area.*
The Interurban Trail is a key link in the regional Interurban Trail System. This system runs from the City of Seattle north to Everett.
- 7 of 14 *Is the work site on a stream and/or other waterbody? If yes, name the stream and/or waterbody. If the stream is a tributary of a larger stream, also name the larger stream. If you know the river mile, list it here.*
No.
- 8 of 14 *What are the geographic coordinates of the work site(s) [in degrees, minutes and seconds]. Describe where and how they were taken. If you do not have them, you may leave this question blank.*
Not available.
- 9 of 14 *What are the township/range/section of the work site(s)? If you do not have them, you may leave this question blank.*
NE 18-26-4
SE 7-26-4
- 10 of 14 *In what county(s) is the work site(s) located? In what city, if applicable?*
County - King
City - Shoreline
- 11 of 14 *Government agency applicants only: Does this application contain elements required as part of a mitigation plan? If yes, explain:*



Application Questionnaire

Shoreline Parks & Rec Dept
Interurban Trail - South Central Segment

00-1324 D
WWRP - Trails

Currently this application does not contain elements as required as part of a mitigation plan. Staff anticipates the preliminary design of the Trail (currently being completed) will include mitigation for impact of the project.

- 12 of 14 *Does this application contain state, federal or other grants as part of the "sponsor match"? If "yes", name the grant(s) and the date grant will be available.*
Yes, TEA - 21: 2000-2001 Statewide Transportation Enhancement Program Funds (\$581,155).
Funds for this grant are currently available.
- 13 of 14 *Local agencies only. Does the sponsor's share involve bonds or Local Improvement District(s) (LIDs)? If yes, give date bonds or LID will be available and explain.*
No, share does not involve bonds or LIDs.
- 14 of 14 *Has this project been submitted to IAC before and not funded? If yes, what IAC project number was assigned?*
No, this project has never been submitted to the IAC for funding.

1. NEED. Is the project needed?

- ♦ The Interurban Trail is a **multi-jurisdictional** recreational trail of **statewide** significance.
- ♦ The Shoreline portion of the Interurban Trail is three miles long extending from the Seattle/Shoreline boundary on North 145th Street to the Snohomish County line.
- ♦ This application is requesting **funding for the development of the South Central Segment of the Trail, which extends parallel to Highway 99 from North 155th Street to North 175th Street.**

Inventory of trails

- ♦ The development of the Interurban Trail began in the 1970's.
- ♦ Enhancements have been made to portions of the Trail in Seattle, King County, Lynnwood, Edmonds, Everett, Mountlake Terrace, and Snohomish County.
- ♦ The ultimate goal is to create a contiguous Interurban Trail network from Seattle to the City of Everett that is consistently designed and maintained as a regional trail.
- ♦ The largest and best-known portion of the trail system in the Puget Sound area is the Burke-Gilman Trail. It is a near seamless 17 mile trail from Eighth Avenue Northwest and Leary way in Seattle's Ballard neighborhood to Kenmore, where it connects with the Sammamish River Trail and continues on nearly 10 miles to Marymoor Park in Redmond.
- ♦ Other trails in the Puget Sound Region are:
 - ♦ The Green River Trail
 - ♦ Highpoint Trail
 - ♦ Alki Trail
 - ♦ Duwamish Trail
 - ♦ Lake Washington Trail
 - ♦ Centennial Trail
 - ♦ Sammamish River Trail
 - ♦ Cedar River Trail
 - ♦ Point Defiance Trail
 - ♦ And others.
- ♦ These trails are in varying condition, but are relatively well maintained.

Use

- ♦ It is estimated that between 400,000 to 500,000 bikers, walkers, joggers, and skaters use these recreational trail systems each year.
- ♦ The Shoreline Interurban Trail runs through an area of significant residential population, currently about 5,000 people per square mile.
- ♦ Highway 99, which lies about one-eighth or less mile east of the trail corridor, supports a high level of traffic during peak periods at several intersections directly parallel to the proposed trail segment. Highway 99 carries about 40,000 plus trips per day (which represents only a portion of motor vehicle trips within the Interurban Trail service area).
- ♦ An estimated 3,900 persons board and deboard Metro buses each weekday in Shoreline's proposed project service area.
- ♦ Currently, bicyclists, pedestrians, and others in great number share Aurora with cars, trucks, vans, etc.

Meeting the need

- ♦ A safe North-South Trail is greatly needed to compliment to current system of trails and fill a "missing link".
- ♦ Safety along the Aurora Corridor is needed. Aurora Avenue North has been identified by the Washington State Department of Transportation as a high accident corridor.
- ♦ Accident rates along the corridor are well above statewide averages for accident experience. Three fatalities occurred in 1998 along the corridor.
- ♦ Two of the fatalities involved pedestrians. In addition, three pedestrian injuries were reported in the project

travel shed in 1998.

- ◆ Two of the auto/pedestrian – cyclist injuries involved cyclists and one of the injuries involved a wheelchair.
- ◆ There is strong public concern for pedestrian and bicyclist safety along the corridor.
- ◆ In fall of 1999, the Washington Traffic Safety Commission (WSTSC) requested to partner with the City of Shoreline in developing a pedestrian demonstration project to address pedestrian safety on Highway 99. Highway 99 (Aurora Avenue) was selected for the project because it has one of the highest pedestrian accident rates on any Washington State route. The objectives of the program include targeting "high pedestrian collision locations", mobilize technical, political, and public support to address education, enforcement and engineering solutions, and implement the safety solutions based on current collision data.

Trails as Part of a Larger Vision

- ◆ The Interurban Trail project is identified in the City's first Capital Improvement Plan adopted in November of 1998.
- ◆ In addition, the City Council of Shoreline placed the development of the Interurban Trail as one of their top goals on their 1999-2000 work plan.
- ◆ The Shoreline segment of the Interurban Trail is identified in many development plans throughout the region and the state.
 - ◆ Shoreline Park, Open Space and Recreation Services Plan (November 1998),
 - ◆ Vision 2020,
 - ◆ the 1995 Metropolitan Transportation Plan,
 - ◆ the King County Non-Motorized Plan,
 - ◆ the Snohomish County Non-Motorized Trail Plan,
 - ◆ the City of Edmonds Transportation Plan,
 - ◆ and the State of Washington Trails Plan.

2. PROJECT DESIGN. Is the proposal appropriately designed to the intended use(s)?

- ♦ The Trail will be designed to standards of the American Association of State Highway and Transportation Officials (AASHTO), King County and the State of Washington.
- ♦ Factors included in the design are appropriate:
 - ♦ sight distance
 - ♦ stopping and decision sight distances
 - ♦ and clearances, both vertical and horizontal.
- ♦ The trail will be, at a minimum, twelve feet wide with two-foot shoulders on each side.
- ♦ The surface will be asphalt with strength to adequately carry maintenance vehicles when required.
- ♦ The area adjacent to the trail will be landscaped to enhance the natural beauty of a linear park through an urban setting. Landscaping will include (but is not limited to) native conifers, flowering trees, shrubs and grasses.
- ♦ Road crossings will be marked and signed according to AASHTO and the Manual of Traffic Control Devices (MUTCD) criteria. The crossing at 175th will have an actuated traffic signal.
- ♦ Trailheads will exist at 145th and 205th, providing trail route maps, benches, and rest areas.
- ♦ Cost estimates were originally determined for this span of the Interurban Trail (completed by King County in the early 1990s) through a comprehensive look at the entire trail length. The cost estimates have been updated using proven inflation rates as well as changing environmental requirements.

