

CITY OF SHORELINE
SHORELINE CITY COUNCIL
SUMMARY MINUTES OF SPECIAL MEETING

Monday, July 21, 2003
6:30 p.m.

Shoreline Conference Center
Mt. Rainier Room

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

ABSENT: none

1. CALL TO ORDER

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

2. FLAG SALUTE/ROLL CALL

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

(a) Proclamation of "National Night Out"

Mayor Jepsen presented a proclamation to Police Chief Denise Pentony declaring August 5, 2003 the 20th Annual National Night Out.

3. CITY MANAGER'S REPORT

Steve Burkett, City Manager, asked Council to delete item 7(e) from tonight's consent agenda. He said the bid for the Paramount School Frontage Improvement Project was \$129,000, so the construction contract does not need Council approval. He said the project was budgeted at \$220,000 and staff will come back to Council to determine whether it wishes to expend the remainder of the funds for other improvements.

4. COUNCIL REPORTS

Councilmember Gustafson mentioned that he had driven over the slurry seal laid at the Richmond Highlands Recreation Center and he thought it was acceptable. He asked if the City plans to proceed with laying slurry seal.

Noting that the City of Bothell has used slurry seal successfully, Paul Haines, Public Works Director, said the Shoreline slurry seal test has had positive results and the City intends to proceed with the project.

Councilmember Hansen was interested to know how the slurry seal will react to water and colder temperatures. Mr. Haines said the material is quite durable and reliable if applied properly. Mr. Burkett noted that slurry sealing is one-tenth the cost of street overlays.

Councilmember Gustafson reported on his attendance at a Regional Water Quality Committee meeting, where members were asked to support a King County ordinance involving wastewater odor control and conveyance systems. He requested information on the Brightwater seminar held last Saturday.

Councilmember Hansen commented that his upcoming Suburban Cities Association meeting will discuss a number of key issues, including solid waste disposal and jail services.

Councilmember Ransom noted that he participated in two conference calls with the Human Services Steering Committee for the National League of Cities (NLC). The topics discussed included: 1) Medicare/Medicaid; 2) mental health; 3) immigration; 4) Head Start; and 5) "No Child Left Behind." He said there will be some major recommendations coming to the NLC this fall. He also reported on the success of the Prince of Peace Lutheran Church anniversary celebration.

Deputy Mayor Grossman pointed out that the Seashore Transportation Forum continues to deliberate local transportation issues.

Mayor Jepsen reported on the Boeing Creek Park Open House and on the new Filipino History display at the Shoreline Historical Museum.

5. PUBLIC COMMENT

(a) Daniel Mann, Shoreline, said the Mayor's comments last week regarding the attorney for the Shoreline Merchants Association were not appropriate and were an attempt to demean her professional standing and question her authenticity. On another topic, he said the maximum right-of-way widths that Council approved last week did not include any reference to the citizen charrette process. He said this disregard for public input will discourage citizens from participating in the future.

(b) Janet Way, Shoreline, expressed concern about the lack of consideration given to the business and the environmental impacts that will result from the Aurora Corridor project. She emphasized the need for accountability to the merchants and citizens, and asserted that Council has not followed the correct public process. She contended that the federal government rejected Shoreline's Environmental Impact Statement for the Aurora Corridor project. She advised Council to reconsider the scope of the project and make it more amenable to the public.

(c) Cindy Ryu, Shoreline, said there are far more people who oppose the Aurora Corridor project than Council realizes, and that Council should give more consideration to the people who take the time to speak at Council meetings. On another topic, she suggested that the proposed cellular tower the Planning Commission unanimously approved last week could create problems for the Interurban Trail. She hoped that the construction contract for the Interurban Trail would not have to be increased due to this Planning Commission action.

Responding to Mr. Mann's comments, Mayor Jepsen said he did not question the authenticity of the Shoreline Merchants Association's attorney, but was merely asking for clarification about the status of legal representation for the Shoreline Merchants Association. He felt that the charrette process was successful in anticipating some of the vision and compromises that could be achieved as part of the Aurora Corridor design. He pointed out that Council approved a motion to identify a specific process of working with businesses in the Central Subarea at the August 18 Council meeting.

