



AGENDA

SHORELINE CITY COUNCIL SPECIAL MEETING

Monday, January 23, 2012
5:30 p.m.

Conference Room 301 · Shoreline City Hall
17500 Midvale Avenue North

EXECUTIVE SESSION: Potential Litigation – RCW 42.30.110(1)(i)

The Council may hold Executive Sessions from which the public may be excluded for those purposes set forth in RCW 42.30.110 and RCW 42.30.140. Before convening an Executive Session the presiding officer shall announce the purpose of the Session and the anticipated time when the Session will be concluded. Should the Session require more time a public announcement shall be made that the Session is being extended.

SHORELINE CITY COUNCIL BUSINESS MEETING

Monday, January 23, 2012
7:00 p.m.

Council Chamber · Shoreline City Hall
17500 Midvale Avenue North

	<u>Page</u>	<u>Estimated Time</u>
1. CALL TO ORDER		7:00
2. FLAG SALUTE/ROLL CALL		
3. REPORT OF THE CITY MANAGER		
4. COUNCIL REPORTS		
5. PUBLIC COMMENT		
<i>Members of the public may address the City Council on agenda items or any other topic for three minutes or less, depending on the number of people wishing to speak. The total public comment period will be no more than 30 minutes. If more than 15 people are signed up to speak, each speaker will be allocated 2 minutes. When representing the official position of a State registered non-profit organization or agency or a City-recognized organization, a speaker will be given 5 minutes and it will be recorded as the official position of that organization. Each organization shall have only one, five-minute presentation. Speakers are asked to sign up prior to the start of the Public Comment period. Individuals wishing to speak to agenda items will be called to speak first, generally in the order in which they have signed. If time remains, the Presiding Officer will call individuals wishing to speak to topics not listed on the agenda generally in the order in which they have signed. If time is available, the Presiding Officer may call for additional unsigned speakers.</i>		
6. APPROVAL OF THE AGENDA		
7. CONSENT CALENDAR		7:30
(a) Minutes of Special Meeting of January 3, 2012	<u>1</u>	
Minutes of Special Meeting of January 9, 2012	<u>7</u>	
(b) Approval of expenses and payroll as of January 13, 2012 in the amount of \$1,917,784.27	<u>9</u>	

- | | |
|--|-----------|
| (c) Adoption of Ordinance No. 626, Establishing Procedures for the Disposition of Surplus Real Property and Adopting a New Municipal Code Chapter 3.55 | <u>10</u> |
| (d) Adoption of 2012-2017 Economic Development Strategic Plan | <u>17</u> |
| (e) Adoption of Resolution No. 321, Authorizing a One Year Extension to the Interfund Loan to the Roads Capital Fund from the Revenue Stabilization Fund in an Amount Not to Exceed \$2,500,000 with Interest Charges for the Extension Period | <u>22</u> |

8. STUDY ITEMS

- | | | |
|--|-----------|------|
| (a) Discussion of Tobacco Free Parks | <u>28</u> | 7:30 |
| (b) Discussion of Special Event Alcohol Use in Parks | <u>65</u> | 8:00 |
| (c) Seattle Public Utilities Acquisition Update | <u>72</u> | 8:30 |

9. ADJOURNMENT

9:30

The Council meeting is wheelchair accessible. Any person requiring a disability accommodation should contact the City Clerk's Office at 801-2231 in advance for more information. For TTY service, call 546-0457. For up-to-date information on future agendas, call 801-2236 or see the web page at www.shorelinewa.gov. Council meetings are shown on Comcast Cable Services Channel 21 and Verizon Cable Services Channel 37 on Tuesdays at 12 noon and 8 p.m., and Wednesday through Sunday at 6 a.m., 12 noon and 8 p.m. Online Council meetings can also be viewed on the City's Web site at <http://shorelinewa.gov>.

CITY OF SHORELINE
SHORELINE CITY COUNCIL
SUMMARY MINUTES OF SPECIAL MEETING

Tuesday, January 3, 2012
7:00 p.m.