3. IMMEDIACY OF THREAT. Does a threat to public availability of a part of the trail exist?

Not applicable, project request is for development only.

4. TRAIL LINKAGES. Does this trail effectively connect with other trails?

- ♦ The Shoreline segment of the Interurban Trail is a crucial link in the system of trails that have been developed in the Puget Sound Region.
- ♦ Linkages to the other trails are indicated on this site map.
 - ♦ More specifically, the south end of the Shoreline Interurban Trail links directly to Seattle's North Interurban Trail at 145th.
 - ♦ The north end of the trail connects directly to the Snohomish County Interurban Trail system at the Regional Transit Facility and Park and Ride at 200th and Ashworth and to the I-5 Pedestrian Bridge to the Burke-Gilman Trail at 195th.
 - ♦ These then connect to the greater Puget Sound Region trails network, including:
 - ♦ The Green River Trail
 - ♦ Highpoint Trail
 - ♦ Alki Trail
 - ♦ Duwamish Trail
 - ♦ Lake Washington Trail
 - ♦ Centennial Trail
 - ♦ Sammamish River Trail
 - ♦ And others.
- ♦ The Shoreline Segment of the Interurban Trail fills an important role in the continued development of a trails system in the Puget Sound Region as the greatly needed North-South connection.
- ♦ In addition, Shoreline is an active member in the Interurban Trail Inter-Jurisdictional Working Group, who continues to meet in regards to joint funding application strategy and other coordination for the long-term success of the Interurban Trail.

5. COMMUNITY LINKAGES. Does the trail project connect communities or provide linkages to community oriented facilities or resources?

- ◆ The Shoreline Interurban Trail is a part of a multi-county trail corridor that stretches from Seattle's Burke-Gilman Trail to north Everett.
- ◆ In addition, by serving as a north-south non-motorized "principal arterial" it provides east-west access points to numerous other major trail systems in Seattle, King County, and Snohomish County.
- ◆ Throughout its length in Shoreline it provides access to park and ride lots, transit centers, schools, parks, employment centers, and commercial areas. This multi-county system will be one of, if not the hallmark non-motorized trail in the State.

Connections to Multi Family Housing Units

- ◆ The development of the Shoreline Interurban Trail will provide connections to several large multi-family housing units (as noted on site maps).

Connections to the central business district

- ◆ Shoreline's Interurban Trail will provide non-motorized transportation users with safe access to hundreds of commercial establishments.
- ◆ Commercial property parallels the proposed Interurban Trail almost the entire length. Therefore, potential trail users include both the customers and the employees of these commercial establishments.
- ◆ Aurora Avenue (parallel to the Trail) is Shoreline's Main Street, which hold many of the City's destination facilities.

How the trail connects to other transportation systems

- ◆ Shoreline's Interurban Trail provided direct access to the Shoreline Park and Ride at 205th and Aurora.
- ◆ Construction of the South Central Segment of Shoreline's portion of the Interurban Trail will provide an off-road paved route from 155th Avenue to 175th Avenue, which will then connect to the City of Seattle's on road section of the Interurban Trail. Seattle will be utilizing Linden Avenue North as its connection to the funded off-road Interurban Trail that will extend from 128th to 110th Street.

Connections to commute trip reduction sites

- ◆ Completing the proposed segments of Shoreline's portion of the Interurban Trail will provide a paved off-road trail as an alternative to sharing Highway 99's shoulder with motorized traffic for non-motorized commuters at four (4) out of six (6) of Shoreline's Commute Trip Reduction sites.
- ◆ The Commute Trip Reduction Sites that would be directly impacted by the proposed project are Shoreline City Hall, Shoreline Community College, the NW Regional Washington State Department of Transportation Office, and Crista Ministries.

Access for People and Goods

- ◆ The proposed trail provides safe, direct, non-motorized access to the entire Aurora/Highway 99 commercial corridor, which provides for 88% of total taxable retail and service sales for the City of Shoreline.
- ◆ The Aurora corridor supports 5,500 jobs with another 3,300 jobs projected by the year 2015.
- ◆ The proposed trail improvements move non-motorized transportation users safely from the Aurora Village Transit Center, Shoreline Park and Ride, and bus stops parallel to Shoreline's and the Region's historic intense use commercial corridor providing many convenient outlets for access.
- ◆ Included in the commercial uses are grocery stores, fast food establishments, medical offices, banks, drug stores, restaurants, variety stores, and insurance agencies just to name a few.

6. WATER ACCESS, VIEWS. Does the project provide direct and immediate recreational access to or views of "significant" natural water body? Water access is the primary criterion; views of water are secondary.

- ◆ The segment of the Shoreline Interurban Trail that we are requesting funding for in this application, the South Central Segment from 155th to 175th, does not provide direct and immediate recreation access to views of natural bodies of water or direct access to natural water bodies.
- ◆ However, the trail does directly pass Echo Lake in North Shoreline, providing nearby access approximately .8 miles north on the trail from 175th.
- ◆ In addition, Richmond Beach, with direct access to and views of the Puget Sound, can be accessed on street by heading west of the Interurban Trail on 185th for approximately 2 miles.
- ◆ Those water bodies, Echo Lake and the Puget Sound at Richmond Beach are popular in the Shoreline area.
- ◆ There are no obstructions, and there is other access to these water bodies by foot or car.

7. SCENIC VALUES. Does the trail project have significant scenic values?

- ◆ The existing right of way (ROW) is undeveloped and has been used for the abandonment of appliances and other litter.
- ◆ The Trail is not currently maintained for use by the public, however it is used and often becomes a dumping ground for their litter.
- ◆ The development and maintenance of the trail will enhance the scenic value of the ROW.
- ◆ In addition, the landscaping will be visible from adjacent properties and motorists eliminating the existing eyesore.

8. WILDLIFE HABITAT CONNECTIVITY. Will this proposal enhance wildlife's access to food, water, or cover?

- ♦ The enhancement of Shoreline's Interurban Trail will likely protect the wildlife connectivity where it is currently declining.
- ♦ Because the Interurban Trail is well known and there is currently no enhanced north/south trail available, the current route through Shoreline is in unofficial use as a walkway, trail and dumping area.
- ♦ In addition, the landscaping enhancements will create an edge habitat along the trail, which in turn will connect to open spaces along the Interurban Trail in Shoreline including Echo Lake and Darnell Park.

9. **PROJECT SUPPORT.** The extent that the public (statewide, community, and or user groups) has been provided with an adequate opportunity to become informed, and/or support for the project seems apparent.