Mr. Burkett explained that the proposed cell tower impacts neither the design nor the function of the Interurban Trail because it will be placed on a pole in the Seattle City Light right-of-way.

Kirk McKinley, Interurban Trail Project Manager, confirmed that there will be little, if any impact due to the amount of separation between the cell tower and the Interurban Trail.

Responding to Mayor Jepsen, Ian Sievers, City Attorney, explained that following recommendation from the Planning Commission, the City Council will be the decision-making authority on the cell tower, which is a Special Use Permit application. He clarified that Council's decision would be based on the public record that was produced before the Planning Commission.

Councilmember Chang said he does not want to see costs for the Interurban Trail increase due to this cell tower. He suggested that the City, the applicant, and adjacent property owners be involved in the placement of this tower in order to achieve a mutually agreeable decision. He expressed a desire that the tower be distanced from adjacent properties and that appropriate setbacks be maintained.

Mr. Burkett affirmed that staff will be following up with affected property owners and will bring the Planning Commission recommendation before Council shortly. It was noted that Seattle City Light is the applicant for this project and it is abiding by the appropriate setback distances.

Councilmember Ransom pointed out that the business community feels the City has broken faith with them because of a perceived disregard for the charrette process. He felt that staff and Council have a credibility problem with the public because of the way the charrette was handled.

6. APPROVAL OF THE AGENDA

Councilmember Hansen moved approval of the agenda, deleting Item 7(e). Councilmember Ransom pulled the minutes of the July 7 workshop. Councilmember Gustafson seconded the motion, which carried unanimously and the agenda was approved as amended.

7. CONSENT CALENDAR

Councilmember Gustafson moved approval of the consent calendar as amended. Councilmember Montgomery seconded the motion, which carried 7-0, and the following items were approved:

**Approval of expenses and payroll as of July 11, 2003
in the amount of \$596,322.33**

**Ordinance No. 332 amending Chapter 5.10 of the
Shoreline Municipal Code related to the regulation
of adult entertainment businesses**

**Motion to authorize the City Manager to amend the
existing design contract with Otak, Inc., not to exceed
\$90,208, to complete the key design work elements for
the North and South Central Sections of the Interurban
Trail Project**

**Ordinance No. 333, amending the 2003 budget for capital
projects and funding supplemental 2003 requests**

**Motion to authorize the City Manager to execute an
interlocal cooperative agreement to provide law enforcement
mutual aid and mobilization between the cities of King County,
University of Washington Police, and King County**

**Motion to authorize the City Manager to execute a
construction administration agreement with Otak, Inc. for
the Interurban Trail South Section (N 145th Street to
N 155th Street) and Interurban Trail North Section
(N 192nd Street to N 205th Street) projects for an amount
not to exceed \$250,000**

8. ACTION ITEMS: OTHER ORDINANCES, RESOLUTIONS AND MOTIONS

- (a) **Ordinance No. 331, amending the Comprehensive Plan
to add the 2004-2009 Six-Year Capital Improvement
Plan and update the Capital Facilities Table CF-1**

Twenty Year Capital Facilities Plan

Debbie Tarry, Finance Director, noted that the Capital Improvement Plan has had two public hearings and has been thoroughly reviewed by Council. She added that the Planning Commission passed a resolution to recommend approval with amendments.

Councilmember Hansen moved to pass Ordinance No. 331. Councilmember Montgomery seconded the motion.

Councilmember Chang explained that he intends to vote against the motion because of his concerns about costs for the Aurora project. He said he has done research on the costs of improvements to Highway 99 and he does not understand why Shoreline's project costs nearly twice that of other cities' projects.

Councilmember Ransom emphasized the fact that the CIP is a rough guide of proposed projects and annual timelines, not a fixed set of unchangeable plans. He illustrated the point that some projects may not be built in the years indicated in the CIP, noting that City Hall will not likely be built in 2004 due to the unresolved issues of location and design.

Councilmember Hansen pointed out that Phase 1 of the Aurora Project is fully funded. He also commented that Shoreline's project costs are similar to the cities of Des Moines and Tukwila when an "apples to apples" comparison is made.