Council Chamber - Shoreline City Hall
17500 Midvale Avenue North

PRESENT: Councilmember McGlashan, Councilmember Eggen, Councilmember Hall,
Councilmember McConnell, Councilmember Winstead, Councilmember
Salomon, and Councilmember Roberts

ABSENT: None

1. CALL TO ORDER

At 7:00 p.m. the meeting was called to order by Scott Passey, City Clerk. He introduced Judge Richard Eadie, King County Superior Court, to administer the oath of office for the newly elected Councilmembers. Judge Eadie spoke about the importance of democracy and the benefit of public service.

(a) Swearing in Ceremony of Newly-Elected Councilmembers

Councilmember Chris Eggen, Councilmember Doris McConnell, and Councilmember Jesse Salomon were sworn in as City of Shoreline Councilmembers for four-year terms.

2. FLAG SALUTE/ROLL CALL

Mr. Passey led the flag salute. Upon roll call, all Councilmembers were present.

(a) Election of Mayor and Deputy Mayor

Mr. Passey conducted the election of the Mayor by opening nominations. Councilmember Roberts nominated Councilmember McGlashan. Seeing no further nominations, Mr. Passey declared the nominations closed. Mr. Passey called for Councilmembers to raise their hands to signify their vote. **By a vote of 7-0, Councilmember McGlashan was elected Mayor for a two-year term ending December 31, 2013.**

Mayor McGlashan opened nominations for Deputy Mayor. Councilmember Roberts nominated Councilmember Eggen. Seeing no further nominations, Mayor McGlashan declared the nominations closed. **By a vote of 7-0, Councilmember Eggen was elected Deputy Mayor for a two-year term ending December 31, 2013.**

RECESS

At 7:15 p.m., Mayor McGlashan called for a ten-minute recess. The meeting reconvened at 7:25 p.m.

3. CITY MANAGER'S REPORT

Julie Underwood, City Manager, provided reports and updates regarding various City meetings, projects, and events. Ms. Underwood noted that Robert Hartwig has been selected as the City's new Administrative Services Director.

4. PUBLIC COMMENT

a) Kurt Boehl, Seattle, discussed medical marijuana and opposed applying a 15-day waiting period on new clients of collective gardens.

b) Diane Pottinger, Bellevue, introduced herself as the new Superintendent for Shoreline Water District (SWD). She discussed their financial outlook and stated that the focus of city incorporation did not include the assumption of utilities.

c) Michael Derrick, Shoreline, General Manager at Ronald Wastewater District, reported on various projects going on at the District.

d) Gloria Bryce, Shoreline, thanked the Council for fiscal progress in the City and for various projects, including the neighborhood mini-grant program.

e) Greg Logan, Shoreline, mentioned collective gardens and discussed consolidating utilities in the City. He added that citizens are pleased with the Ronald Wastewater District and doesn't want anything changed.

f) Dennis Lee, Shoreline, said the Council should always look at process and embrace citizen naysayer opinions, adding that public comment should be held immediately after staff reports.

g) Carrie Kovacevich, Shoreline, commented on the negative impact of the many accessory dwelling units (ADU) in her neighborhood, which are mainly used for rentals.

h) Alan Charnley, Shoreline, announced that Shoreline Community College (SCC) will host a computer drive for old/used computers on February 18.

5. APPROVAL OF THE AGENDA

Upon motion by Councilmember Winstead, seconded by Deputy Mayor Eggen and unanimously carried, the agenda was approved.

6. CONSENT CALENDAR

Upon motion by Councilmember McConnell, seconded by Councilmember Winstead and unanimously carried, the following Consent Calendar items were approved:

(a) Motion to Authorize the City Manager to Execute a Contract with The Watershed Company for the Design of the Meridian Park Wetland Drainage Improvement Project

7. STUDY ITEMS

(a) Discussion of Zoning Code Amendments for Collective Gardens

Paul Cohen, Senior Planner, provided the staff report regarding potential amendments to the zoning requirements for medical marijuana collective gardens (MMCGs). He provided background information and urged the Council to discuss the proposed Development Code amendments from the Planning Commission along with staff's recommendation to include the 1,000 foot separation requirement between MMCGs. He also noted that the City staff wants the Council to give further consideration to the 15-day waiting period for MMCGs acting as designated providers to their patient/members who wish to add a new patient if one should drop out. Staff will use direction from the Council's discussion this evening to develop the ordinance for adopting permanent regulations and amendments to the Development Code. The City Council is scheduled to adopt the Development Code amendments on January 9, 2012. Concerned a separation requirement would force MMCG closer to the perimeter of residential areas.

