

Laurelhurst Community Club
Minutes for August 9, 2010
Wu Hsing Tao School, Seattle WA

Attending: Kevin Chang, Kirsten Curry, Emily Dexter, Jeannie Hale, Marian Joh, Kathryn Kelly, Cary Lassen, Seth Lassen, Colleen McAlleer, Brian McMullen, Len Nelson, Don Torrie, Leslie Wright

Excused: Stan Sorscher, Mark Trumbauer (leave of absence), Maggie Weissman, Adrian Whorton

CALL TO ORDER: The meeting was called to order at 7:10 p.m. and was followed by introductions.

ADMINISTRATION

Treasurer's Report: Dexter briefed the board on the monthly financial status report.

1. Installation of mulch on the median: Dick Barnum, LCC's liaison with Heath Landscaping, recommends that LCC have mulch installed on the portion of the planted median maintained by LCC. He said that the soil is bare and encourages people to cut across to get to the Center for Urban Horticulture. The UW has added mulch to the medians it is responsible for and he thinks LCC should do the same. Barnum obtained a bid from Heath Landscaping (see enclosure in agenda packet). The cost including tax is \$919.80. MOTION by Dexter, seconded by McAleer, that LCC accept the bid from Heath Landscaping for mulching on the median.
2. Talaris portion of the median: The second amended Settlement Agreement with Talaris calls for Talaris to maintain the medians abutting its property and the pedestrian refuge island on Surber and NE 41st. For at least three years, Talaris has not been doing the required maintenance. Neighbors in the area have periodically undertaken minimal maintenance and during this year's Spring Clean there was a successful work party to clean up the pedestrian refuge island. Sorscher has been trying to follow up with Talaris. Paul O'Brien, Talaris's former groundskeeper, arranged for the maintenance in the past, but he is no longer at Talaris. Sorscher and Dexter will follow up. Because there are funds in the budget earmarked for median maintenance, the board agreed to a one-time cleanup of the medians abutting the Talaris property if Talaris doesn't step up to the plate or until the matter can be sorted out with them. LCC will check on the costs for the one-time cleanup.
3. Planning: Dexter will be forming a finance committee to come up with budget recommendations to the board. The general sense was that funds should not be earmarked, other than funds collected for the private security project and maintenance of the planted median. It was suggested that LCC develop a budget for legal expenses. MOTION by Dexter, seconded by Nelson, that any work performed by LCC's attorney or land use consultant be authorized in advance in the future. *Motion passed unanimously.* It was noted that this has always been LCC's practice, that funds previously approved for work by Carol Eychaner have not yet been exhausted, and that the bylaws allow the executive committee to approve up to \$500 in between meetings.

Minutes: The board reviewed the March 8 and July 12 minutes. MOTION by Wright, seconded by Dexter, to approve the March 8 minutes as presented. *Motion passed unanimously, with Curry abstaining as she was not at that meeting.* MOTION by C. Lassen, seconded by McAleer, to approve the July 12 minutes as presented. *Motion passed unanimously.* Special thanks to McAleer for her assistance in preparing the July minutes.

CALLS AND CONCERNS:

1. Median maintenance: Torrie reported that one of his neighbors expressed concern about lack of maintenance of the NE 41st Street median, other than on the portions maintained by LCC. Dexter will follow up.
2. Boats: McAleer reported on complaints from neighbors about boats parked on the street. Boats can only be parked on the street overnight and boats cannot be parked in yards or driveways. S. Lassen will follow up with the boat that is parked on NE 41st. That large boat poses a hazard to cars driving along NE 41st.
3. Truck obstruction: The huge construction dump truck that was blocking a neighbor's driveway by Laurelhurst School has been moved.
4. Gunshot? Torrie reported concerns from neighbors about what sounded like a gunshot last Tuesday. Lassen responded that the police responded within five minutes. It turned out that the noise was fireworks.
5. Block parties: Kelly reported on a successful block party in her part of the neighborhood. McMullen stated that his part of the neighborhood on the Boulevard had a block party last night. Kelly is interested in LCC promoting block parties as a community-building effort.
6. Milfoil problems: Rich Rasmussen emailed on 7/20 to express concerns about damage caused by milfoil in the lake. The milfoil clogged the cooling system in his boat and it was an expensive repair. He thought the City should start allowing chemical treating of milfoil. LCC responded that neighbors may obtain a permit from the state Department of Ecology for spraying.
7. Waterway No. 1: Ballard resident Margaret Coppock emailed on 7/21 raising concerns about the possible loss of public space at the waterway. She apparently did not have full or correct information about the waterway. On 7/29, the Drapers who live in the neighborhood sent LCC a copy of their message to the State Land Commissioner asking that the encroachments at the waterway be removed. The Drapers do not have a complete picture of what is going on at the waterway and the enhancement plans and LCC will follow up.

