

DRAFT

CITY OF SHORELINE
SHORELINE CITY COUNCIL
SUMMARY MINUTES OF SPECIAL MEETING

Monday, February 12, 2007 • 7:30 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

The meeting was called to order at 7:36 p.m. by Mayor Ransom, who presided.

2. FLAG SALUTE/ROLL CALL

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

3. REPORT OF THE CITY MANAGER

Bob Olander, City Manager, announced that Shoreline Police Captain Dan Pingrey accepted a different position within the King County Sheriff's Office. He presented Captain Pingrey with a certificate of excellence and thanked him for all his work on behalf of the City of Shoreline. Captain Pingrey accepted the certificate and thanked the City, noting that he has thoroughly enjoyed the last two years working for the City.

Next, Mr. Olander introduced Mark Relph, the City's new Public Works Director. Mr. Relph briefly described his background and experience and said he is excited to be part of this community.

Continuing, Mr. Olander reported on the "Get Ready Shoreline" Emergency Preparedness event held on February 8. He commented on the continuing slope restoration effort by volunteers from the University of Washington at Richmond Beach Saltwater Park. He reminded Council that the Speaker Series begins on February 15, featuring Mark Hinshaw, urban planner. His presentation will be broadcast on Channel 21 and made available for on-demand viewing from the City website. The next Comprehensive Housing Strategy Citizen Advisory Committee will be held February 13, and the next Council meeting will be held Tuesday, February 20.

4. REPORTS OF BOARDS AND COMMISSIONS

Councilmember McGlashan reported on the "Get Ready Shoreline" meeting and on his visit to the new transfer station. He said the transfer station has great potential to receive an environmental certification and that he looks forward to its completion.

Councilmember Way concurred, noted that she also attended the transfer station tour. She was pleased that King County Metro is surpassing the requirements to protect Thornton Creek.

Councilmember Ryu also attended the transfer station tour and "Get Ready Shoreline." She was impressed that the transfer station design was modified based on community input. She noted that community groups are appreciative of safety and emergency preparedness programs.

Mayor Ransom noted that the Council will be attending the legislative dinner tomorrow and other meetings in Olympia to advocate for the City's interests on several issues.

Deputy Mayor Fimia thanked the staff and the public for being responsive to Council goals. She noted her attendance at a meeting regarding traffic on Ashworth Avenue and urged citizens to obey the posted speeds in residential areas. She said she would be absent at the Speaker Series and at the next Council meeting.

5. GENERAL PUBLIC COMMENT

(a) Virginia Paulsen, Shoreline, urged the City to support community gardens ("P-Patches") as a means of providing food and reducing food costs on residents. She also advocated for Farmer's Markets in Shoreline in order to support local producers and to ensure food quality. She urged the Council to assign the City's Economic Development Manager to implement a Farmer's Market in Shoreline by May and to establish it on a year long basis.

(b) Pat Crawford, Shoreline, speaking on behalf of Twin Ponds Fish Friends, stated that the clearing going on at Echo Lake is not proceeding according to code. She said the trees are banded with boards and not protected, which is in violation of SMC 20.50.290. She said the site has also been left in a cleared state too long, which violates SMC 20.50.370(D). She said while the Director can waive certain provisions, they must be based on a report by a certified arborist. She concluded that the actions taken do not follow the definition of preserving as stated in SMC 20.50.050.

(c) Tim Crawford, Shoreline, commented that the Thornton Creek Corridor Project Preliminary Engineering Report proposes no daylighting of Thornton Creek, which he characterized as "tragic." He said the report conservatively predicts that the downstream flows will increase by 13 percent, yet his property is flooding under the current rate of flow. He said this report tells him the problem is going to increase, making it clear that the City is trying to flood him off his property. Responding to Councilmember Way, he confirmed that

he would submit his comments to the City as part of the SEPA review. He clarified that the report was prepared by RW Beck and dated January 3, 2007.