Ian Sievers, City Attorney, discussed the proposal to extend the moratorium/interim regulations. He discussed the issues of consumables, the co-op model, and the Association of Washington Cities (AWC) bulletin noting that such issues will be addressed next legislative session. He said another option missing from the legislation, which will be addressed by AWC, is the power of local counties and cities to prohibit collective gardens. He felt the City is well-justified to extend the moratorium and wait and see what new legislation comes out.

Councilmember Roberts noted that state legislation state calls these "cannabis gardens," not "medical marijuana collective gardens." He inquired why this is being placed in the Development Code and said they seem to be regulations on operations. Mr. Cohen replied that provisions around the specialty licenses would be housed in the Shoreline Municipal Code (SMC). Councilmember Roberts felt this legislation should not be part of the development code.

Deputy Mayor Eggen asked for reference copies of other legislation and noted that the Planning Commission discussed items such as not allowing youth on-site and consumption on-site. There was discussion about enforceability of these two items and Mr. Sievers responded that language concerning this could be addressed in the regulatory license. Deputy Mayor Eggen inquired about a potential site on Richmond Beach Road, to which Mr. Cohen replied by displaying a map and discussing potential collective garden sites.

Councilmember Salomon noted that the ten-patient limit doesn't seem to serve the scale of the medical marijuana needed, but the City doesn't have any authority to increase the number of people served by the garden. Mr. Sievers concurred and explained the state law surrounding the ten-patient limit. He added that the problem will probably be addressed during the next legislative session. Responding to Councilmember Salomon, Mr. Sievers discussed the patient limit, designated providers, and the fact that there is no distinction between patient and provider.

Mayor McGlashan favored extending the moratorium, adding that he was interested in placing limits on hours of operation and the simplicity of the process to obtain a prescription.

Responding to Deputy Mayor Eggen, Mr. Cohen expressed uncertainty about the workload and effort needed to respond to future changes in state law. Mr. Sievers added that interim legislation does not get codified. Deputy Mayor Eggen expressed concern about not having the 1,000 foot separation and is interested in restrictions on odors, minors on-site, and on-site liquor and marijuana consumption. He said if the interim ordinance is adopted all these would not be included.

Councilmember Roberts confirmed that the requirements for a license would be included in the proposed ordinance next week. Mr. Sievers confirmed that the moratorium only applies to the land use; regulations could be adopted anytime.

Councilmember Winstead asked about Sunset Elementary School property and Ms. Underwood replied that it is used for soccer games and a park. She pointed out that City parks should be considered in the legislation as well.

Councilmember McConnell preferred to extend the moratorium for six more months with the Council suggesting some minor changes. She added that the hours of operation are a concern for her and that there is a potential to re-open Sunset, so she is concerned about the proximity to parks and schools.

(b) Discussion of Ordinance No. 626 Establishing Procedures for the Disposition of Surplus Real Property and Adopting a New Municipal Code Chapter 3.55

Ian Sievers, City Attorney, explained that the City currently has a process adopted in its municipal code for sale and disposal of surplus City-owned property, but does not have a similar code for disposal of surplus City-owned real property. The proposed ordinance adopts a procedure for disposal of surplus real property. The sale of surplus property will have two positive financial benefits to the City. First, surplus property will be sold for an amount equal to or greater than its fair market value, and second; the surplus property will likely be returned to the tax rolls. He said the City staff recommends that Council review the proposed surplus real property policy and provide feedback to staff. The Council is scheduled to adopt the surplus real property policy through Ordinance No. 626 on January 23, 2012.

Deputy Mayor Eggen asked about the limitation on uses of the property the city sells, to which Mr. Sievers replied that the City can place encumbrances on property beyond what is required in the land use code.

(c) Discussion of the 2012-2017 Economic Development Strategic Plan

Dan Eernisse, Economic Development Program Manager, urged the Council to review the proposed strategic plan and provide direction to staff on any recommended changes that should be incorporated into the final plan. The Council is scheduled to adopt the 2012-2017 Economic Development Strategic Plan on January 23, 2012.