On 7/26, DNR emailed LCC in response to an inquiry submitted by Patrick Williams at the behest of neighbor Judith Thornton that herbicides had been used at the waterway. Williams also asked that DNR remove the native cattails which he said were blocking access to the water. LCC responded the same day about the cattails

and sent DNR photos. The cattails are not blocking access to the water as claimed. LCC noticed a flyer posted at the waterway indicating that the state Department of Ecology (DOE) had issued a permit to apply Diquat on July 19. LCC followed up with DOE. In the meantime, DNR responded to Williams indicating that LCC had pushed the cattails out of the way some time ago and that there is no interference with accessing the water for the launching of hand-held boats. He added that LCC has not used any chemicals on the waterway.

On 7/28, DOE responded to LCC about the spraying. They provided general information about water quality and permitting and specific information about the recent application of chemicals at the waterway. The chemicals applied at the waterway were requested by a private party—the Purdue Estate, located on 42nd and 33rd Street NE. That house is just down the way from the waterway. The treatment was to address milfoil, Brazilian elodea and water lilies. It was determined that application at the waterway was to address the invasives at that location before they migrated down to the Purdue's.

The milfoil and elodea treatment is a water treatment that involves pumping out the water via hose. A topical stray (if this even happened) is used for the lilies. DOE said it usually takes a couple of weeks to kill everything and the contractor would be back to check to see how it went and if another application is necessary. Notice is required to property owners (and businesses) within one quarter of a mile of the location. A notice at the spraying location is also required to be posted, something that happened.

LCC asked if DOE could coordinate with LCC in the future if permits are granted for spraying. He responded that those issued permits must file a public notice in the newspaper for two weeks. DOE's website also lists permits issued

On 7/30, DOE contacted DNR because Judith Thornton had contacted DOE stating that LCC planted invasive species at the waterway, namely yellow flag iris. LCC responded that it had not planted any invasives at the waterway as has been suggested by Ms. Thornton. The irises appeared on their own quite awhile back, along with native cattails that floated in and Ms. Thornton is aware of this. This is pretty common all around the bay. LCC pointed out that it has scrupulously adhered to the Right of Entry Agreement that it has with DNR that calls for native plants. DNR stopped by the waterway and confirmed there have been no new plantings.

LCC mentioned to DNR that it keeps a maintenance log of all activities at Waterway 1 and all volunteers have signed a volunteer agreement as required by DNR. Details of all work undertaken are included in the log. The one snag is that Ms. Thornton and her husband, as well as their next door neighbor, Kate Lloyd, have been authorized to undertake mowing, weed removal and watering under their volunteer agreements, but do not report to us what they are doing so that those activities can be included in the maintenance log. LCC said it would continue to encourage all neighbors to respect the Right of Entry Agreement and LCC's duty to supervise work at the waterway.

On 8/2, DNR responded to DOE and asked if DOE had a source of funding to test the water as he could not tell if the algae at the waterway is toxic. DOE responded that it does provide funding for testing samples for blue-green algae (Cyanobacteria) that can turn toxic if conditions are favorable.

On 8/3, Judith Thornton wrote to DOE, DON and LCC claiming that the cattails are blocking the municipal sewer outlet and are causing a build-up of algae at the waterway. Despite the fact that the cattails are native and out of the way, she wants them removed. She said she and unnamed volunteers offered to cut off the mat of weeds and carry them away, but were not allowed by LCC. She added that unnamed residents are concerned that invasive species be removed. Thornton stated that the King County noxious weed program is willing to lend her weed wrenches and to provide vouchers to dump the invasive plants. Details about this have not been provided to LCC.

Thornton continues to call Dexter and to leave voicemails. She wants the floating logs removed and said that she had heard that the Harbor Patrol will do this. She continues to insist the cattails are blocking the municipal sewer outlet and she doesn't like the algae in the water. Dexter and Hale plan to meet with Thornton at the waterway this week.

Dexter has been in touch with the Arboretum to find out the Parks Department staff person responsible for maintaining the log boom at Foster Island. They have retrieved logs in the past from the waterway. In the past, the Harbor Patrol has been unable to provide assistance.