Project Outreach

- ♦ The public has been extensively involved in the development of Shoreline's section of the Interurban Trail.
- ♦ It was included in the 1980 Shoreline Community Plan as a major non-motorized trail project. King County conducted a public involvement process during the Schematic Design Phase that included three public meetings in the spring of 1991, and a community-wide meeting in October 1991.
- ♦ Special outreach included the Cascade Bicycle Club and the Shoreline Chamber of Commerce.
- ♦ Most recently, the City of Shoreline consistently received strong support for this transportation project during the three years of public meetings in the development of the City's first Comprehensive Plan.
- ♦ The Interurban Trail project is identified in the City's first Capital Improvement Plan adopted in November of 1998.
- ♦ In addition, the City Council of Shoreline placed the development of the Interurban Trail as one of their top goals on their 1999-2000 work plan.
- ♦ The development progress for the Shoreline Interurban Trail is regularly covered in media, especially the Shoreline Enterprise.

Inclusion in Planning

- ♦ The Shoreline segment of the Interurban Trail is identified in many development plans throughout the region and the state.
 - ♦ Shoreline Park, Open Space and Recreation Services Plan (November 1998),
 - ♦ Vision 2020,
 - ♦ the 1995 Metropolitan Transportation Plan,
 - ♦ the King County Non-Motorized Plan,
 - ♦ the Snohomish County Non-Motorized Trail Plan,
 - ♦ the City of Edmonds Transportation Plan,
 - ♦ and the State of Washington Trails Plan.

Additional Support

- ♦ The Interurban Trail project began in Shoreline before it became a City in 1995 and so did the project's support. Letters of Support on file include:
 - James Lyon, Cycles from Seattle to Lynnwood High school (3/26/99)
 - Ron Sims, King County Executive (3/29/99)
 - Haggen, Inc., Developer – financially supporting project (12/17/98)
 - Maggi Fimia, King County Council member (3/31/99)
 - Royal Property Management, Developer (1/12/99)

Continued Community Involvement

Regional Coordination Meetings

- ♦ After incorporating in 1995, the City of Shoreline has been transitioning roles and responsibilities from King County to the City.
- ♦ In 1998, the City was ready to take the lead role in implementing Shoreline's portion of the Interurban Trail. In an effort to better understand the history and the future of the Interurban Trail as a regional project, a regional group was assembled to develop a regional strategy for procuring the necessary funding to complete the Trail from the City of Seattle to North Everett and to coordinate design and signing.

- ♦ Representatives on this committee include: King County, the City of Shoreline, the City of Seattle, the City of Mountlake Terrace, the City of Lynnwood, the City of Edmonds, Snohomish County, and the City of Everett.
- ♦ At the Interurban Regional Meeting #3 on August 10, 1999, all representatives expressed support for Shoreline's Enhancement applications. The committee, which Shoreline hosts, continues to meet in coordination of a regional trail system in regards to trail standards, planning, mapping and other issues.

Plan for Continued Community Involvement

- ♦ In addition, the contract currently held by OTAK Inc. to provide professional design services for the entire length of the Interurban Trail, includes a community involvement approach. This includes the following tasks:
 - Project newsletters and updates on the City's Web site
 - Presentations to the Parks, Recreation and Cultural Services Advisory Committee
 - The Council of Neighborhoods
 - Technical Advisory Committee
 - Public Open Houses

♦ Newsletters

Five project newsletters will be sent out periodically for the duration of the project. The newsletters will give citizens updates on the project's goals, schedule and progress as well as inviting them to public meetings. The City's Web Site will also contain this information and be updated as needed.

♦ The Parks, Recreation and Cultural Services Advisory Committee (PRCS Committee)

The PRCS Committee has expressed interest in the project and the Parks, Recreation and Cultural Services Department will maintain the trail. Their input will be invaluable in developing a trail that will be easy to maintain and address recreational needs in the City.

♦ Council of Neighborhoods

Each neighborhood impacted by the Interurban Trail will receive presentations and updates at their monthly meetings.

♦ Technical Advisory Committee (TAC)

The Technical Advisory Committee will consist of City Staff, Seattle City Light staff and members of the region - wide Interurban Committee. The TAC will help with the more technical aspects of the design. Their role is to insure proper coordination between the City and Seattle City Light, insure quality control as the design plans develop. The TAC will meet six times.

♦ Public Meetings

Three public meetings will be held to inform citizens of the project status, meet and discuss their concerns with staff and members of the TAC. Public meetings are also opportunities for staff and residents to meet one on one and address specific concerns.

The meetings will be presentation/open house formats where initial goals and objectives related to the project will be presented. Ideas, concerns and preferences will be discussed. When appropriate various options and alternatives will be discussed and evaluated.

10. COST EFFICIENCIES. Does the project demonstrate efficiencies and/or reduces government costs through documented use of:

- **Volunteers,**
 - **Donations,**
 - **Signed cooperative agreements or**
 - **Signed memoranda of understanding.**
-
- ♦ The City of Shoreline is currently negotiating with Seattle City Light for the long-term use of their property for major portions of the trail, including the South Central Segment, representing a considerable cost savings for the City of Shoreline.
 - ♦ In addition property owners along the trail site have pledged financial support of the project, which is indicated in the budget as cash donations (\$269,400).
 - ♦ Funding for the other segments is partially intact, and it is the intent to proceed with design and construction of the four sections of the Shoreline Interurban Trail concurrently to provide for consistency and cost savings.

Attachment B

Project Budget

INTERURBAN TRAIL PROJECT PROJECT BUDGET

<u>Segment</u>	<u>Administration</u>	<u>Preliminary</u>	<u>Design</u>	<u>Right of Way</u>	<u>Construction</u>	<u>Total</u>
145th Street to 155th Street (Portion funded by grants or other agencies)	\$7,000	\$121,000	\$152,000		\$605,000	\$885,000 \$524,000
155th Street to 175th Street (Portion funded by grants or other agencies) IAC Grant Application	\$7,000	\$121,000	\$200,000		\$1,700,000	\$2,028,000 \$581,135 \$771,000
*175th Street to 188th Street **(Portion currently unfunded)	\$7,000	\$121,000	\$250,000	\$87,000	\$1,614,000	\$2,079,000 (\$1,106,500)
188th Street to 205th Street (Portion funded by grants or other agencies)	\$7,000	\$120,000	\$230,000	\$100,000	\$1,428,000	\$1,885,000 \$1,200,000
Total	\$28,000	\$483,000	\$832,000	\$187,000	\$5,347,000	\$6,877,000

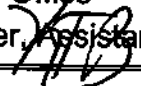
* Trail cross section to be determined through a combined design charrette with the Aurora Project.
Estimates at this time are preliminary.