Mr. Eernisse noted that the Strategic Plan is not an action plan with a list of to-dos; rather, it is a vision. Shoreline is made up of many beautiful elements, but there should be a cohesive story, he explained. He stated that the place-making activities of the plan include: 1) creating cache; 2) infrastructure-building; 3) collaborating; 4) serving businesses; and 5) honing legislation. He discussed and highlighted the “City-shaping, place-making” opportunities within the plan and introduced Mark McVeety.

Mark McVeety, Shoreline Community College (SCC), Small Business Accelerator Program Director, reported on the Economic Development Task Force activities. He explained that they analyzed strengths, challenges, opportunities, best practices, and narrowed them down to a handful of projects. He discussed the small business workshops and education held in the Council Chamber and explained how SCC is supporting the City’s initiatives. He reviewed the SCC Continuing Education Initiative and the Shoreline International Film Office. He concluded that the college is focused on internationalization and commercialization which should lead to job creation and new revenues in Shoreline.

Councilmember Salomon suggested that the City pitch to young professional Seattle renters that Shoreline is affordable. He noted the fact that there is a large and diverse international community here in Shoreline and felt an international festival would be a good idea. Councilmember Winstead concurred and also discussed different festivals that could help promote the City.

Councilmember Winstead inquired if there was a way for the City to reach out to new businesses. Mr. Eernisse replied that the Quick-Start workshops are the foundation for getting businesses integrated into the community, but the business license list is not used to solicit that. Councilmember Winstead stated that it is imperative that the City reach out to new businesses. Mr. McVeety responded that it is a challenge. However, he presents at Chamber of Commerce meetings and reaches out to business owners at the workshops, and walks door-to-door introducing himself to businesses. He said he also knows the Shoreline real estate development professionals and they inform him when a new business opens.

Councilmember Hall said that the goal is to help Shoreline businesses be successful and they need customers. He felt the City is doing great things, but the outcomes over past decade say there is little growth in business revenues. He felt the strategic plan should focus on outcomes,

targets, and measures. The vision requires a growing tax base (people) and unfortunately Shoreline has had almost zero population growth over the past ten years. He said this means that the businesses in this City have had no new potential customers. He pointed out that thirty-seven of the thirty-nine cities in King County did better than Shoreline in assessed value growth. He requested specific numeric goals and targets for revenue growth such as the number of new businesses opened and sales tax growth.

Councilmember Roberts agreed, adding that the larger issue for him is how to transform Aurora into what the City wants to see. He said he is interested in determining how other cities have transformed and how the City attracts investment to the Aurora corridor.

Deputy Mayor Eggen said it is not clear to him that increased housing and population growth is the only means to increase the customer base. He complimented Mr. Eernisse and Ms. Underwood for increasing their involvement with the Chamber of Commerce.

Mr. Eernisse stated that he felt the guidelines that the Council has laid out are the matrix outline that would go into the action plan and update. The strategy, he said, is not to depend on the 1-2 mile radius business, but to grow the businesses that have a regional reach -- those that export more. He added that sales tax per capita is not a good measure. He continued and discussed life-cycle and the redevelopment process to attract dollars into Shoreline.

Ms. Underwood stated that economic development is scheduled to be on the agenda on February 6 and the staff report will include some of that conversation about the challenges. Competition will only get greater, she pointed out. There are lots of positive elements in Shoreline, so the key is to understand why we are not seeing increased investment. She noted the interdependence with districts that rely on property tax, and all of them, including the City, are counting on those funds.

Mr. Eernisse concluded that he is here to help transform the City and bring forth big initiatives. The strategic plan, he explained, is the launching pad to achieve the goals.

8. ADJOURNMENT

At 9:25 p.m., Mayor McGlashan declared the meeting adjourned.

Scott Passey, City Clerk

CITY OF SHORELINE
SHORELINE CITY COUNCIL
SUMMARY MINUTES OF SPECIAL MEETING

Monday, January 9, 2012
5:00 p.m.

Conference Room 301 - Shoreline City Hall
17500 Midvale Avenue N.