8. School construction noise: In response to concerns from neighbors, on 7/21, C. Lassen contacted the contractor working on Laurelhurst School construction to ask that workers not begin before 7 a.m. On that day, work began at 6:40 a.m. Under the City's noise ordinance, construction cannot begin until 7 a.m.
9. Unlicensed solicitors: On 7/24, Karmann Kaplan alerted neighbors about several recent reports of unlicensed solicitors in the neighborhood. Neighbors are advised not to open their doors or buy anything from solicitors who do not display appropriate identification and a license. It is suspected that some of these people are "scouting" for possible theft opportunities.
10. Car prowling: On 7/23, C. Lassen noted that a car near the corner of Surber and Mary Gates by the Swamp had the side window smashed and it looked like it had been prowled. LCC encourages neighbors to report all car prowls.
11. Magnuson Park signage: On 7/21, Kate Hemer sent LCC her comments to the City on changes to the rules governing signage at Magnuson Park. The changes would allow and increase the number and size of allowable signs at the park. She does not support this or electrical flashing message signs that detract from the natural beauty of the park and contribute to driver distraction and safety. She urged that the focus be on effective, small-scale signs, typical of historic district, which the park is.

This type of signage provides information while having a calming effect on the viewer.

12. Children's change in approved plan: On 7/23, Heather Newman contacted LCC to inquire what can be done to require Seattle Children's to adhere to the master plan approved by the City Council. Other neighbors continue to contact LCC about this.
13. Sidewalks on Sand Point: In mid-July, Jim Madden and others contacted LCC to inquire about the tree cutting on Sand Point Way near Katterman's on the east side of the street. Some of the trees are 75 years old or even older. SDOT is doing prep work for installation of sidewalks, sought by LCC and Hawthorne Hills Community Council (HHCC) for many years in response to concerns from neighbors, and Seattle City Light is taking out some trees for their power lines. Neighbors and the Laurelhurst Blog were informed. Funding for sidewalks and design came from the Neighborhood Street Fund and the Bridging the Gap Fund.
14. Bins left on curb: On 7/27, a neighbor contacted LCC about what can be done about neighbors who leave their garbage, yard waste and recycle bins on the curb for prolonged periods. The neighbor said sometimes, the bins are never brought in. LCC contacted Seattle Public Utilities (SPU) to inquire whether there are Code provisions or rules that address when owners do not bring in their cans. SPU has not yet responded.
15. Possible hazard trees on Sand Point/SR 513: Last month, LCC heard from neighbors about the four dead madrona trees leaning toward the traffic light and power lines on the west side of Sand Point Way across the street from City People's hardware store and the 76 gas station (where NE 54th Street comes into Sand Point Way). LCC contacted both the state and local transportation departments to find out who is responsible for maintenance on SR 513 (Sand Point Way) and who could make the determination as to whether the trees are hazardous. On 7/27, LCC heard from SDOT and got the name of the responsible person. Dexter is following up.
16. Blocked speed sign: On 8/5 Linda Portnoy contacted LCC to thank it for facilitating relocation of a blocked speed sign at the corner of 47th Avenue NE and NE 54th. SDOT was very responsive to LCC's safety concern. On 7/21, SDOT's Traffic Signs and Markings staff was dispatched to move the sign 15 feet north of its original location so that the sign would be easier to view.

ANNOUNCEMENTS: Please see NEDC announcement handout.

1. Thank you: Special thanks to Colleen McAleer for the excellent comment letter to the City Council on SR 520 issues (included in the packet).
2. Thank you: Thanks to Don Torrie for coordinating distribution of the trustee agenda packets and to Len Nelson for assisting with deliveries.
3. Viaduct completion: Nelson questioned whether the NE 45th Street Viaduct would be completed by September 10 as projected. Chang will follow up.