(d) Wendy DiPeso, Shoreline, spoke regarding Resolution No. 255 and expressed support for Option B. She said allowing Councilmembers to confirm the Mayor's nominations to local and regional committees is a more democratic process rather than allowing the Mayor to make the final decision. She advised against patterning our government after a top-down approach. She spoke in support of the Richmond Beach Saltwater Park Master Plan but expressed concern about the high cost of signage (\$100,000-\$130,000). She asked if the signage costs could be reduced and applied to wetland restoration.

(e) Maria Walsh, Mountlake Terrace, spoke on behalf of her son who resides at Fircrest School. She thanked the Council for including funding for preliminary studies for the Fircrest Master Plan. She said Friends of Fircrest is happy to work with the City to make Fircrest a part of the community rather than waiting for the state to "deem us useful or not."

Mr. Olander responded to public comment, noting there might be opportunities for P-Patches and Farmer's Markets, some of which would be driven by the private sector. He said staff would follow up on the Echo Lake project, and staff continues to work with the Crawford's regarding their water issues.

Jesus Sanchez, Public Works Operations Manager, noted that the Crawford's concerns are important to the City. He described his efforts to assess the flow rates north of his site and said he made a commitment that the City will not increase flows to his property. The state is allowing the City to work within TC-9 to bypass those flows, and the SEPA review is extended to allow anyone to comment. He added that the City is doing everything it can to address their concerns, including installing a flow monitor at the diverter to accurately manage the flow.

Councilmember Way asked if it's possible to post the preliminary design and the previous proposal on the City website so the public can review and submit comments. Mr. Sanchez responded affirmatively, noting that the SEPA review has been extended for a lengthy amount of time.

Responding to Deputy Mayor Fimia regarding daylighting, Mr. Sanchez said the two parts of the project involve replacing the emergency bypass and restoring the existing portions of the daylighted creek to a natural state. He said the neighbors all support the preliminary design but they do not support further daylighting of the creek.

Councilmember Hansen noted that several years ago the City addressed the daylighting issue and most residents were not in favor of it. He said video examination showed substantial blockage of system, but many of those problems were solve. He asked how staff will decide when and how much water to divert.

Mr. Sanchez said the flow monitor modeling will help staff determine exactly what will be needed and what type of system needs to be installed. He added that King County Metro is happy to work with us regarding the Transfer Station property.

Councilmember McGlashan wondered if organic gardening is customary or mandatory in other jurisdictions that allow community gardens and who monitors them. He asked if a Farmer's Market would have to be permitted by the City. Mr. Olander said permitting would be required for a Farmer's Market, although the current workload dictates that the City just implement private proposals at this time.

Councilmember Way noted that she has advocated for Farmer's Markets for quite a while, and it can be done in cooperation with a private entity. She said typically a market needs a sponsoring organization that can help grow the support. She urged citizens to contact the City with questions or ideas relating to markets. She suggested putting a group together to find a way to make Farmer's Markets a possibility.

6. APPROVAL OF THE AGENDA

Mayor Ransom requested that item 7(d), Ordinance No. 458 Modifying Term Limits for Parks Board Members, be pulled from the Consent Calendar. Councilmember McGlashan requested that the October 23, 2006 minutes be pulled from the Consent Calendar for future consideration. **Deputy Mayor Fimia moved approval of the agenda as amended. Councilmember Hansen seconded the motion, which carried unanimously.**

7. CONSENT CALENDAR

Councilmember Hansen moved to approve the Consent Calendar as amended. Councilmember Gustafson seconded the motion, which carried unanimously, and the following items were approved:

- (a) Minutes of Workshop Dinner Meeting of January 8, 2007
Minutes of Special Meeting of January 8, 2007
Minutes of Special Meeting of January 16, 2007
Minutes of Workshop Dinner Meeting of January 22, 2007
Minutes of Special Meeting of January 22, 2007
- (b) Approval of expenses and payroll as of January 31, 2007 in the Amount of \$1,981,446.84
- (b) Dayton Avenue N at N 175th Street Retaining Wall Project Construction Award
- (e) Motion to Authorize the City Manager to Execute a Contract Amendment for Project Management Services for the Shoreline Civic Center

8. ACTION ITEMS: OTHER ORDINANCES, RESOLUTIONS AND MOTIONS

(a) Ordinance No. 458 Modifying Term Limits for Parks Board Members

Councilmember Hansen moved to adopt the amended version of Ordinance No. 458, Modifying Term Limits for Parks Board Members.

