

CITY OF SHORELINE

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

Monday, February 5, 2007 - 6:30 PM
Shoreline Conference Center
Mt. Rainier Room

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

ABSENT: None.

1. CALL TO ORDER

At 6:36 p.m., the meeting was called to order by Mayor Ransom, who presided.

2. FLAG SALUTE/ROLL CALL

Upon roll call by the City Clerk, all Councilmembers were present with the exception of Councilmember Hansen, who arrived shortly thereafter.

3. CITY MANAGER'S REPORT AND FUTURE AGENDAS

Bob Olander, City Manager, provided updates and reports on the following:

The start of construction for the North Central segment of the Interurban Trail
The success of the Ridgecrest Visioning Workshop held on January 24
The One Night Count of the Homeless conducted on January 26
"Get Ready Shoreline" emergency preparedness meeting to be held on February 8
Request for art donations from Shoreline/Lake Forest Park Arts Council for annual "Art from the Attic" event
The next Library Board meeting will be held February 8
The King Conservation District Board Election will be held Feb. 13 at locations throughout King County, including a polling place at City Hall (Clerk's conference room)
The 2010 Speaker Series begins February 15 featuring Mark Hinshaw, urban design expert

4. COUNCIL REPORTS

Councilmember Way reported that she attended the play at the New Space Theater; she added it is a credit to North City to have this theater group in Shoreline.

Deputy Mayor Fimia spoke favorably about the Ridgecrest Visioning Workshop, which she attended. She also attended a North City business meeting, where neighborhood traffic is still an issue. She acknowledged City staff's efforts to implement the Council goals.

Mayor Ransom reported on the north end mayor's meeting, where they discussed working with King County Councilmember Ferguson's office on surface water management. They are also interested in working with Shoreline on a potential connection to the Burke-Gilman Trail. Other issues included a proposition to implement tolls on the floating bridge and the ongoing concern about rising jail costs and the Yakima contract. He said although the contract is good until 2012, cities should explore the possibility of creating a local misdemeanor jail.

5. GENERAL PUBLIC COMMENT

(a) Dale Wright, Shoreline, noted that the City Council authorized the environmental review process for the Aurora Corridor Phase 2 and Phase 3 on October 16, 2006, and Council will eventually select a design from among the alternatives. He said Deputy Mayor Fimia brought up the possibility that an entirely different design could be proposed. He felt this would be inappropriate because the Council has a responsibility to tell the public what it has in mind. He felt there should be transparency in the process and if any new designs are proposed, they should be analyzed along with the other alternatives.

(b) Virginia Paulsen, Shoreline, advised that the City should present both the operating and capital budgets together because they both have an impact on citizens. She urged the Council to thoroughly examine all expenditures and questioned the use of Council travel funds and whether the neighborhood associations are effective in accomplishing their goals. She expressed concern that a huge amount of Shoreline funding is going into Sound Transit and RTID, but it's not the most effective transportation remedy. She expressed concern about economic growth and the loss of Aurora businesses, noting that 30 businesses have closed due to the construction project. She stressed the need for a cost-benefit analysis of the Aurora Corridor Project. She also felt the City's newsletter Currents doesn't provide much information on fiscal matters.

(c) George Mauer, Shoreline, noted that City Councilmembers are elected by citizens at large, so the Mayor should defer to Council as a whole. He felt that the Mayor should not be allowed to arbitrarily appoint members to serve on local and regional committees. He urged the Council to make assignments fairly, noting that the Council's confirmation of appointments is needed as a check against capricious decisions.

(d) Kennie Endelman, Shoreline, thanked the Council for approving the North City and Aurora Corridor projects, noting that these projects have a positive impact and help Shoreline become a destination again. She said she has lived in Shoreline for over 30 years, but part of the reason she's moving is because Shoreline is not living up to its potential in some areas. She said citizens want covenants enforced, dogs licensed, illegal remodeling stopped, abandoned cars removed, and access for emergency vehicles. She concluded by urging the Council to take a closer look at code enforcement.