4. Transportation: C. Lassen, McAleer, Chang and Hale agreed to continue work on transportation and traffic issues.
5. Federation Annual Potluck: Sunday, August 15, 2-5 p.m., at the home of Jeannie Hale. The Federation invites you to kick back at its annual summer potluck. Enjoy lively conversation with community leaders in a garden setting. Do you know where things are with the Multi-Family Code hearing examiner appeal? How about DPD's tree regulation revisions that do nothing to protect trees? These are just a couple of issues that will likely surface.
6. Children's response to preliminary SAC comments on MUP application: Children's prepared a matrix (included in the packets) responding to concerns by the SAC about the MUP application. Children's remained nonresponsive on the change in phasing—changing Phase 3 to Phase 1 and developing much closer to the neighborhood. Children's said there would now be less square footage in Phase 1. (At the time, there was lack of clarity as to whether this would be a permanent reduction in square footage. LCC subsequently learned that the answer is no.) The SAC had concerns about traffic and congestion on 40th Avenue NE. Children's responded that those concerns were not applicable to the MUP application. Children's did say that it is preparing a wayfaring plan and that it may, in the future (not in Phase 1) consider rerouting employee shuttles onto Penny Drive. The SAC wanted a plan and timeframe for replacement of the surface parking. Children's responded that this was not applicable to the MUP application. The SAC asked for further study of the helipad relocation (now would be 250-300 feet closer to neighbors). Children's responded that it will submit a separate MUP application for the helipad. The SAC would like the Burke-Gilman connections included in Phase 1. Children's responded that it would explore way to accelerate development of the connection.
7. Children's draft construction management plan: This document is included in the packets. Trustees that have comments should contact the committee or attend a future committee meeting.
8. Settlement Agreement Noncompliance issues: LCC attorney Peter Eglick wrote to Children's attorney outlining noncompliance issues. LCC thereafter wrote to Children's staff outlining a way to resolve the issues in a cooperative manner as called for in the Settlement Agreement. LCC asked Children's for proposals to solutions to resolve the issues—principally related to the change Phasing and the relocation of the helipad.
9. SCH/LCC July 28 meeting and follow-up: Children's and LCC reps met on July 28 to discuss noncompliance issues. Despite LCC's documentation and repeated comments at earlier meetings about Children's failure to comply with the Settlement Agreement, Children's stated it was shocked to hear the news. LCC asked Children's for a written response to its correspondence. The Committee will meet again in mid-August. Children's provided a written response to LCC on August 5. Its response did not address noncompliance issues.

10. Applicants to serve on the SAC: DON provided LCC with a list of the applicants to fill vacancies on the SAC. That list is included in the packets. LCC has not been informed of how it will be involved in the selection process.

11. LCC preliminary comments on Children's MUP application: On 8/06, Carol Eychaner, on behalf of LCC, submitted a ten-page comment letter on Children's MUP application. The letter is included in the packets.

REPORTS/ACTION:

Crime Prevention: C. Lassen said that only one car prowl has been reported in the neighborhood since last month. S. Lassen reported a car that had been parked on the street for quite some time. That car, an old van, had '91 tabs and Nevada license plates.

S. Lassen reported on the recent NPAC meeting. Councilmember Sally Bagshaw was the guest. Bagshaw spoke about a 24-hour liquor pilot program that would allow bars to stay open rather than close at 2 a.m. The noise ordinance supposedly would reduce nightlife noise. Bagshaw assured NPAC that the Council and the Mayor work well together. Other topics at the meeting included public safety, parks, Seattle Center, and the Council's endorsement of Diaz as Chief of Police. Work is progressing on the solicitation and panhandling ordinance, although Mayor McGinn has his own views on the subject. A recent audit of the City's graffiti program indicated that most people don't see this as a problem. Some NPAC attendees had complaints about DPD. Nothing can currently be done about Tubs on 50th. Northend burglaries are at a two-year low. Funding for SPD Crime Prevention staff are not in the budget.

A draft postcard was passed around that can be used as a means to communicate with police officers.

C. Lassen has recently been in touch with Councilmember Bagshaw about pedestrian and bicycle safety issues. By general agreement, it was decided that LCC should follow up with a letter expressing similar concerns.

McMullen noted that software is now available for property surveillance that is much less expensive than webcams that some neighbors have installed. He will follow up with additional information.

School Levy: Seattle voters will be asked to approve a three-year, \$48.2 million school levy on the November 2, 2010 ballot. Based on current assessed valuation information, estimated levy rates will be \$0.11 per \$1,000 of assessed value in 2011, and \$0.12 per \$1,000 in 2012 – 2013. The cost to a resident with a home valued at \$500,000 would be \$55 for 2011 and \$60 for 2012-2013.

The state cut funding to Seattle schools by over \$32 million beginning with the 2009-10 school year, and used federal "stimulus" dollars to backfill that hole. Now this source of funding is set to expire.