** Funds to be obtained via the grant process.

Council Meeting Date: June 26, 2000

Agenda Item: 8(a)

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	A Public Hearing Regarding Ordinance No. 237 Creating a Moratorium on Acceptance and Processing of New Franchise Applications for Service Providers and Ordinance No. 240 extending the Moratorium for 30 days.
DEPARTMENT:	City Manager's Office
PRESENTED BY:	Kristoff T. Bauer,  Assistant to the City Manager

EXECUTIVE / COUNCIL SUMMARY

On May 8, 2000 City Council adopted Ordinance No. 237 (An Ordinance Creating a Moratorium on Acceptance and Processing of New Franchise Applications for Service Providers) (Attachment A). This Ordinance was approved as an interim emergency action as permitted by RCW 36.70A. The purpose of this moratorium was to provide staff sufficient time to draft new regulations in response to legislation adopted this year, ESSB 6676. However, since Council's adoption of the moratorium, staff has reviewed all of the necessary changes to current and newly adopted regulations. As a result, staff believes the proposed new regulations reach a threshold that supports their referral to the Planning Commission. This referral requires an extension of the existing moratorium.

At this time, staff is requesting that Council hold a public hearing, as required by state law, on both Ordinance No. 237 which adopted the original 65 day moratorium, and Ordinance No. 240 (Attachment B) extending the moratorium for an additional 30 days.

The original moratorium barred, for 65 days, new applications for franchises for telecommunication or cable television service (as defined in ESSB 6676) or the acceptance of right-of-way permit applications from providers who do not hold a current franchise. Permanent regulations prepared under the moratorium have been reviewed by Council at its workshop of June 19th, were recommended to be reviewed by the Planning Commission following a public hearing on July 6th, and returned for final adoption by your Council on July 24th. The original moratorium will expire on July 12th. An extension of thirty days is necessary to extend the moratorium past the anticipated effective date of the new regulations. The time needed for processing these permanent regulations exceeded the original estimate based upon the preference for incorporating them as amendments to new Shoreline Development Code, and the additional time which was needed to pass this new title on June 12th.

RCW 36.70A.390 allows cities to adopt a moratorium or interim zoning controls under their planning powers to preserve the status quo while deciding whether to review and

adopt new land use plans and regulations. This statute allows passage without a public hearing so long as a public hearing is held within sixty days of adoption whether or not the Council has received a recommendation from the Planning Commission. Extensions are allowed if a public hearing is held and findings of fact are made prior to the renewal.

The public hearing requested is to invite comments on both the moratorium and the 30-day extension, for a total of 95 days ending August 11, 2000. Findings of fact justifying the moratorium and extension are included in proposed Ordinance No. 240.

ESSB 6676 has two main impacts on the City's regulation of the right-of-way that require immediate action. First, it includes a number of new requirements related to the issuance of franchises and permits to telecommunication service providers in our rights-of-way. Franchises, for example, must be issued within 120 days and the application process for a franchise must be clearly described in a written form. In addition, right-of-way permits must be acted upon within 30 days. Second, it requires the City to allow the siting of wireless telecommunications facilities in the right-of-way.

The City's practice has been to require all entities that want to install facilities in the right-of-way to first obtain a franchise. The only wireless provider to complete this process to date is Metricom who operates a number of small repeater antennas (about the size of a shoebox) attached to streetlights within the City. Zoning regulations do not automatically apply to the right-of-way. For this reason, current height restrictions and other regulations relating to the location of wireless facilities do not apply to the right-of-way.

The proposed moratorium extension will provide staff time to allow the Planning Commission to review proposed changes in wireless and right-of-way regulations. This will remove the risk of an application for the siting of a significant wireless facility in the right-of-way as the City works toward the adoption of new regulations consistent with City policies.

RECOMMENDATION

Staff recommends that City Council hold a public hearing for Ordinance No. 237 which created the original 65 day moratorium and Ordinance No. 240 extending the moratorium on applications for new franchises or right-of-way permits for telecommunications service providers who are not currently operating under a franchise. A public hearing is required to continue the present moratorium.

Following the public hearing it is recommended that City Council pass Ordinance No. 240 to adopt findings and extend the moratorium for 30 days.

Approved By: City Manager LB City Attorney [Signature]

ATTACHMENTS-

- Attachment A- City of Shoreline Ordinance No. 237
- Attachment B- Proposed Ordinance No. 240.

Attachment A

ORDINANCE NO. 240

**AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON
ADOPTING A THIRTY DAY EXTENSION TO A MORATORIUM ON
ACCEPTANCE AND PROCESSING OF NEW FRANCHISE
APPLICATIONS FOR SERVICE PROVIDERS OF
TELECOMMUNICATIONS AND CABLE TELEVISION SERVICES
WITHIN THE CITY OF SHORELINE**

WHEREAS, the State Legislature passed ESSB 6676 in the 2000 Regular Session, effective June 8, 2000, establishing uniform requirements for local franchising of telecommunications and cable television providers ("Service Providers"); and

WHEREAS, moratoria are authorized by ESSB 6676 Section 5 to address local concerns regarding siting issues so long as they do not exceed guidelines developed by the FCC, state and local government, and the wireless industry, which suggest a 180 day duration; and

WHEREAS, Ordinance 237 was adopted May 8, 2000 approving a sixty-five day moratorium on new franchise and right-of-way permits for Service Providers; and

WHEREAS, the City requires additional time to study and implement franchise permitting regulations and development standards for telecommunication improvements within the City's rights-of-way; now therefore

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

Section 1. Findings of Fact. The City Council adopts the following findings of fact:

- a. The State Legislature adopted ESSB 6676 during the 2000 session, effective June 8, 2000, requiring that municipalities permit Service Providers to site facilities within local rights-of-way.
- b. The City's practice has been to require all entities who want to install facilities in the right-of-way to first obtain a franchise under Chapter 12.25 SMC. Size, type and location of facilities have been negotiated through this process.
- c. The City did not have sufficient time to adopt regulations for right-of-way permitting of wireless facilities before the effective date of ESSB 6676, and without these regulations in place, the City's inability to set controls would be injurious to the public welfare.
- d. The City's moratorium adopted by Ordinance 237 was necessary for the study and review of land use regulations for Service Providers.
- e. The City has been actively revising its GMA development regulations. A delay in adoption of the development code has created a need to extend the moratorium extension so that proper amendments to the code could be made.

- f. An moratorium extension until August 11, 2000 is needed to allow final review of right-of-way regulations of Service Providers before the Planning Commission and City Council.

Section 2. Moratorium Extended. The term of Ordinance 237 creating a moratorium upon the acceptance of applications for new franchises and right-of-way permits for telecommunication or cable television service as those terms are defined in ESSB 6676 § 1, 2000 Reg. Sess. is extended to August 11, 2000.

Section 4. Severability. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstances, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

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

PASSED BY THE CITY COUNCIL ON June 26, 2000.