Deputy Mayor Grossman felt the Council has done a good job in fulfilling the Council's primary objective of investing Shoreline's resources in long-term improvements. He supported moving forward with the plan.

A vote was taken on the motion, which carried 6-1, with Councilmember Chang dissenting, and Ordinance No. 331 amending the Comprehensive Plan to add the 2004-2009 Six Year Capital Improvement Plan and updating Capital Facilities Table was passed.

- (b) Resolution No. 208 adopting a six-year (2004-2009) Transportation Improvement Program and directing the same to be filed with the State Secretary of Transportation and Transportation Improvement Board

Jill Marilley, City Engineer, explained that it is necessary to send the State a list of the City's transportation projects in order to maintain funding eligibility. Resolution No. 208 adopts the Roads Capital subset of the CIP as the Transportation Improvement Program.

Councilmember Montgomery moved to adopt Resolution No. 208. Councilmember Gustafson seconded the motion.

Councilmember Chang continued his comparison of Highway 99 projects, noting that the City of Federal Way spent only half (\$15 million) of what Shoreline has budgeted for Aurora improvements. He said Federal Way did a good job reaching out to the business community and responding to its concerns. Despite his desire for an improved Aurora, he said he could not justify the expenditure due to the considerable cost differences.

Mr. Haines provided more background on the Federal Way project, emphasizing that Shoreline's project contains more contingency funding since it does not have the detailed cost analysis that Federal Way does, having completed the first phase of its project. He also noted that Shoreline's segment of Aurora is longer than Federal Way's, and that Shoreline is going through a more detailed environmental review. He offered to bring detailed figures back to Council at a future date.

Councilmember Chang commented that Federal Way had a much more in-depth public process in which the City met with minority groups, merchants, and property owners on a periodic basis. He said ultimately the City was able to satisfy a majority of citizens.

Mayor Jepsen suggested that a detailed comparison with Federal Way's project could be helpful in understanding the cost differences. He pointed out that Shoreline's environmental process is one major difference between the projects.

Acknowledging Councilmember Chang's concerns, Councilmember Ransom explained that this agenda item is not a debate over individual projects, but consideration of the project summary. He clarified that Council has already discussed individual projects at length, and the action tonight is to approve or reject the final summary. He expressed support for the proposal and reiterated that the CIP is a planning document that is subject to change.

A vote was taken on the motion, which carried 6-1, with Councilmember Chang dissenting, and Resolution No. 208 was adopted.

- (c) Motion to authorize the City Manager to execute a construction contract with Grade, Inc. for the Interurban Trail South Section (N 145th Street to N 155th Street) Improvements in an amount not to exceed \$782,939.70

Mr. Burkett characterized this item as an exciting milestone for the community that has been in various planning phases since City incorporation. He thanked Seattle City Light for its efforts in working with the City to see this project finalized. He said this project illustrates Councilmember Ransom's notion that the CIP is a planning document.

Kirk McKinley, Project Manager, provided a brief report, noting that the contractor has 75 working days to complete the project. He said the groundbreaking ceremony for this project will occur on August 15, and that the City anticipates completion before the end

of the year. He thanked Seattle City Light, St. Dunstan's Church, and City staff for their contributions to the project.

Councilmember Gustafson moved to authorize the City Manager to execute the contract. Councilmember Hansen seconded the motion.

Councilmember Chang asked if the businesses and neighbors would be notified about the groundbreaking and the construction schedule. Mr. McKinley said that all businesses and neighbors along the trail will be invited to the groundbreaking ceremony. They will also be given construction schedules and updates during the process.

Councilmember Chang suggested that the City notify utility companies of the project since it would be an opportune time for them to complete any necessary work in the area.

Councilmember Ransom asked if the City will be able to identify a specific date for project completion so it can give adequate notice for a ribbon-cutting ceremony.

Mr. McKinley reiterated that state law allows the contractor 75 working days to complete the job. He said staff will monitor the project's progress so it can provide adequate notice.

Ms. Marilley commented that although the contractor is obligated to complete the work in 75 working days, it could conceivably take longer because of allowances for inclement weather.