(e) Pat Crawford, Shoreline, expressed support for term limits for City board and commission members, adding that the process should be open to all. On another topic, she urged the Council to read the information she provided at the last meeting relative to a City park volunteer. She said she expects redress of grievances regarding Mr. Dixon because she believes her civil rights were violated over and over again. She said many of their problems started with former Councilmember Grossman's e-mail, which changed the Aegis matter from a public issue to a personal issue. She said the City must protect the rights of appellants and that it could have avoided these problems by following its code. She asked that the City attend the hearing regarding abatement of the Aegis north building on April 16.

(f) Tim Crawford, Shoreline, concurred with Mr. Mauer comments regarding Resolution No. 255. He said citizens are tired of seeing the same faces over and over again, who are coached and advised by our administration "lackeys." He said that the people working for the City have "dropped the ball" regarding code enforcement and the Critical Areas Ordinance. He noted that the City allowed a developer to "rape" the environment and fill in Peverly Pond. He expressed hope that he would succeed in getting the Aegis north building removed. Regarding the North City/15th Avenue NE, project, he noted that the Council dismissed the input from the businesses as "anecdotal." He concluded by saying he doesn't want to see any more time or money wasted on the Aurora Corridor Project.

(g) Nancy Marx, Shoreline, noted that Shoreline School District is moving to close two elementary schools: Sunset and North City. She said there are four schools within one mile of Aurora Avenue, and under the new proposal, 250 students will have to cross Aurora Avenue to get to elementary school. She said there is no safe way to get students across the state highway, because pedestrian crossings will require 20 mile-per-hour speed limits and crossing guards, which will not likely be approved. She said she would like the Council to decide how it wants students crossing the street. She urged the City to participate on the School District's transportation advisory committee to advise on pedestrian safety.

(h) Gretchen Atkinson, Shoreline, reported on the Forward Shoreline meeting in which a former mayor of Bellevue spoke about economic development opportunities that could be achieved through public/private partnerships and interlocal agreements. She pointed out that the City of Bellevue took over the maintenance and programming of school playgrounds. She encouraged the City to meet with Bellevue officials and try to incorporate some of their ideas in Shoreline.

(i) Greg Logan, Shoreline, was pleased with the trend of decreased crime and traffic accidents as reported in Currents, but questioned if this is due to increased emphasis on law enforcement and the addition of another officer. He urged the Council to make decisions based on clear-cut cause-and-effect rather than for other reasons.

Mr. Olander responded to public comments. He noted that if a new proposal for Aurora Avenue is outside the scope of the alternatives studied, it would require a revision to the Environmental Impact Statement. He said the Council is considering a variety of options for meeting its future fiscal challenges, and the City has accurate information regarding economic impacts and business relocation of the Aurora Corridor project. He said code enforcement has always been a major issue and the City will continue to place emphasis in this area. He clarified

that Resolution No. 255 deals with Councilmember appointments to committees such as SeaShore. He pointed out that the City does partner with the School District on a number of issues, and the City is always looking for opportunities. He concluded by commenting that the police target the high accident locations and the types of activities that lead to accidents.

Councilmember Gustafson clarified that the Council travel budget is less than \$30,000. He urged Dr. Paulsen to meet with the Finance Director to fully understand the details of the City's budget.

Councilmember Ryu asked Mr. Olander to respond to Mr. Wright's comments regarding transparency in the process for the Aurora Corridor. Mr. Olander stated that the City's philosophy and goal is to have a fair process, regardless of which alternative is chosen. He noted that the environmental study is a public disclosure process in which the environmental impacts are identified and considered. Councilmember Ryu noted she would talk to the Economic Development Manager regarding some errors in the City business directory.

Councilmember Way encouraged future partnerships with other entities, noting that the City has a partnership with the Shoreline School District at Paramount Park. She asked about the feasibility of the City participating in the School District's transportation advisory committee. Mr. Olander said he would inquire of the School District.

Councilmember McGlashan requested that Dr. Paulsen provide the Council with a list of the Aurora businesses that have closed due to construction.

Deputy Mayor Fimia provided her phone number and said she would be more than happy to discuss transparency and her intentions with anyone. She said if this was done ahead of time, perhaps unnecessary allegations and accusations could be avoided.