Mayor Scott Jepsen

ATTEST:

APPROVED AS TO FORM:

Sharon Mattioli, CMC
City Clerk

Ian R. Sievers
City Attorney

Date of Publication:
Effective Date:

ORDINANCE NO. 237

**AN ORDINANCE OF THE CITY OF SHORELINE,
WASHINGTON ESTABLISHING A MORATORIUM ON
ACCEPTANCE AND PROCESSING OF NEW FRANCHISE
APPLICATIONS FOR TELECOMMUNICATIONS SERVICE
PROVIDERS WITHIN THE CITY OF SHORELINE, AND
DECLARING AN EMERGENCY**

WHEREAS, the State Legislature passed ESSB 6676 in the 2000 Regular Session, effective June 8, 2000, establishing uniform requirements for local franchising of telecommunications and cable television providers; and

WHEREAS, the City requires additional time to study and implement franchise permitting regulations and development standards for improvements within the City's rights-of-way; and

WHEREAS, moratoria are authorized by ESSB 6676 Section 5 to address local concerns regarding siting issues so long as they do not exceed guidelines developed by the FCC, state and local government, and the wireless industry, which suggest a 180 day duration; and

WHEREAS, an emergency is declared to exist in order to protect the public health, safety and welfare;

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

Section 1. Findings of Fact. The "WHEREAS" clauses above shall constitute findings of fact and are incorporated by reference as if fully set forth herein.

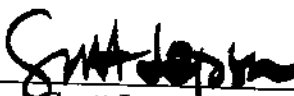
Section 2. Moratorium Established. A moratorium is hereby established upon the acceptance of applications for new franchises for telecommunication or cable television service as those terms are defined in ESSB 6676 § 1, 2000 Reg. Sess. or the acceptance of applications for permits to utilize the City's right-of-way by any "Service Provider" Ibid. that does not hold a valid City franchise at the time this moratorium is established.

Section 3. Term. The moratorium established by this ordinance shall terminate sixty five days after passage unless earlier repealed according to law.

Section 4. Severability. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstances, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be pre-empted by state

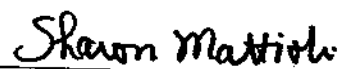
Section 5. Effective Date. This ordinance, as a public emergency ordinance necessary for the protection of the public health, safety, and welfare, shall take effect and be in full force immediately upon its adoption.

PASSED BY THE CITY COUNCIL ON MAY 8, 2000.



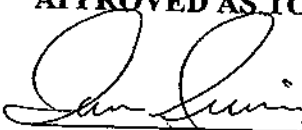
Mayor Scott Jepsen

ATTEST:



Sharon Mattioli, CMC
City Clerk

APPROVED AS TO FORM:



Ian Sievers
City Attorney

Date of Publication: May 11, 2000
Effective Date: May 8, 2000

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Approval of NE 185 th Street Rechannelization Proposal to Add a Center Left-Turn Lane and Bicycle Lanes Between Stone Avenue North and 1 st Avenue NE and Make Improvements to 155 th Street.
DEPARTMENT:	Public Works
PRESENTED BY:	William L. Conner, Public Works Director <i>wlc</i>

EXECUTIVE / COUNCIL SUMMARY

On December 13, 1999, your Council approved the 2000 – 2005 Capital Improvement Program (CIP) that includes the 185th Street Rechannelization project. Even though this project was approved in the budget, your Council had enough concerns to require staff to bring the plans back for Council approval. The purpose of this report is to obtain your Council's approval for the 185th Street Rechannelization project that includes adding a center left turn lane and bicycle lanes on N.E. 185th Street between Stone Avenue North and 1st Avenue N.E.

The proposed improvements on the 185th Street corridor would improve safety for vehicles, bicycles and pedestrians travelling along the corridor. Residents turning left into their driveways would have a safe pocket to wait for a gap in traffic. Collisions with parked cars would be avoided because there would be no parking on either side of the street, and views would not be blocked by parked cars when residents must back out of their driveways. The proposed improvements include:

- ◆ Restriping 185th Street between Stone Avenue N and 1st Avenue NE to provide one traffic lane in each direction with center left turn lane.
- ◆ Modification of the traffic signal at Meridian Avenue N by adding a left turn arrow for turning north or south onto Meridian Avenue N from 185th Street.
- ◆ Installation of bicycle lanes on each side of 185th Street between Stone Avenue N and 1st Avenue NE.
- ◆ Elimination of street parking between Stone Avenue N and 1st Avenue NE.

This portion of 185th Street corridor was identified during the City's Comprehensive Planning process as needing operational and safety improvements due to the high accident rate (average of 34 accidents per year of which 16 are injury accidents) and congestion at Meridian Avenue N. The Comprehensive Plan also designates this corridor as part of the City's bicycle route because 185th Street is a major east/west connector that provides bicyclist access over Interstate 5 to major bike routes found east of Shoreline.

On June 16, 1999, staff conducted an Open House and notified neighbors within 500 feet of the project corridor of the proposed improvements. Attendees at the public meeting voiced their concerns about the improvements. These concerns included:

- ◆ East – west traffic flow on 185th Street (street capacity)
- ◆ Loss of parking on N.E. 185th between 1st Avenue NE and Stone Avenue N
- ◆ Loss of parking specifically fronting the Shoreline Covenant Church at Ashworth Avenue N
- ◆ Perception of excessive vehicular speeds on 185th Street
- ◆ Negative impact on emergency response times (police and fire)
- ◆ Addition of left turn phasing at the Meridian Avenue North intersection

On September 13, 1999, this project was presented to your Council for review. Your Council expressed concern about the following issues: (1) the transition across Aurora Avenue, (2) traffic congestion along 185th Street and specifically at Meridian, (3) Shoreline Covenant Church parking and (4) concern that the unsafe traffic situation at 155th Street and Aurora Avenue (vicinity of the Chevron Station and the Safeway Store) not be repeated on 185th Street in the vicinity of the QFC Store and Police Station. At that time, staff committed to returning to your Council with the proposed layout of the 185th Street Rechannelization and a solution to reduce traffic concerns on 155th Street near Chevron and Safeway.

At 155th Street, as shown on Attachment A, staff recommends restricting the exit from the Chevron Station onto 155th Street to right turn only. This will reduce conflicting turning movements from the Chevron Station and Safeway Store while providing access from these businesses to Aurora Avenue. Both business owners have been contacted and briefed on the projected work. Chevron representatives are concerned that the traffic revision will have a negative impact on their business. However, their on-site manager stated that 155th Street along their frontage is dangerous due to the conflicting turning movements and that he is concerned about patron safety.

The layout for 185th Street is shown in Attachment B. The rechannelization would begin at Stone Avenue which provides sufficient space for vehicles to transition from two lanes to one and vehicles will not back up over Aurora. The City would also create a minimum of 6 parking spaces along Ashworth for use by the Shoreline Covenant Church. This will be accomplished by restriping Ashworth north of 185th Street and brush trimming. Staff also recommends the addition of left turn phasing (green arrow on traffic signal) for north and south turning movements onto Meridian. This will improve safety at this intersection and increase its efficiency by giving vehicles dedicated time to turn onto Meridian.