PRESENT: Mayor McGlashan, Deputy Mayor Eggen, and Councilmembers Hall, McConnell, Roberts, Salomon, and Winstead

ABSENT: None

STAFF: Julie Underwood, City Manager; Debbie Tarry, Assistant City Manager; Dick Deal, Parks, Recreation & Cultural Services Director; Ian Sievers, City Attorney; John Norris, Management Analyst; Scott Passey, City Clerk

Following individual and group photographs taken of the Council beginning at 5:00 p.m., Mayor McGlashan called the meeting to order at 5:50 p.m.

Julie Underwood, City Manager, outlined various topics for Council consideration during the upcoming Retreat and asked for input and feedback. The following issues were identified:

- Initiatives related to Council Goals 1 and 7
- iPad use/training
- email notification/timing of press releases/communication
- meetings, proclamations, study sessions, possible Tuesday meetings
- peer review
- 100% recycled paper use
- Council packets/staff reports
- Council roles/contributions
- Council Retreat scheduled in March
- Public defender services

At 6:00 p.m., the Mayor announced that the Council would recess into an executive session for a period of 45 minutes to discuss a matter of litigation, per RCW 42.30.110(1)(i). At 6:45 p.m., the Executive Session concluded and the Council meeting reconvened. At 6:45 p.m., Mayor McGlashan declared the meeting adjourned.

Scott Passey, City Clerk

CITY COUNCIL AGENDA ITEM

CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Approval of Expenses and Payroll as of January 13, 2012
DEPARTMENT:	Administrative Services
PRESENTED BY:	Debra S. Tarry, Administrative Services Director

EXECUTIVE / COUNCIL SUMMARY

It is necessary for the Council to formally approve expenses at the City Council meetings. The following claims/expenses have been reviewed pursuant to Chapter 42.24 RCW (Revised Code of Washington) "Payment of claims for expenses, material, purchases-advancements."

RECOMMENDATION

Motion: I move to approve Payroll and Claims in the amount of \$1,917,784.27 specified in the following detail:

***Accounts Payable Claims:**

Expense Register Dated	Check Number (Begin)	Check Number (End)	Amount Paid
1/5/2012	49033	49046	\$82,997.32
1/5/2012	49047	49069	\$464,603.72
1/5/2012	49070	47080	\$19,106.76
1/5/2012	47081	49092	\$3,375.22
1/10/2012	49093	49093	\$425.00
1/10/2012	49094	49094	\$325.00
1/11/2012	49095	49103	\$68,849.05
1/11/2012	49104	49112	\$307,427.64
1/11/2012	49113	49123	\$91,520.05
1/12/2012	49124	49142	\$879,154.51
			<u>\$1,917,784.27</u>

Approved By: City Manager _____ City Attorney _____

CITY COUNCIL AGENDA ITEM

CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Adoption of Ordinance No. 626 Establishing Procedures for the Disposition of Surplus Real Property and Adopting a New Municipal Code Chapter 3.55
DEPARTMENT:	City Attorney
PRESENTED BY:	Ian R. Sievers, City Attorney

PROBLEM/ISSUE STATEMENT:

The City currently has a process adopted in its municipal code for sale and disposal of surplus City-owned personal property, but does not have a similar code for disposal of surplus City-owned real property. The proposed ordinance adopts a procedure for disposal of surplus real property.

This ordinance was discussed as a study item at the special meeting of the Council held on January 3, 2012. No suggested changes to the ordinance or public comment were received at that time.

FINANCIAL IMPACT:

Sale of surplus property will have two positive financial benefits to the City. First, surplus property will be sold for an amount equal to or greater than its fair market value. Second, the surplus property will be returned to the tax rolls.

RECOMMENDATION

Staff recommends that Council adopt Ordinance No. 626 establishing procedures for disposition of surplus real property.

Approved By: City Manager *JU* City Attorney *IS*

DISCUSSION

The City does not currently have a process for disposing of surplus real property owned in fee by the City. Proposed Ordinance No. 626 allows the City to properly dispose of any excess real property.

The lack of a surplus real property procedure came to light during the property acquisition stage for the Aurora Corridor Project. As part of the Aurora Corridor Project, the City has acquired in fee property remnants in excess of the needs of the project right-of-way where the remnant was determined to be uneconomic for the owner. The City wants to move forward with disposing of those pieces that have no public use.