Referring to Mr. Crawford's comments, Mayor Ransom noted that he was not the mayor at the time that 15th Avenue NE was reconfigured to three lanes. However, despite the differing views and opinions expressed, everyone's views were considered and nobody took the decision lightly.

6. STUDY ITEMS

(a) Update on the King County Brightwater Project

Rachael Markle, Assistant Planning Director, introduced the members of the King County Wastewater Treatment Division: Gunars Sreibers, Conveyance Program Manager; and Michael Popiwny, Architectural Design and Mitigation Manager. Mr. Sreibers and Mr. Popiwny gave a presentation on the design and timeline of Brightwater's New Treatment Plant and Conveyance System. They explained the construction schedule, materials, configuration, and technology associated with the Ballinger Way Portal and the Marine Outfall at Point Wells in Richmond Beach. They also explained the water reclamation system on Ballinger Way, noting that reclaimed water will be available from Brightwater starting in 2012. The conveyance system from Ballinger to Point Wells will consist of a 21,000-foot tunnel, featuring an underground sampling facility. The marine outfall project will include onshore and offshore restoration, and tunnel spoils will be removed by barge. The marine outfall will consist of 4,700 feet of pipe and

a 500 foot diffuser at the terminus, 600 feet deep in Puget Sound. They explained the measures that will be used to protect the environment during nearshore construction. Mr. Popiwny outlined the mitigations that are designed to minimize construction impacts at Ballinger Way Portal and Point Wells, which include:

- Traffic control plan approved by city
- Screen wall to reduce noise
- Spoils removed by barge or rail to reduce truck traffic
- Measures to reduce glare and dust
- Notification to mariners of barge activity and marine construction
- Protections for sensitive marine species
- Marine monitoring during and after construction
- Working With Neighbors During Construction
- King County staff will work with contractors to solve problems
- County staff will keep the community informed by
- Working one-on-one with affected neighbors
- Providing advance notice of construction activities
- Maintaining a 24-hour construction hotline
- Attending meetings with community groups
- Commitment to Odor Control at all times
- Commitment to Address Noise/Light /Glare
- Enhanced Stormwater Management
- Enhanced Landscape Plantings
- Unused Portion of Ballinger Way Portal transferred to City for City Use

Mr. Popiwny concluded the presentation by outlining the mitigation funding which will be used for transport of spoils, community improvements, site restoration, geoduck reimbursement/eelgrass replacement, removal of derelict fishing gear, monitoring, tribal research (geoduck, shrimp and shellfish health and habitat), and offshore site restoration.

Councilmember McGlashan asked about the percentage of reduced outflow into Puget Sound through the water reclamation facility. Mr. Sreibers said the total capacity of the treatment plant is 36 million gallons per day; the reclaimed water facility will have an initial capacity of 11 million gallons per day, increasing to 21-22 million eventually.

Councilmember Hansen asked how Shoreline would benefit from the reclaimed water, given that it's principally used for agricultural purposes and Shoreline is not an agricultural area.

Mr. Sreibers noted that the two primary uses for reclaimed water in this area are agricultural and industrial. He said the facility was considered warranted because there appeared to be enough potential users in the area such as golf courses, cemeteries, and possible industrial customers. He further explained that the treatment facility will provide the reclaimed water to a retail delivery agency, which can then decide who the potential users are. Obviously the hope is that the retail cost of reclaimed water will be less than potable water.

Responding to Councilmember Way, Mr. Sreibers said that the reclaimed water will be made available through the water district, and that the initial amount that will be available is 11 million gallons per day.

Responding to Councilmember McGlashan, Mr. Popiwny explained the eelgrass mitigation near the pipe in the marine outfall.

Mayor Ransom called for public comment.

(a) Virginia Paulsen, Shoreline, questioned what would happen to the marine outfall facility in the event that sea levels rise due to global warming.

(b) Wendy DiPeso, Shoreline, inquired about the final destination of the tunnel spoils that are removed.

Mr. Sreibers said the contract does not stipulate where it will go, although it has to meet all relevant environmental requirements. In terms of rising sea levels, the staff did consider worst-case storm conditions based on climatological data in the design specifications.