This rechannelization project will significantly improve safety along this corridor, however, it would not fix all operational issues on 185th Street. To improve safety, left turn pockets were added to 185th Street at Meridian in 1999. This resulted in one through lane across Meridian and removed the free right turn onto Meridian. To improve the operation of 185th Street at Meridian Avenue N, beyond impacts from signal

timing alteration, it would be necessary to spend upwards of \$750,000 to condemn homes and widen the intersection to allow free right turns.

Funding for the 185th Street Rechannelization project is included within the Roads Capital Fund. In 2000, a total of \$137,500 has been approved in the City's Capital Improvement Program for this project. Based on the preliminary project estimates, \$137,000 should be adequate for design and construction of both the 185th Street Rechannelization and 155th Street Improvements. Staff will return to your Council if the estimate for construction exceeds the budget.

RECOMMENDATION

Staff recommends that your Council approve the N.E. 185th Street Rechannelization Project to add a center left turn lane and bicycle lanes to N.E. 185th Street between Stone Avenue N and 1st Avenue N.E., and the recommended improvements to 155th Street.

Approved By: City Manager LB City Attorney N/A

BACKGROUND / ANALYSIS

On September 13, 1999, your Council reviewed the proposed project and the safety concerns associated with the existing conditions along 185th Street between Aurora Avenue North to 1st Avenue N.E. Staff provided a synopsis of the public involvement process taken and the specific concerns that were raised during the process.

Your Council expressed concern about the correlation of traffic conditions found at Aurora Avenue North at 185th Street and at 155th Street, and whether the proposed improvements would address the existing traffic concerns. Since the completion of the rechannelization work on 155th Street in 1998 (addition of bike lanes, one through lane, and center turn lane from Midvale Avenue N to 5th Avenue NE), traffic has slowed down and the accident rate has been reduced by 50% from an average of 8.5 accidents a year (since 1994) to four accidents per year. The Customer Response Team (CRT) received multiple complaints regarding the operation of 155th Street prior to rechannelization, but no longer receives complaints from concerned citizens on the rechannelized section of the 155th Street corridor.

Staff is aware of the continuing turning issue along 155th Street corridor located in the vicinity of Chevron and the Safeway Store near Aurora. Staff contends that the turning issue is not related to the rechannelization work that was previously completed, and is in the process of addressing those concerns separately. Staff's recommendations for improvements at this location will be discussed later in this report.

Improved Safety

The proposed changes along the 185th Street corridor are designed to improve traffic safety. Research of available police accident data found that since 1994, approximately 203 accidents occurred along the 185th Street corridor between Aurora and 1st Avenue NE. *There was an average of 34 accidents per year, 16 injury accidents per year (47% of all accidents were injury accidents), and 20 injuries per year.* Three types of accidents were identified: vehicles that are rear-ended or hit head on as they attempt to turn left into side streets, intersections or driveways; vehicles that hit parked cars and stationary objects (trees and light poles); and vehicles that get hit as they back out of their driveways. The accident rate and safety situation along this street is unacceptable.

Public Involvement Process

On June 16, 1999, staff conducted an open house to present the proposed 185th Street project to rechannelize N.E. 185th Street between Midvale Avenue North and 1st Avenue N.E. Residents and interested parties within 500 feet of the proposed project corridor were notified of the public meeting and asked to provide their comments. The majority of the attendees agreed that changes were necessary on this segment of N.E. 185th Street.

There were attendees that provided specific concerns to the proposed changes. Concerns voiced at the public meeting included the following:

- ◆ Potential loss of parking on N.E. 185th Street during Sunday morning church services for those attending the Shoreline Covenant Church (301 N.E. 185th Street).
- ◆ Potential reduction of the street capacity with the rechannelizing of the street to one lane in each direction and the proposal to develop 185th Street into an entrance and/exit ramp to Interstate 5 for a carpool/HOV lane.
- ◆ Traffic on 185th often exceeds the 35-mph speed limit and this corridor is dangerous for bicycles.
- ◆ Potential impact of the rechannelization project on emergency response time because the Shoreline Police Station is in the project corridor and the new Shoreline Fire District station is located just west of the project corridor on N. 185th Street.
- ◆ Addition of left turn phasing (green left-turn arrow/signal) to the recently installed left turn pockets on N.E. 185th Street at the intersection of Meridian Avenue North.

Staff Response To Citizen Concerns

On-Street Parking: Based on the feedback heard from citizens at the public meeting, staff surveyed the levels of church parking during six Sunday morning reconnaissance sessions. Shoreline Community Church and the Berean Bible Church (both on the corner of N.E. 185th Street and 1st Avenue NE) have access to ample parking at the Shoreline Center. The Shoreline Covenant Church (at 185th Street and Ashworth Avenue N), however, fills its parking lot and utilizes N.E. 185th Street parking during Sunday mornings and special holiday events. During the six Sunday morning reconnaissance sessions, staff counted between 9-13 cars parked along NE 185th street near the Shoreline Covenant Church. Parking along nearby Ashworth Avenue N. is difficult for Shoreline Covenant Church members as the street is not striped to allow parking along their sidewalk, and brush and trees hang into the City street right-of-way where other parking would be available.

As a result of these observations, staff contacted all three churches to request a meeting to discuss the project proposal. City staff met with the board from Shoreline Covenant Church on July 14, 1999 to discuss the rechannelization proposal. Staff recommends restriping Ashworth Avenue North along the Church frontage to add on street parking adjacent to the church. Staff would also clear brush from the City's right-of-way to add parking north of the church on Ashworth Avenue North. A minimum of six parking spots would be added. Coincidentally, the Shoreline Covenant Church is planning to move from one to two Sunday services this September which would ease their need for street parking.

Staff also met with the Facilities Manager and other staff from the Shoreline Community Church to discuss the project. They expressed support for the project and its approach. During the public involvement process, staff sent a letter to the Berean Bible Church and spoke with two congregation members to educate them about the project. The Berean Church did not choose to meet with staff to discuss the project.

Capacity: Traffic engineering analysis of 1999 traffic counts along 185th Street shows there would be sufficient vehicle capacity upon rechannelization to maintain a corridor Level of Service (LOS) "D" as recommended by the Comprehensive Plan. Addition of left turn arrows (protected permissive phasing) on 185th Street for north and south movement onto Meridian Avenue N was requested at the public open house.

Staff has completed the evaluation of the operation and level of service that would result from the installation of protected permissive phasing (with vehicle detection loops) on N.E. 185th Street at the intersection of Meridian Avenue North. The existing Level of Service (LOS) at this intersection is "F" and addition of left turn arrows would improve the LOS to "D" which is the Comprehensive Plan recommendation. Staff recommends adding protective permissive phasing on 185th Street at this location.

Though the corridor will maintain a LOS of "D" with the rechannelization and phasing improvements, traffic could continue to be congested in the vicinity of Meridian during peak hours as the free right turn onto Meridian was removed in 1998 with the addition of left turn pockets on 185th Street. Should additional operational improvements of the 185th Street and Meridian Avenue N intersection be desired by your Council to improve the LOS from a "D", the intersection would have to be widened to allow free right turns onto Meridian. Staff estimates that this widening would cost upward of \$750,000 to condemn property and construct improvements to the intersection and its signal.