Under the proposed ordinance, the first step in disposing of the surplus property is a public hearing to consider the surplus property declaration; all property owners within 500' of the parcel will receive direct notice of the hearing and all others will receive notice through newspaper publication.

At the hearing, staff will provide the City Council with the following information:

1. Description of the parcel and how it was obtained;
2. Historical and potential future municipal uses for the property;
3. Value of the subject parcel (determined by an appraisal) and a recommendation as to which fund the sale proceeds should be credited;
4. Whether the parcel is only usable by abutting property owners or is marketable to the larger public;
5. Whether special consideration should be given to another public agency that has use for the parcel;
6. Recommended method for selling the parcel; and
7. Recommendation on covenants or restrictions to attach to the parcel.

At the conclusion of the hearing, the City Council will determine whether to declare the property surplus, what the minimum sale price should be, whether to impose special conditions or restrictions as a condition of the sale, and the method of sale.

The property can be sold in one of four ways: (1) auction; (2) sealed bid; (3) direct negotiation with an abutting property owner; or (4) special disposition process.

The auction or sealed bid procedure should be used if the parcel is marketable to the public as a whole. If this method is utilized, the City shall post notice on the property and publish notice in the newspaper for three consecutive weeks prior to the deadline for bid submittal or the auction. All bids submitted must be accompanied by a bid deposit equal to 5% of the bid or \$5,000, whichever is greater. This bid deposit is non-refundable in the event the sale falls through.

Direct negotiation should be used if the property can only be put to its highest and best use when aggregated with an abutter's property because of its size, shape, topography or other restriction. If more than one abutter expresses interest in the property, then the City will rely on the sealed bid procedure. Earnest money of \$5,000 or 5 % of the bid,

whichever is greater, shall be deposited into escrow opened for negotiated purchase and is non-refundable if the sale fails to close.

The special disposition process should be utilized for properties where the reasonable return is outweighed by the public benefit, due to factors such as the unique character or development potential of the property. Under this process, the Council may require Request for Proposals, sale by direct negotiation, options to purchase, lease-purchase transactions or any other commercially reasonable means of disposal.

Ordinance No. 626 also incorporates intergovernmental transfers of real property, which is covered under a separate state statute, Chapter 39.33 RCW. The procedure allows for sale of the property to another governmental entity rather than a sale on the public market, if the criteria for special disposition under the ordinance are satisfied. The City Council's consideration of the sale is essentially the same as the procedure set forth above. Finally, the ordinance references sale of property originally acquired for utility purposes; such property must be sold for fair market value under RCW 35.94.040.

RECOMMENDATION

Staff recommends that Council adopt Ordinance No. 626 establishing procedures for disposition of surplus real property.

ATTACHMENT

Attachment A: Ordinance No. 626

ATTACHMENT A

ORDINANCE NO. 626

AN ORDINANCE ESTABLISHING PROCEDURES FOR THE DISPOSITION OF SURPLUS REAL PROPERTY AND ADOPTING A NEW MUNICIPAL CODE CHAPTER 3.55

Whereas, the City has acquired property remnants as part of its Aurora Corridor Project that were in excess of the needs of the project right of way; and

Whereas, the City should adopt a process for disposing of these and other properties owned by the City if they have no public use so they may be returned to the tax rolls while balancing economic development, fairness to purchasers and return to the City from the sale, and

Whereas, adoption of procedural ordinances are exempt from SEPA under 197-11-800(19); now therefore

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

Section 1. New Chapter. A new chapter, Chapter 3.55, *Sale and disposal of real property*, is hereby adopted to read as follows:

3.55.010 Policy and Procedures for Disposition of City-Owned Real Property

A. Policy. The City Council declares that it is in the public interest and the policy of the City to dispose of all real property in which the City holds a fee interest, where such property is surplus to its current or future needs, and where such disposition would afford the City a reasonable return from the transaction. For purposes of this Chapter, “reasonable return” means sale at an amount equal to, or greater than the fair market value under 3.55.012. For purposes of this Chapter, “surplus property” means both real property for which the City has no current or future need, as well as real property, which, if disposed of, would be put to a higher or better use for the community at large.