Mr. Olander clarified that staff brought this forward as a recommendation so that the City could have the option of retaining experienced members on the Parks Board. Version A extends term limits to three four-year terms and adds youth members. Version B includes the same provisions as Version A with the exception of youth members.

Councilmember Gustafson moved an amendment to require that youth eligible to serve on the Parks Board be middle or high school students from a public or private school in the City. Mayor Ransom seconded the motion. Councilmember Gustafson felt it important that youth in the City be involved in the City's processes and that the two youth members are from local schools.

Deputy Mayor Fimia noted that the initial attempt should be designed so it can achieve as much success as possible. She suggested that having 12 and 13 year old students may not be advisable, and it should not exclude children who don't attend formal school. **She suggested an age range of fifteen to nineteen years old.**

After further discussion, Councilmembers Gustafson accepted this as a friendly amendment. Councilmembers Way and Ryu concurred with the change.

It was confirmed for Councilmember Hansen that the new amendment reads "Two members shall be between the ages of fifteen and nineteen at beginning of their term..."

Mayor Ransom said he has supported changing the term limits to three four-year terms since the original ordinance was drafted. He added that while he has concerns about the youth positions, he is willing to support the motion.

Councilmember McGlashan supported a Parks Board composed of 11 members, with two positions open to 15 years of age and older. He felt if the intent is to target students, then community college students should be included; however, the provisions of the proposed ordinance exclude many college students.

A vote was taken on the amendment striking "sixteen and twenty-five" and inserting "fifteen and nineteen," which carried 6-1, with Councilmember McGlashan dissenting.

A vote was taken on Ordinance No. 458 as amended, which carried 6-1, with Councilmember McGlashan dissenting.

(b) Resolution No. 255 adopting a Procedure for Council Appointments to Intergovernmental and Ad Hoc Council Boards and Committees as part of the

Council Rules of Procedure

Mr. Olander explained that in the past, the Mayor has utilized informal procedures and Councilmember consensus for appointments to certain boards and committees. In an attempt to formalize this procedure in the Council Rules, staff has drafted two versions of Resolution No. 255: Option A is submitted by Mayor Ransom while Option B is submitted by staff. The only significant difference is that Option B requires confirmation of the appointments by the City Council at a regular meeting. Another difference is that Option A is more flexible in providing for appointments to other local committees that may develop in the future.

Mayor Ransom called for public comment.

(a) Virginia Paulsen, Shoreline, spoke in favor of Option B, noting that Option A increases the Mayor's personal and positional power and allows him to make unilateral selections. She contended that Option A undermines the spirit of democracy and fairness that should characterize good government. She spoke in favor of Option B, noting that it has the potential to protect the Mayor against the perception of anti-feminist bias and racism. She felt the presiding officer could be put at risk of such allegations without Council confirmation.

(b) Terry Scott, Shoreline, spoke in support of Option B because it is the more democratic of the two alternatives. He said while it might add more work, citizens would appreciate the input of all its elected officials in the appointment process.

Councilmember Gustafson moved adoption of Resolution No. 255 as included in Option A. Councilmember McGlashan seconded the motion. Councilmember Gustafson pointed out that both options are fairly similar, and Option A doesn't take the final decision-making process away. It gives the Mayor flexibility and saves time, and those opposing appointments still have the opportunity to bring it before a Council vote under Rule 3.2A. He said Option A represents what the Council has been doing in the past, and where it needs to go.