Additional Access to Interstate 5: Should transit authorities, in conjunction with the City of Shoreline, decide to add I-5 ramps to NE 185th Street, the additional traffic volumes would be addressed at that time.

Traffic Speeds: Staff analysis shows that rechannelizing 185th Street would allow adequate vehicle capacity and also should slow traffic in this corridor. Standard engineering practice is to reduce speeds by reducing lane width. As this project significantly reduced the existing through lane width, this proposal addresses the traffic speed issues raised by citizens at the open house.

Bicycle Lanes: This corridor is identified as a City bicycle route in the Comprehensive Plan. The installation of dedicated bicycle lanes, in addition to lower vehicle speeds, would improve safety for bicyclists. Staff does not recommend moving the City's dedicated bicycle route to "quieter" streets as serious bicyclists tell us they will continue to utilize this corridor as the most direct route to transit centers on Aurora Avenue North and to Meridian Avenue North and to regional bicycle trails, specifically the Burke-Gilman Trail. Recreational bicyclists and children may utilize the sidewalk along 185th Street if they choose and within the next few years, they could utilize the Interurban Trail for riding.

Emergency Response: In response to concerns that this rechannelization may negatively affect police and fire department emergency response time, staff directly contacted managers at these agencies. Both agencies were in favor of the proposed rechannelization project. They indicated that a street with a center left-turn lane would be easier to navigate in an emergency situation than the existing condition where the lanes are driven two cars abreast, but are only striped as one lane.

Public Involvement: Staff continues to work with citizens to address their concerns and questions regarding this project. On March 21 and April 18, 2000, staff attended Echo Lake Neighborhood meetings to discuss and make presentations on the proposed 185th Street Rechannelization project. These discussions have been positive and neighborhood members are overwhelmingly supportive of the proposed work.

155th Street Rechannelization

Staff has been working to create options to reduce the conflicting turning movement situation on 155th Street in the vicinity of Chevron and Safeway. Since 1994, there have been 18 accidents within the block between Aurora and Midvale Avenue N along 155th Street. The turning situation stems from patrons that exit the Chevron Station and turn east onto 155th Street and patrons that exit the Safeway Store and turning west onto 155th Street. The turning conflict also includes patrons that are travelling east over Aurora Avenue and want to turn north into the Chevron Station.

Staff recommends several options to resolve this issue. These options include (Attachment A):

- Installing a "Right Turn Only" island at the Chevron Station to restrict patrons from turning east onto 155th Street and extend curbing in front of the Chevron exit to restrict to right turn only.
- Restriping specific areas of 155th Street to extend channelization west across Midvale Avenue to give Safeway patrons a safe place to wait as they turn left (south) into the driveway.
- Change channelization of the south half of 155th Street by adding centerline striping between Aurora Avenue and the Safeway entrance and installing a curb extension at 155th Street and Aurora Avenue. This will separate Safeway patrons from through traffic.

Staff has contacted both the Chevron Station and Safeway management to discuss this project. Staff stressed that allowing business access to Aurora was key for patron mobility. The Chevron Station management is concerned that restricting the movement of their patrons will negatively affect business. The station manager, however, acknowledged that 155th Street on the east-side of Aurora is dangerous for traffic and that safety of the patrons is important.

In addition, staff will be reviewing the lane configuration and signal timing of Aurora Avenue at 155th Street as part of the Aurora Avenue North Corridor Project to determine if additional improvements can be made to this area.

RECOMMENDATION

Staff recommends that your Council approve the N.E. 185th Street Rechannelization Project to add a center left turn lane and bicycle lanes to N.E. 185th Street between Stone Avenue North and 1st Avenue N.E, and the recommended improvements to 155th Street.

ATTACHMENTS

Attachment A: 155th Street Rechannelization Layout
Attachment B: 185th Street Rechannelization Layout