A recent vote in the U.S. Senate may provide some additional funding for public education, but these funds would be just a temporary fix. Public education in Seattle will still be under-funded by about \$27 million for the 2011-2012 school years. With Washington State facing a \$3 billion shortfall in the next two-year budget, all indications are that even more cuts are on the way. Local support for this levy will help to partially offset a portion of the state-level cuts made to Seattle education.

MOTION by Dexter, seconded by Torrie, that LCC endorse the school levy that will be on the November 2010 ballot. *Motion passed unanimously.*

SR 520 Update: McAleer reported on key developments in the SR520 rebuild.

1. The current plan: Laurelhurst will be severely impacted in both the long term and short term on any plan that WSDOT has to build a "partial bridge" for the replacement of SR520. Access to the bridge both east and westbound will be affected if 6 lanes plus should, bike lane pedestrian lanes squeeze back into the original 4 lanes at the Western high rise.

The result would be in no capacity to absorb more incoming traffic from Montlake Boulevard or points south into the freeway. Travel times could reach 40-50 minutes at peak hours on Montlake Boulevard with a "partial bridge" plan.

Essentially the bottleneck of traffic congestion will result in cars queued up on Lake Washington attempting to merge into 4 lanes-moving the Eastside overflow to neighborhoods of Madison Park, Laurelhurst, Montlake and the Arboretum. The effects of air pollution from emissions would degrade the environment throughout Lake Washington and Union Bay.

2. Information in the Media: The recent articles in *The Seattle Times* point out the financial shortfalls in financing the project. The State of Washington does not have adequate capacity to sell enough bonds to build the project. And if attempted, it would jeopardize the entire state's ability to do any other transportation projects in years to come.
3. Meetings with City Officials: McAleer reported that she has met with Mayor McGinn to vet these many concerns on July 30th at 4:30 p.m. It was a very well-attended meeting with all of City of Seattle Department heads from SDOT, the Mayor's staff, and Seattle Parks Department.

At the meeting, the Mayor instructed his City heads to actually read the comments on the SDEIS on SR520 submitted by the affected neighborhoods because they claimed never to have received a copy. Fran Conley from the Coalition for a Sustainable 520 provided copies for all, and expressed appreciation for their support of neighborhoods' concerns.

At the meeting, McAleer stressed the upcoming planned growth in NE Seattle, namely the expansions of Seattle Children's Hospital, The University Village, The QFC residences and the continued growth at Warren G. Magnuson Park. Access to

transit and major highways is a top priority for neighborhoods in addition to safer, expanded access for pedestrians and bikes.

The Mayor stated that his office is working towards a better solution, and that the City will be active in the two upcoming Legislative Workgroups to express concerns and work for solutions as WSDOT offers its preferred alternative. Mostly likely, he noted that the City's visibility would take shape in October as the project's input deadline occurs.

Union Bay Milfoil Eradication Status Report: Save Union Bay Association (SUBA), which has been in existence for 40 years, and Seattle Public Utilities (SPU) received a \$15,000 grant from the Department of Ecology to develop a management plan for invasive weeds in Union Bay. Union Bay suffers from an infestation of non-native aquatic plants including milfoil, elodea, curly leafed pondweed, and white water lily. This vegetation, covering 90% of the available plant habitat in the bay, impedes boat navigation and swimming; impairs habitat for salmonid migration; and reduces feeding access for eagles and diving ducks.

SUBA commissioned Herrera Environmental Consultants to develop the plan. There will be a community meeting to describe the draft plan on Tuesday, October 5 from 6:30-8:30 at CUH. After a strategy is approved, SUBA will then apply for another grant to implement the plan.

Children's Hospital: After a brief executive session, LCC unanimously approved (with S. Lassen abstaining) expenses for Carol Eychaner to prepare a request for a Code interpretation by DPD to address whether an accelerated development of Phase 3 Bed Unit South in place of Phase 1 Bed Unit North requires a major amendment to the master plan, whether development of a new helistop that serves Bed Unit South requires a major amendment, and whether the Bed Unit South helistop use requires a Council conditional use permit. The motion was made by McAleer and seconded by Wright. In a separate motion by Lassen and seconded by Torrie approved expenses for Eychaner to brief the neighborhood at a community meeting. LCC previously engaged its attorney to write to Children's attorney regarding noncompliance issues and to prepare specifics and suggestions on amendments to the Settlement Agreement. LCC also previously approved expenses for Carol on these matters.

MEETING ADJOURNED at 9:10 p.m.