Responding to Councilmember Way, staff noted that there the spoils will not contain contamination due to the depth of tunneling, and approximately 900 cubic feet of contaminated material was removed at the Point Wells site. They also responded the questions about the site restoration and mitigation at the Point Wells site, noting that the size of the restoration area is just over one acre, and the wetland buffer is over one-third an acre. Mr. Popiwny said they would find out how many watersheds are involved in the project from Woodinville to Point Wells. Councilmember Way concluded her comments by emphasizing that mitigation is expected to make up for the disturbance to the environment.

Councilmember Ryu expressed appreciation to the County staff for addressing concerns expressed by the Richmond Beach Community Association a few years ago. She asked if the design included earthquake considerations and if the budget includes operating funds for annual inspections. Mr. Sreibers responded that the tunnel is a state-of-the-art design based on the best geotechnical data, which does include seismic events. He explained the monitoring and sensors on the system, noting that a major inspection will be conducted after 10 years. Mr. Sreibers explained that there was a total of 175 easements from Woodinville to Puget Sound, mostly in the street right-of-way.

Responding to Councilmember Hansen, staff explained the process for removal of derelict fishing gear. Councilmember Hansen asked about the quantities of dissolved pharmaceuticals in the water that will be processed and the effectiveness of the filtration and treatment system. Mr. Sreibers noted that many facilities don't do as good a job as they should, and there is a great deal of research going on nation-wide regarding the effective removal of pharmaceuticals from wastewater. He said the Brightwater facility is geared towards effectively removing those materials.

Deputy Mayor Fimia asked if the project will address inflow/infiltration issues and how they will be funded. She asked if the design proposes to replace the Lake Washington interceptor, noting that it is an older facility. She asked if the treatment plant is being built on an earthquake fault. She also requested the capacity costs for 2010 and 2015.

Mr. Sreibers noted that King County is looking at infiltration issues in terms of the overall wastewater system in the County; he said he could provide information on the estimated costs and source of funding. He explained that the Lake Washington facility is still in use, but the treatment system is designed to route flows away from the interceptor if necessary. He stated that the wastewater plant is not built on an earthquake fault.

Responding to Councilmember McGlashan, Mr. Sreibers explained that future inspections of the conduit will be done remotely. He confirmed that the route of the conveyance pipe follows the boundaries of Shoreline, Mountlake Terrace, Edmonds, and Lake Forest Park.

Councilmember Gustafson thanked the County staff for attending the meeting and explaining the project.

RECESS

At 8:52 p.m., Mayor Ransom called for a five minute recess. The Council meeting reconvened at 8:59 p.m.

(b) Permit Services Program Briefing

Jeff Forrey, Permit Services Manager, explained that the Permit Services Team was created three years ago as part of a departmental reorganization focused on direct customer service delivery and a "front loading" of the process with technically-qualified staff. For many people, permit services serves as the first point of contact with the City. He introduced the Permit Services Team: Juniper Garver-Hume; Danielle Ancira; Renee Blough; Carol Christensen; Arli Windsor; Lucinda Clark; Jill Mosqueda; and Jeff Forrey. He described the background, education, certifications, and activities of each member as well as their respective roles within the department. He reported that Permit Services serve 12,400 customers annually and processed 1,750 separate applications in 2006. He went on to describe the services provided by the Permit Services Team, which include services relating to applications and permits, commercial and residential design standards, and provision of information relating to the Comprehensive Plan and the Development Code. The Permit Services Team also consults and informs the public on electrical permits, general land development, and development in or around Critical Areas. The Team also responds to citizen inquiries and guide customers through the permitting process. Mr. Forrey concluded by outlining the team's accomplishments and future plans, some of which include: 1) continuing a team approach to defining and implementing process improvements; 2) seeking out educational opportunities to increase technical capabilities that will result in enhanced customer service; and 3) customer education.

Mr. Tovar commented on the Permit Services Team's strong ethic on customer service.

There was no one wishing to provide public comment on this item.

Councilmember Ryu asked if the Permit Services Team felt it was getting enough budgetary support from the Council, noting that fee revenues account for less than half of the \$718,000 budget. Mr. Forrey responded affirmatively, although staff is beginning to track the expenses in civil plan review more carefully to ensure all the appropriate fees are being captured.