Deputy Mayor Fimia supported Option B. She said the precipitating factor was that the Mayor changed an appointment without any discussion with the subject Councilmember. She said Option B would not have been necessary if the prior practice was being observed. She said Option B institutionalizes the discussion and tests the Mayor's recommendation, which can save time and avoid potential contention. She said the Mayor acts as presiding officer and has no more power than other members of the Council. **She moved to substitute for the main motion adoption of Resolution No. 255 as described in Option B. Councilmember Ryu seconded the motion.**

Mayor Ransom pointed out that there are 200 appointed positions; 150 are at the County level and 50 are elected positions. The seven appointments included in Resolution No. 255 is fairly insignificant number when considering there are 150 positions on the County boards. He added that Option A has been the practice by previous mayors, so there is no change.

Councilmember Way said that past practice isn't necessarily the best reason for doing things. She said change is inevitable and the City is evolving. She favored Option B because it is a

more democratic process and ensures the people's voice is heard by way of Council representation. She concluded that doing things by fiat is not what people want.

Councilmember Ryu supported Option B because Option A has the potential to makes the appointment process more adversarial. She noted that the Mayor is not elected at-large, so it dilutes everyone's vote to have the Mayor make appointments. She read from correspondence she received from citizens in support of Option B. She noted that even the appointments of the President of the United States have to go through a confirmation process. She didn't hear from anyone urging adoption of Option A. She said Option B allows the opportunity for Council to deliberate in the open.

Councilmember Hansen felt the proposals were essentially equivalent, although he prefers Option A because it doesn't require a confirmation process. However, any Councilmember can request a confirmation under the provisions of Option A. He said Option B basically makes the confirmation process mandatory rather than elective.

Councilmember McGlashan expressed support for Option A because it makes the process optional rather than mandatory. He said he is a firm believer that "the old way is not always the right way," but this whole issue has stemmed from an angry Councilmember. He questioned whether the general public was genuinely interested in this issue and if the correspondence received represents the public consensus.

Councilmember Way responded that a large number of people who watch this on television care about the democratic process, and they will see that having a Council confirmation process is much more democratic. She disagreed that the public doesn't care about this issue.

Deputy Mayor Fimia said this issue did not stem from an angry Councilmember but because the former process wasn't followed. She said if both options are essentially the same, then the Council should vote for Option B and try to find areas of agreement and facilitate good working relationships and collaboration. She maintained that Option A rewards a behavior that wasn't in keeping with the tradition and respecting the process.

A vote was taken on the motion to substitute, which failed 3-4, with Deputy Mayor Fimia and Councilmembers Ryu and Way voting in the affirmative.

Councilmember Ryu said that Option A, which allows the Mayor to circulate and solicit the opinions of the Councilmembers without an open Council meeting, puts him in a very awkward position. She urged the Council not to codify a procedure that may jeopardize the behavior of the sitting Mayor or future mayors.

Councilmember McGlashan noted that the Mayor solicited input from each Councilmember at the beginning of the year regarding their appointment preferences. He said although the Mayor could make appointments based on any number of reasons, there is an opportunity to appeal the decision under Option A.

A vote was taken on the motion to adopt Resolution No. 255 as described in Option A, which carried 4-3, with Deputy Mayor Fimia and Councilmembers Ryu and Way dissenting.

RECESS

At 9:20 p.m. Mayor Ransom called for a ten minute recess. The meeting was called back to order at 9:30 p.m.

(c) Approval of the Richmond Beach Saltwater Park Phase I Design Contract and Master Site Plan

Dick Deal, Parks, Recreation and Cultural Services Director, explained that the City entered into an agreement with Hewitt Architects for a master site planning process in the fall of 2005 for Richmond Beach Saltwater Park. He introduced Jerry Ernst, of Hewitt Architects, to provide the staff report.

Mr. Ernst discussed the process used to arrive at the recommended master site plan. He discussed the site assessment process, including the topographical and vegetation mapping, visual surveys, stakeholder interviews, and open houses. He explained that 15 potential improvement projects were identified during the course of the process, and a concept plan was presented to the Parks, Recreation and Cultural Services Board. The plan was modified following suggestions from the Parks Board, and a total of 9 projects are recommended for approval in Phase 1.