ATTACHMENT A

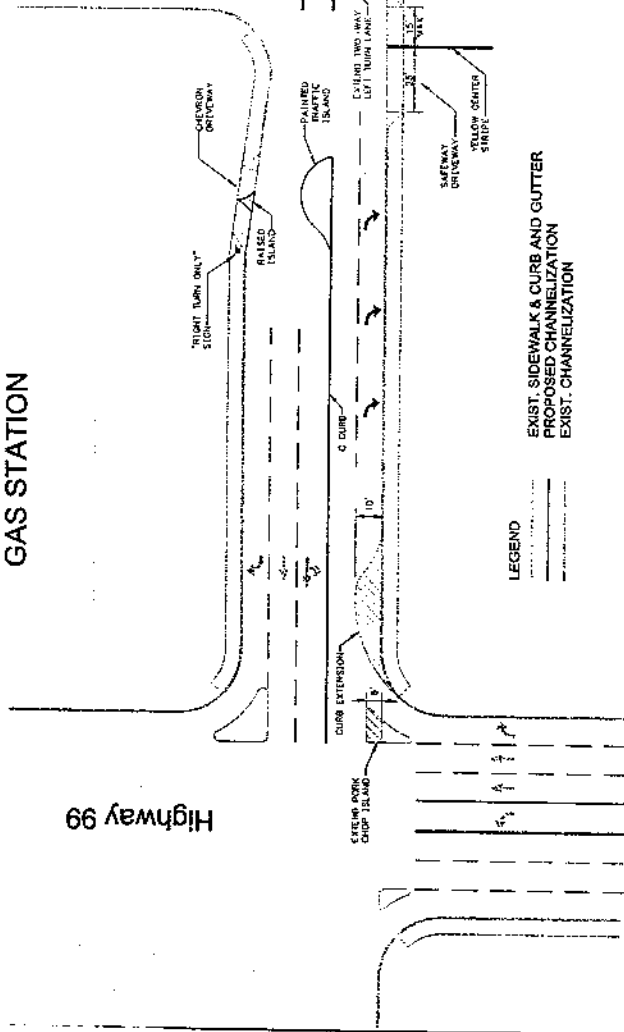


CHEVRON
GAS STATION

Highway 99

Midvale Ave N

NE 155th Street



SAFETY

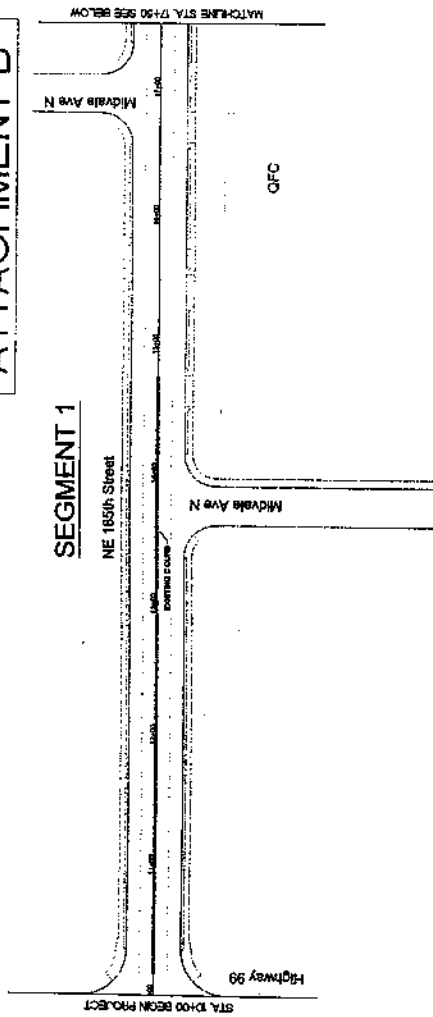
EXIST. SIDEWALK & CURB AND GUTTER
PROPOSED CHANNELIZATION
EXIST. CHANNELIZATION

LEGEND

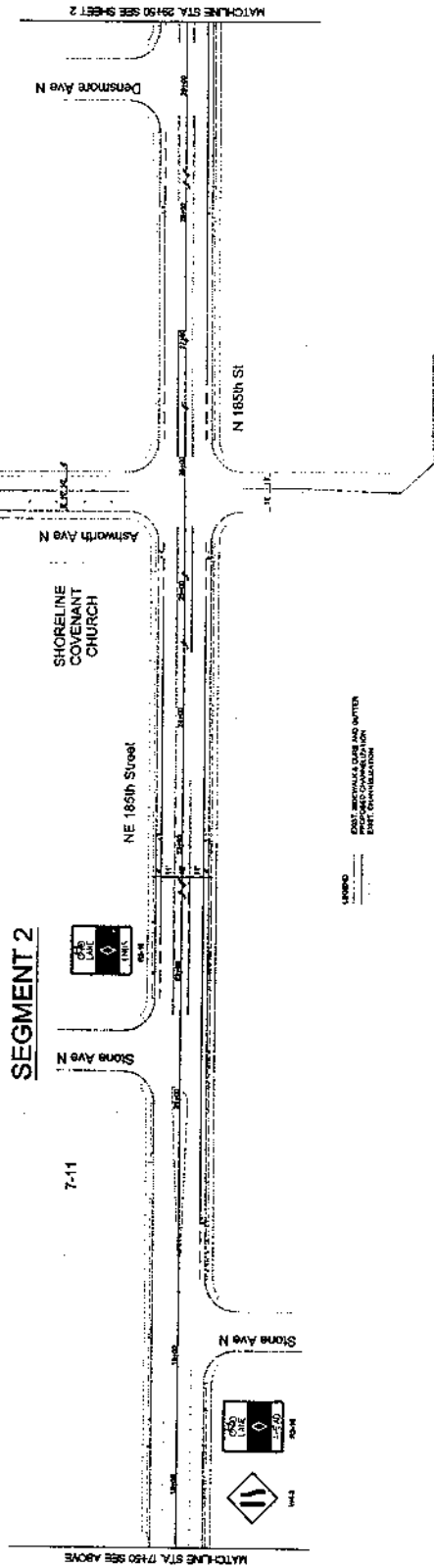
INCA ENGINEERS INC. 11111 155th Street, NE Bellevue, WA 98004 Phone: (206) 461-1111 Fax: (206) 461-1112 Email: info@inca-engineers.com Website: www.inca-engineers.com		CHANNELIZATION PLAN NE 155th Street City of Shoreline	
Project No.: 155-001 Date: 12-1-2010 Drawn by: J. Smith Check by: J. Smith Date: 05-01-11		Sheet No.: 1 of 1 Total Sheets: 1	

ATTACHMENT B

SEGMENT 1

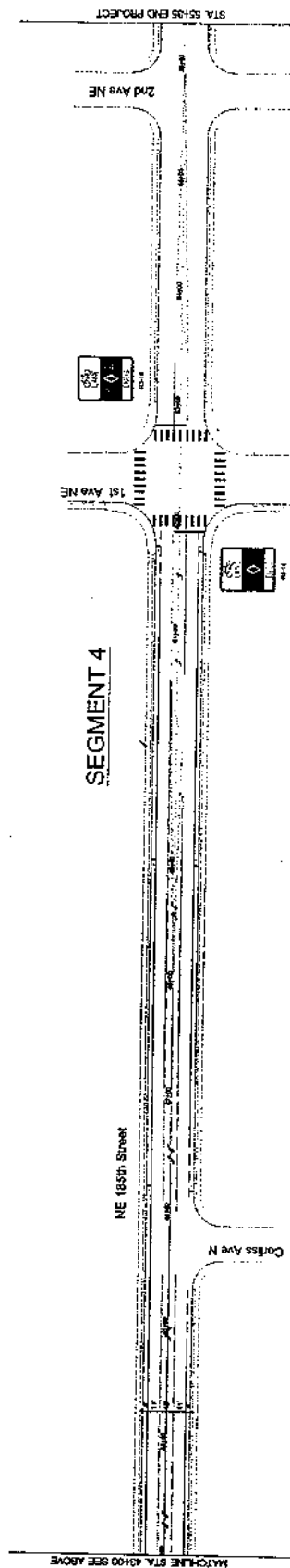
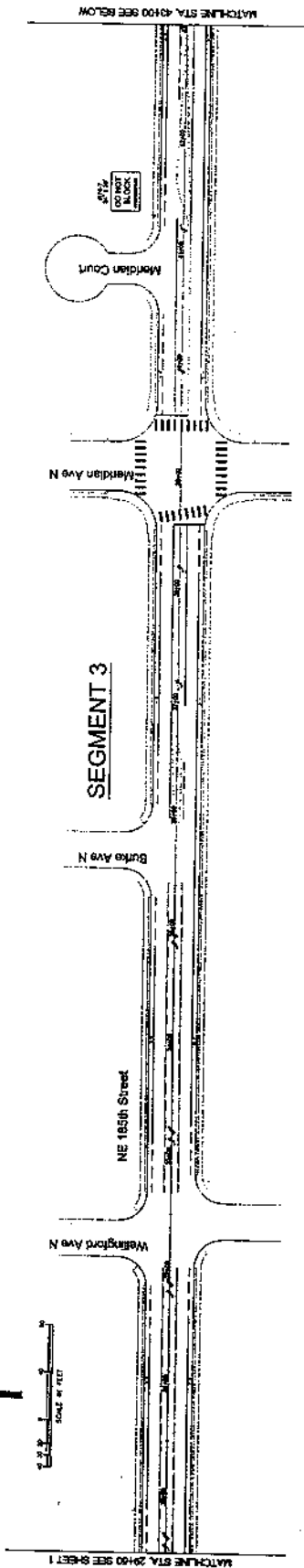


SEGMENT 2



LEGEND
 DASHED LINE AND DOTTED LINE
 PROPOSED CHANNELIZATION
 EXISTING CHANNELIZATION

ATTACHMENT B



LEGEND
 DOTTED LINE WITH ARROW OUTLINE
 PROPOSED SIDEWALK
 DOTTED LINE
 EXISTING SIDEWALK