B. Procedures. Real property declared surplus may be disposed of for a reasonable return by any of the procedures of this chapter unless: (1) the property is authorized for Special Disposition Process by the City Council; or (2) the property was originally acquired for public utility purposes, in which case it shall be sold for fair market value pursuant to RCW 35.94.040.

C. Special Disposition Process. In cases where the public interest in a reasonable return is outweighed by the public benefit, due to factors such as the unique character or development potential of a given property, the City Council may designate such property for disposal by a Request for Proposals, sealed bid, options to purchase, lease-purchase transactions, or other commonly used, commercially reasonable means of disposal. If an intergovernmental transfer is considered for a special disposition process this chapter shall be supplemented with procedures of Chapter 39.33 RCW.

ATTACHMENT A

3.55.011 Surplus Property Declaration

A. Real property owned by the City may be declared surplus by the City Council after the following procedures have been completed:

1. The City Manager shall include the following information in the staff report to Council for each parcel under consideration:

- (a) Description of the subject parcel's size, general location, and legal description;
- (b) Description of the circumstances under which the subject parcel was obtained;
- (c) Description of what funds were used to initially acquire the subject parcel;
- (d) Recommendation as to which fund the proceeds from its sale should be credited;
- (e) History of municipal use, if any, or uses for which it might be held;
- (f) Value of the subject parcel and whether further appraisal before sale is recommended and the type of appraisal required (see Section 3.55.012, A.2.);
- (g) Whether the subject parcel is only usable by abutting owners or is marketable;
- (h) Whether special consideration ought to be given to some other public agency that has a use for the subject parcel;
- (i) Whether the subject parcel should be sold at auction, by sealed bid, or by negotiation;
- (j) Recommendation as to whether any special covenants or restrictions should be imposed in conjunction with sale of the subject parcel.
- (k) For land acquired for public utility purposes, whether the land is no longer required to provide continued public utility service.

2. A public hearing shall be held to consider the surplus declaration for the subject parcel. Notice of said hearing shall be published in the City's official newspaper and mailed to all property owners within 500' of the subject parcel not less than 10 days nor more than 25 days prior to the hearing.

B. Following the public hearing, the Council shall determine whether the subject parcel shall be declared surplus. Any declaration of surplus property shall be made by resolution. The resolution shall also make the following determinations:

- 1. Whether the subject parcel should be sold by sealed bid, at auction, or through negotiated sale;
- 2. Whether special covenants or restrictions should be imposed as a condition of the sale; and
- 3. The minimum acceptable price, in accordance with Section 3.55.010(B) and Section 3.55.012.

3.55.012 Sale Procedure

The following procedures and requirements shall apply to the sale of surplus property:

A. Determination of Value/Minimum Acceptable Price.

1. If the City has a sufficient and acceptable appraisal of the subject property no additional appraisal shall be required.

ATTACHMENT A

2. If an acceptable appraisal is not available, the City Manager shall obtain:
 - a. Limited opinion of value for properties under \$25,000;
 - b. Short form appraisal report for properties under \$50,000; or
 - c. Full narrative appraisal report.

B. Sale by Bid or Auction. In the event the subject parcel is to be disposed of by sealed bid or by auction, the following notification procedures shall be followed:

1. A notice of the City's intent to dispose of the subject parcel shall be conspicuously posted on the property no less than two weeks prior to the date set for the close of bids or the date set for the auction.

2. Notice shall be published in the City's official newspaper at least once each week for three consecutive weeks preceding the deadline for the submittal of sealed bids or the public auction. All notices shall include a description of the subject parcel, the procedure by which the subject parcel is to be disposed of, any earnest money deposits which must be made and the minimum price that will be accepted.

C. Negotiated Sale. If the subject parcel can only be put to its highest and best use when aggregated with an abutter's property because of its size, shape, topography, or other restriction, the subject parcel may be negotiated for sale to the abutter, provided:

1. The abutter is willing to purchase for the fair market value of the subject parcel as determine under subsection A;

2. If more than one qualifying abutter expresses interest in purchasing the subject parcel, the City Council may solicit sealed bids from all; and

3. A person shall not be deemed to be an abutter if a right-of-way separates his property from the subject parcel unless purchase will allow a higher and better use of the abutter's property.