Mr. Ernst then discussed the following principles used to guide the planning process:

- Protecting and maintaining the assets we have
- Building on and improving existing facilities
- Connecting the different areas of the park
- Connecting a cohesive park experience
- Establishing appropriate vegetation and habitat

He then summarized the costs for the recommended Phase 1 projects as follows:

Park Entrance Improvements: \$85,000 - \$100,000
Park Road Improvements: \$550,000 - \$680,000
Steep Slope Stairs & Trails: \$250,000 - \$340,000
Steep Slope Stabilization: \$50,000 - \$70,000
Bridge Access and Safety Improvements: \$425,000 - \$600,000
Beach Wash-Down Area: \$17,000 - \$25,000
Overlook Parking Across from Caretaker's Residence: \$100,000 - \$130,000
Mid-Level Terrace: \$300,000 - \$425,000
Signage and Interpretation: \$100,000 - \$130,000

Total: \$1,877,000 - \$2,500,000

Mr. Deal noted that the funding source for these projects is the May 2006 Park Bond Issue, which will cover all of the Phase 1 projects. The restoration/ecology portion of the projects is ongoing, and staff will continue to pursue grants to fund these efforts.

Dave Buchan, Capital Project Manager, outlined the proposed schedule for moving forward with implementation of the site plan and projects. He explained that staff would like to return to Council in April for 30% design review. Construction document review would then follow in July and construction would begin in September.

Mr. Deal requested approval of the master site plan and assured the Council that staff would return regularly to solicit direction and support for the process.

Mr. Olander added that the next incremental step in the design process is approval of the contract for the 30% schematic design (\$123,140). He clarified that this does not establish the final specifications of the projects, but it provides a great comfort level in the estimated costs and the various design alternatives.

Mayor Ransom called for public comment.

(a) Bob Phelps, Shoreline, expressed strong support for the plan but commented that it does not address the needs of cyclists. He suggested installing a bicycle rack at the entrance of the park and other amenities to accommodate cyclists.

(b) Bill Clements, Shoreline, Chair of the PRCS Board, commended Mr. Ernst for his work, noting that he has done a good job listening to the public. He said the PRCS Board is comfortable in recommending that the City move forward with schematic design, although he suspects there will be ongoing discussions and refinements made to the plan. He urged the Council's support of the plan.

Councilmember Gustafson moved to adopt the Master Site Plan for Richmond Beach Saltwater Park and authorize the City Manager to execute a design contract with Hewitt Architects in the amount of \$123,140 for schematic and design development services in the design of Phase 1 projects for Saltwater Park. Councilmember Hansen seconded the motion.

Councilmember Gustafson thanked all those who helped get the City to the point of adopting a master plan, including the Parks Director and Parks Board. He was comfortable with the contract and expected staff to return at the 30% design phase.

Councilmember Hansen concurred, noting he is glad to see it move forward. He commented that the range of \$100,000-\$130,000 is a reasonable estimate for interpretive signage in the park. He said while it is nice that people using bikes in the park, care should be taken to protect it from potentially adverse impacts.

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MEETING EXTENSION

At 10:00 p.m. Councilmember Gustafson moved to extend the meeting until 11:00 p.m. Councilmember McGlashan seconded the motion, which carried 4-2-1, with Deputy Mayor Fimia and Councilmember Ryu dissenting and Councilmember Way abstaining.

Councilmember Ryu said she appreciates staff's time as well as the consultant's time earlier today. She asked that steep slope stabilization be reordered as the number one priority in the plan and that it be funded at more than the \$50,000-\$100,000 level. She expressed concern about the roadway improvements because it would likely increase the amount of impervious surface and erosion to the slope. She was encouraged to hear that University of Washington students are working on a restoration project there and on the City's overall volunteer coordination. She asked that there be a general coordination effort of volunteers not just for parks improvements but also for other areas such as emergency management.

Councilmember Way expressed general support for the plan, characterizing it as a "work in progress." She asked how many people received the first park questionnaire and how many park visitors there are annually. She concurred with the suggestion of making slope stabilization the top priority and striving for zero-impact design, noting that preventing erosion is consistent with the Council goals. She also asked how much funding was being reserved for Phase 2 and 3.