Mr. Olander noted that Council authorized an additional development review engineer in response to the request for additional resources, and this was funded through permit revenues. He also commented on the difficulty of capturing the actual costs associated with the permit process.

Councilmember Way appreciated the staff's dedication to customer service. She asked how the Permit Services Team's budget compares with other jurisdictions in terms of general support versus permit revenues. She also asked about staff's business-oriented approach.

Mr. Forrey said the City's permit department is rather unique, so it is difficult to compare Shoreline with other jurisdictions. He commented on the team dynamic and the way the department is structured to provide support to other City departments. He clarified the Team's business-oriented approach, explaining that they look at permits in terms of providing a commodity; he said staff prefers to deal with the permitting process from a business standpoint rather than as "a government agency pushing regulations on people."

Deputy Mayor Fimia asked how the Permit Services Team works with the building inspections team. Mr. Forrey explained that the Permit Services Team provides the "skin-deep information" as permit applications come in; the staff then transfers ownership to project managers as the projects are further developed. He commented there is a great deal of lateral communication between the departments.

Mayor Ransom noted that new construction is up 14 percent and permit applications are up 25-30 percent, so obviously there are many permits for remodels or additions. He emphasized that the Council is open to new ideas and urged the Permit Services Team to be open to change. He encouraged the Director and staff not to automatically dismiss a developer's "out of the box" ideas, but to bring them to the Council if they feel they have merit.

Councilmember Way commented on future efforts to implement LEED standards and inquired about whether self-help computer terminals could be provided for customer use. She suggested that staff think about implementing options that may be "outside the box." Mr. Forrey responded that staff is always exploring innovative ideas and trying to help customers understand the resources that are available to help them with their projects.

Councilmember Ryu asked how the City manages building records, especially those going back several years, and if older records are kept at King County. Mr. Forrey noted that records prior to City incorporation are kept at King County. The City has undertaken an ongoing program of scanning permit files through the City Clerk's office.

(c) Update on 2005-2006 Council Goal No. 6, Review and Consider Improvements in Code Enforcement Standards

Rachael Markle, Assistant Planning Director, and Kristie Anderson, Code Enforcement Officer, gave an update of code enforcement activities as they relate to 2005-2006 Council Goal No. 6, Review and Consider Improvements in Code Enforcement Standards. The specific questions posed by Council during the last review include the following: 1) How many complaints have been received about interior maintenance? 2) Do existing Codes address interior maintenance? 3) Do our neighbors have interior standards? 4) What does the Landlord Tenant Act Cover? 5) What does the King County Health Department enforce? Ms. Markle reported that the City has averaged 5-6 calls annually regarding interior conditions. All complaints were resolved during the warning and education phase. Building Codes ensure through permitting that new construction, remodel and alterations are built to safe standard. The International Property Maintenance Code (IPMC) insures that structures and equipment are maintained in good repair, structurally sound and in a sanitary condition. The IPMC covers maintenance of the following: structural members; interior surfaces, including doors, stairs and walks; hand & guard rails; light; ventilation; occupancy limits; plumbing facilities and fixtures; water and sewer systems; mechanical and electrical requirements, and fire safety. The intent of this code is to maintain structures to avoid creating situations that endanger health, property or safety. The Uniform Code for the Abatement of Dangerous Buildings applies to unfit buildings and premises. Ms. Markle provided examples of conditions that could be addressed with existing codes and listed the following jurisdictions that enforce interior standards: King County; Edmonds; Lynnwood; Everett; Mountlake Terrace; and Seattle. She noted that the Landlord Tenant Act is an adequate tool for some situations, but may not be the best tool when tenants do not understand the Act, when they don't have the means to initiate the repair, or when a single repair costs more than one month rent. She briefly discussed code enforcement as a tool for law enforcement.