Councilmember Gustafson noted that the Interurban Trail will be a wonderful asset for the City and serve as a potential link to other trails. He said it was exciting to see the bid come in below the estimate, and he hoped that the City could realize savings on future projects.

Councilmember Hansen concurred. He hoped that that the construction administration contract Council approved earlier will also be at or below the estimated amount.

A vote was taken on the motion, which carried unanimously and the City Manager was authorized to execute a construction contract with Grade, Inc. for the Interurban Trail South Section (N 145th Street to N 155th Street) in an amount not to exceed \$782,939.70.

10. NEW BUSINESS

- (a) Approval for staff to present Spartan Gym Phase II final design including removal of support columns to the Shoreline School Board

Wendy Barry, Parks, Recreation and Cultural Services Director, provided the staff report, noting that this project will turn the Spartan Gym into Shoreline's first true community

center with multi-purpose rooms, flexible space, and storage. She described the final design, which includes removal of support columns, upgraded locker rooms, and the addition of a utility kitchen. She noted that the approved budget (\$665,000) will allow the City to finish the project as well as reimburse the School District with remaining funds (\$33,000). She said the next step is to refer the measure to the School District for review and approval, after which it would go to bid.

Responding to Mayor Jepsen, Ms. Barry explained that the amount allocated for Roof Replacement has been consolidated under Architectural/Structural, Locker Room Upgrade, and Restroom Modification, totaling \$230,073. She clarified that this project does not require Parking Improvements.

Mayor Jepsen asked why the General Contractor's Overhead and Profit (\$20,598) line item was included in the Preliminary Design Phase but not in the Design Development Phase. Ms. Barry said it had been consolidated with other figures under Design Development Phase. Mayor Jepsen asked that the figures be reviewed to ensure that nothing is overlooked.

Noting his experience as Director of the Shoreline Center for four years, Councilmember Gustafson said these renovations are the culmination of a vision that started back in 1988. He commended the School District, the City, and all those who have persisted in the vision of developing the facility into a community center.

Deputy Mayor Grossman was delighted that the City has again collaborated with other organizations to ensure citizens get the most from their investment with the City and School District.

Councilmember Ransom also expressed satisfaction with the collaborative effort and with the anticipated completion of improvements. He acknowledged the value of having Councilmember Gustafson's input and experience on this project.

Councilmembers were very supportive of this project and gave consensus to refer the final design to the Shoreline School Board.

(b) Second Quarter Update on the Capital Improvement Plan

Mr. Burkett noted that three of the largest City projects involve working cooperatively with other entities and leveraging their property: 1) Interurban Trail on Seattle City Light Right-of-Way; 2) Aurora Project on State Highway 99; and 3) Spartan Gym on School District property.

Ms. Marilley highlighted projects currently under construction and those that will be under construction next quarter. She said that all projects are meeting deadlines except for the North City Overlay and re-striping of NE 15th, which is about two weeks behind schedule. She noted that the north segment of the Interurban Trail should be bid and awarded by next quarter.

She commented on the fire that occurred at Richmond Beach Saltwater Park on July 4th and assured Council that the bridge is safe for pedestrian use.

Councilmember Ransom raised the issue of the proposed barrier on 160th as part of the Interurban Trail Project. Mr. McKinley said that staff learned from two public meetings that the neighborhood wishes to keep this an open connection. Since the City's intent is to keep the street open, safety measures will be employed to calm traffic and create a safe pedestrian crossing.

In concluding remarks, Councilmember Hansen made several points:

- He thanked Councilmember Gustafson for relaying his thoughts on the Aurora right-of-way issue in his absence last week;
- He commented on a citizen's concern about the potential of increased traffic on 5th NE after 15th Avenue is narrowed to three lanes;
- He commented on Virginia Botham's concern about the "roving eyes" on Aurora Avenue;
- He talked with David Townsend about signage at 170th Street and 15th Avenue NE;
- He reminded staff that the manhole at 20th Avenue NW and Richmond Beach Road is not properly filled in; and
- He described an informal poll he took of four randomly-selected citizens, all of whom were positive about what is happening in the City.

10. ADJOURNMENT

At 8:15 p.m., Mayor Jepsen declared the meeting adjourned.

Sharon Mattioli
City Clerk

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