Mr. Buchan responded that the survey process was two-fold: the first part was interviews with adjacent neighbors, and the second part was written surveys distributed at locations throughout the City. Approximate 85 neighbors were interviewed and about 300 written surveys were returned, which led to two major open houses. Mr. Deal said the City could provide estimates on the number of annual visitors.

Councilmember Way asked about the proposed as well as future funding sources for the ongoing effort to remove invasive vegetation. Mr. Deal said the estimates for this project will be refined as the design development phase proceeds. Mr. Olander added that the City will continue to pursue grant funding, noting that waterfront parks are competitive candidates for state funding.

Councilmember Way said she will continue to advocate for a work plan to address the water issues. She urged staff to work with groups such as People for Puget Sound, Washington State Native Plant Society, Washington Department of Fish & Wildlife, and Department of Ecology, adding that People for Puget Sound want to assist us in getting grants. She noted that the master plan neglected to map out the creek on the property. She said the creek needs to be addressed in this phase of the process.

Mr. Deal said staff will share this information with all the groups involved so it can be considered in the plan. He said it will be very important to have the endorsement of the various groups as the City moves forward with grant applications. Mr. Olander added that a SEPA process is required for construction, so it's not only good practice but a matter of law to consult these groups.

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Councilmember Way expressed support for a bike access plan as suggested by Mr. Phelps. She also suggested that signage might be an area in which the City could seek donations.

Mayor Ransom asked if there was any possibility of getting funding from the railroad since there is considerable wetland area in their right-of-way. He also expressed concern that while there is enough funding for Phase 1, there are still six additional projects for which there is no funding.

Mr. Buchan noted that staff continues to explore possibilities with the railroad, although efforts to date have been circumspect.

Mr. Olander pointed out that the political process dictated that the bond had to be a reasonable amount, noting that the Bond Committee initially identified \$38 million worth of park improvements. He said this amount had to be reduced as a practical matter, but the City will continue to explore opportunities for grant procurement and volunteers.

Deputy Mayor Fimia and Councilmember Way suggested friendly amendments to page 47 of the Draft Master Plan as follows: 1) inserting "pedestrian, bike and" in the heading to read "2. Park, Pedestrian, Bike and Road Improvements;" 2) adding new bullets to read "Provide bike racks at the park entrance and parking lots" and "Provide safe access for bikes;" and 3) amending bullet #2 to read "Control drainage and surface water runoff by sloping the road toward a curb at the hillside and explore zero or low-impact construction options." There was Council consensus to accept these changes and amend the motion accordingly.

Deputy Mayor Fimia noted that one proposal for the City's long-term financial strategy is to move less money from operations to the capital fund. She said it would be helpful to strive to do as much of this project as possible without having to tap into general capital funds. It was noted that the contract for design services is the only portion funded with capital funds; the remainder of the project will be funded with bonds and grants. Deputy Mayor Fimia suggested that potential savings could be achieved in the appearance, not the safety aspects, of the bridge.

Councilmember McGlashan, thanked Mr. Clements and Shari Tracey for their leadership in getting the bond passed. He asked if the City has access to the wetlands in the railroad right-of-way. Mr. Buchan replied that the City can access it only with the railroad's permission.

Mr. Ernst said the ecologists have stated that coordination with the railroad is essential if a comprehensive strategy for removing invasive species in the wetland is to be effective.

Councilmember McGlashan concurred with Mr. Phelps' comments regarding bike access.

Councilmember Way pointed out that the City has been able to collaborate with other agencies in the past, so it should be able to convince the railroad to work with us. She noted that Sound Transit has mitigation funds, and the City should do everything it can to procure

them for this project, which has significance in terms of being on the Puget Sound. She suggested more emphasis on the beach trailhead under Section 5. Bridge Access and Safety Improvements. Mr. Deal said staff would return and explain what options might be available.