Ms. Anderson explained the proposal to implement a Relocation Assistance program. This tool would allow the City to provide relocation assistance for low income tenants that are displaced by a code enforcement action taken by the City if the property owner does not provide such assistance within 7 days of notification that a dwelling unit is declared unfit. One of the purposes of this RCW provision was to provide enforcement mechanisms to cities, towns, counties, or municipal corporations including the ability to advance relocation funds to tenants who are displaced as a result of a landlord's failure to remedy code violations and later to collect the full amounts of these relocation funds, along with interest and penalties, from landlords.

Ms. Markle noted that staff is requesting direction on the following: 1) Drafting an Ordinance to adopt the International Property Maintenance Code interior sections; 2) Drafting an Ordinance to adopt RCW Relocation Assistance provisions; and 3) Preparing an updated version of the Code Enforcement Priority Level Guidelines.

Mr. Olander related a story about an abatement situation in another city to illustrate the need for a Relocation Assistance Program.

MEETING EXTENSION

At 10:00 p.m., Deputy Mayor Fimia moved to extend the meeting until 10:15 p.m. Councilmember Ryu seconded the motion, which carried 7-0.

Responding to Councilmember Way regarding Relocation Assistance, Ms. Anderson explained that the City would need to adopt the state act in order to establish a relocation assistance fund. She clarified that this resource would be available only if a structure was closed down due to code enforcement action, not natural disasters.

There was no one wishing to provide public comment on this item.

Councilmember Ryu asked if landlords were requesting adoption of the interior codes because they would like access to residences to fix potential problems. Ms. Anderson responded that some code enforcement actions are prompted by "housekeeping" issues, so the interior standards make sense for some landlord-tenant situations.

Councilmember Ryu expressed support for some level of interior standards so the issues of safety can be addressed.

Responding to Councilmember McGlashan, Ms. Anderson explained how the proposed Relocation Assistance Program would operate. If the owner refuses to correct the problem following notice, they have seven days to pay the tenant relocation costs. If they refuse to pay, the Program allows the City to "front the money" and the City can then pursue compensation through liens and penalties. Mr. Olander noted that the code abatement fund could be modified to accommodate the Relocation Assistance Program. Councilmember McGlashan expressed support for the program, although it could take a while for the City to recoup the money. He felt it was important for the City to take care of citizens who live in rental properties.

Deputy Mayor Fimia supported the proposals wholeheartedly. She noted that these proposals might assist the Comprehensive Housing Strategy Citizen Advisory Committee, which is looking at ways to preserve the existing housing stock.

Mayor Ransom agreed that tenants need protection, but to apply the interior codes to individual home owners can be invasive. He felt it should only apply to landlord-tenant situations because complaints have primarily related to rental units, not individual home owners.

Ms. Markle noted that some criminal activity is taking place in owner-occupied situations and these are generally not self-reported, so the City cannot rely on it's complaint-based enforcement model for these situations.

Katie Larson, Shoreline Police Sergeant, noted that only very few residences have been problematic. She pointed out that dilapidated buildings attract criminal activity, so having the interior code standards would be another tool available to staff to address interior codes as well as crime.

Mayor Ransom felt if the particular incident is criminal activity then it should be addressed, but

interior codes should not be used as a "back-door technique" to address crime. He was concerned about giving police officers additional authority to address criminal activity on a "trust me" basis when a suspect could not be arrested under an existing criminal statute.

MEETING EXTENSION

At 10:19 p.m. Councilmember Ryu moved to extend the meeting until 10:25 p.m. Councilmember Way seconded the motion, which carried 4-3 with Mayor Ransom and Councilmembers Hansen and McGlashan dissenting.

Councilmember Way supported the proposals and felt the City should have the resources and tools to "do the right thing." She asked if the interior standards would apply to group homes. Ms. Anderson said that in many cases, group homes operate as single family residences, but they are also inspected by DSHS. In most cases, the City works with DSHS and the property owner to remedy any problems.

Responding to Councilmember Gustafson, Ms. Anderson noted that most jurisdictions that have adopted interior standards apply them to both owner-occupied and rental properties; Seattle is rental unit only. Councilmember Gustafson suggested that staff return with the draft ordinance for these proposals.

There was Council consensus to direct staff to return with a draft ordinance implementing the proposals discussed this evening.

7. ADJOURNMENT

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

Scott Passey, CMC
City Clerk

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