Councilmember Ryu recommended that the park elements be renumbered as follows to suggest a priority order:

- 1) Steep Slope Stabilization
- 2) Steep Slope Stairs and Trails
- 3) Park, Pedestrian, Bike and Road Improvements
- 4) Park Entrance Improvements

Mayor Ransom stated that the elements were not originally placed in order of priority. Councilmember Ryu maintained that she prefers her recommended order as long as it doesn't take an inordinate amount of resources to change. It was noted that the changes could be made in the footnotes or executive summary.

A vote was taken on the motion as amended to adopt the Master Site Plan for Richmond Beach Saltwater Park and authorize the City Manager to execute a design contract with Hewitt Architects in the amount of \$123,140 for schematic and design development services for Phase 1, which carried unanimously.

(d) Seashore Transportation Forum Agreement

Joyce Nichols, Communications and Intergovernmental Relations Director, provided the staff report. She explained the structure of the SeaShore Forum and the interlocal agreement under which it operates. The question before Council is the change made to the agreement relative to the voting structure. Revisions approved by the Forum at the December 2006 meeting were opposed by Mayor Ransom, Seattle City Councilmember Sally Clark, and the King County Executive's alternate, Doug Hodgson. These revisions present potential problems for Shoreline because they allow jurisdictions outside the four core members of the "Seattle-North King County" sub-area to vote on funding recommendations to other agencies, including federal highway SAFETEA-LU funds administered through the Puget Sound Regional Council (PSRC) and projects on the Regional Transportation Investment District (RTIC) project list. Because membership of the Forum includes jurisdictions outside the four core jurisdictions - King County, Seattle, Shoreline, and Lake Forest Park - there is the potential that the core member jurisdictions can be outvoted on these funding recommendations. Signing the revised agreement increases the likelihood that Shoreline will be outvoted which would negatively impact our ability to secure funds for the City's priority transportation projects, including the Aurora Corridor Project. Ms. Nichols confirmed that she hasn't received a signed copy from King County or Seattle. She said the staff recommendation is to reject the revised SeaShore Agreement because it doesn't benefit Shoreline.

Mr. Olander referred to attachment C in the packet and noted that SeaShore is the anomaly when compared to the South County Area Transportation Board and Eastside Transportation

Partnership. The other forums are more restrictive in their voting structures than the SeaShore Forum. He said staff recommends rejection of the contract because it allows jurisdictions outside of King County to possibly vote against us on PSRC and RTID allocations. He said although compromise language was proposed in the agreement, we were outvoted.

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

Councilmember Gustafson moved that the Council reject the Seashore agreement. Councilmember McGlashan seconded the motion.

Councilmember Ryu pointed out that the SeaShore Forum requested each jurisdiction to propose a revised version if they objected to the proposed version, but the City did not do this. She encouraged the Council to consider a version they would be willing to take a position on; part of problem is that the Council didn't take a position. She used the discussion of the Transit Now proposal as an example to show that the Council has not had clear direction. She referred to the attachments she provided earlier to illustrate how the conversations went, and that she has been advocating on behalf of the City. She gave examples to show that she expressed the need to amend the agreement to prevent "double dipping" by other jurisdictions, and that she has consistently asked for equity in terms of the resource allocation process. She pointed out that everyone voted for the proposed version except Mayor Ransom. She said she moved that SeaShore recommend Highway 99 for regional competition, and that is the reason why Aurora Avenue is recommended for \$40 million in funding.

Mr. Olander responded that the background is useful for Council to consider. However, the agreement is seriously flawed and it should be rejected until we can negotiate a viable alternative with the other cities.

Mayor Ransom clarified that prior to his vote against it, the City of Seattle had already rejected it. He said the City of Seattle made it clear that it does not find the current agreement acceptable, and it constitutes 90 percent of the service area. He said the impasse to the agreement is illustrated by the fact that Executive Ron Sims, who represents 650,000 people, was rejected when he proposed to include PSRC and exclude RTID. He felt the only way to arrive at a contract everyone can agree on is to reject the proposal and force a change.

Councilmember McGlashan moved to call the question. Councilmember Gustafson seconded the motion, which failed 4-3, with Deputy Mayor Fimia and Councilmembers Ryu and Way dissenting (a 2/3 vote is required to call the question).

MEETING EXTENSION

At 11:00 p.m., Councilmember Ryu moved to extend the meeting until 11:15 p.m. Deputy Mayor Fimia seconded the motion, which carried 5-2, with Councilmembers Gustafson and McGlashan dissenting.

Deputy Mayor Fimia noted that Seashore was created to bring together smaller jurisdictions to balance out the influence that King County and Seattle have in the region. She emphasized the need to stay on good terms with the smaller cities, and while she doesn't agree with inequity in resource allocations, she prefers not to reject the agreement without proposing some alternative language. Referring to page 140 of the Council packet, she proposed the following changes to section 3.5: All jurisdictions may vote on other issues unless any of the following conditions apply: 1) an agency requesting a SeaShore recommendation specifies that different voting boundaries or criteria shall be used; 2) a decision is otherwise specifically required by law or rule to be made by other boundary or criteria; 3) when member jurisdictions have voting rights on more than one sub-area or regional forum, they can vote for competing funds in only one forum. She said they might reject it but at least we're proposing something constructive and it provides something to negotiate with.

Mayor Ransom noted that Executive Sims already proposed similar language and it was rejected.

Councilmember McGlashan noted that he attended many meetings as an alternate, and he wouldn't necessarily call the other cities our "allies." He noted that the smaller jurisdictions continue to try to get their projects in both forums. He supported the motion to reject the agreement as-is.

Councilmember Gustafson concurred. He opposed the suggested amendment and supported the motion as stated. He felt staff should be given the leeway to go back and negotiate the agreement.

Councilmember Way asked for the City Manager's response to Deputy Mayor Fimia's suggested wording. Mr. Olander stated that he feels more comfortable rejecting the agreement at this time, but he understands the Council's intent and desire to negotiate some reasonable alternative.

Mayor Ransom pointed out that King County and the City of Seattle have always supported Shoreline and its interests on transportation issues. He said they have not abused us; rather, they have accommodated us, particularly in terms of our grant bids for Highway 99. He noted that King County, City of Seattle, and Sound Transit have all made it clear that the agreement does not meet their needs. He suggested that Council reject the contract and move forward, noting that Deputy Mayor Fimia's amendment has already been addressed on many occasions.

Councilmember Ryu noted that the Council is abdicating its responsibility to provide direction if it rejects the agreement and gives staff the freedom to negotiate whatever the Council might want. She also felt it leaves the decisions up to the much larger jurisdictions of King County and Seattle. She said rejecting the agreement is "giving up," as she'd rather not do that. She advised that the Council propose some positive alternative rather than send a negative message.

Deputy Mayor Fimia pointed out that the City is not getting a good return on its transportation investments, noting that it will be paying tens of millions of dollars into Sound Transit and

RTID through 2050. She stated she is not comfortable with staff negotiating without clear Council direction.

MEETING EXTENSION

At 11:15 p.m., Councilmember Hansen moved to extend the meeting until 12:00 a.m. Councilmember Gustafson seconded the motion, which carried 4-2-1, with Deputy Mayor Fimia and Councilmember Ryu dissenting and Councilmember Way abstaining.

After further discussion, Deputy Mayor Fimia withdrew her suggested changes and stated that she would abstain from the vote.

Councilmember Ryu expressed concern about the lack of direction to staff if Council rejects the agreement. She asked Mr. Olander what direction he would take into the negotiations. Mr. Olander said the City would be open to any language that would restrict the voting on our applications to the four members of the Forum. He reiterated that the current proposal puts the City at a competitive disadvantage in terms of resource allocations.

A vote was taken on the motion to reject the SeaShore Agreement, which carried 4-0-3, with Deputy Mayor Fimia and Councilmember Ryu and Way abstaining.

9. ADJOURNMENT

At 11:21 p.m., Mayor Ransom declared the meeting adjourned.

Scott Passey, CMC
City Clerk

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