D. Earnest Money/Time to Closing.

1. Disposition by Sealed Bid or Auction. Where a subject parcel is sold by sealed bids or auction, any and all bids submitted must be accompanied by a bid deposit in the form of a cashier check payable to the City of Shoreline in the amount of 5% of the bid or \$5,000 whichever is greater. Such deposit accompanying the successful bid shall be deposited into an administrative trust account until closing on the purchase of the parcel and payment of the remaining amount of the purchase price shall be made within 30 days. In the event the purchaser is unable to pay the remaining amount within the required time, the earnest money deposit shall become non-refundable as liquidated damages provided, however, that the purchaser may deposit an additional \$5,000 extension fee, in which case the time to make full payment shall be extended for an additional 30 days. In the event full payment is not made by the conclusion of the additional period, all deposits shall be retained as liquidated damages for lost time and expense. The City Council reserves the right to waive any irregularities in the bid process.

2. Disposition by Negotiated Sale. Where property is sold by negotiated sale, the purchaser shall deposit earnest money into escrow in the amount of \$5,000 or 5 percent whichever is greater within 3 business days of execution of a purchase and sale agreement for the purchase of the subject parcel. Earnest money forfeitures and sale extensions under subsection 1 shall apply;

E. Form of Conveyance. All conveyances shall be made by quitclaim deed.

F. Closing Costs. All closing costs, exclusive of deed preparation, shall be borne

ATTACHMENT A

by the purchaser including, but not limited to, survey work, title insurance if desired, recording costs, and escrow fees if applicable.

ADOPTED BY THE CITY COUNCIL ON January 23, 2012.

Mayor Keith A. McGlashan

ATTEST:

APPROVED AS TO FORM:

Scott Passey
City Clerk

Ian Sievers
City Attorney

Publication Date:
Effective Date:

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Adoption of the 2012 – 2017 Economic Development Strategic Plan, City Clerk Receiving No. 6703
DEPARTMENT:	Economic Development
PRESENTED BY:	Dan Eernisse, Economic Development Manager
ACTION:	<input type="checkbox"/> Ordinance <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Motion <input type="checkbox"/> Discussion

PROBLEM/ISSUE STATEMENT:

In 2006 the City Council adopted a six year Economic Development Strategic Plan. Since that plan was to expire at the end of 2011, Council directed Staff to propose an update to the plan. The new plan was to be project-driven, providing a clear framework for the City's economic development efforts for the years 2012 – 2017. Furthermore, it was to adhere to the Council's guidelines for sustainable economic growth. The 2012 – 2017 plan focuses on "place making" and is presented with this report (Attachment A).

RESOURCE/FINANCIAL IMPACT:

The entire economic development budget will be devoted to implementing the new six-year strategic plan, but no additional financial impact is anticipated. The 2012 economic development budget is slightly less than \$242,000.

RECOMMENDATION

Staff recommends that Council adopt the 2012-2017 Economic Development Strategic Plan, Clerk receiving No. 6703, by motion.

Approved By: City Manager *JU* City Attorney *IS*

INTRODUCTION

The new strategic plan is project-driven and provides a concise framework for the City's economic development efforts for the years 2012 – 2017. Furthermore, it adheres to the Council's guidelines for sustainable economic growth. The 2012 – 2017 Plan focuses on "place making" and is presented with this report (Attachment A).

DISCUSSION

On January 3, 2012, Staff presented a draft of the 2012 – 2017 Economic Development Strategic Plan. The January 3 staff report is available at <http://cosweb.ci.shoreline.wa.us/uploads/attachments/cck/Council/Staffreports/2012/Staffreport010312-7c.pdf>. During that discussion Council Members suggested that metrics be integrated into the Strategic Plan.

Two types of metrics are used in Economic Development: outcome-based metrics measure such outcomes as sales tax revenue, jobs, and housing units, while output-based metrics measure staff activity such as workshops provided, initiatives launched, and participants involved in programs. The two are complementary, as measuring economic development is highly complex. Outcome-based metrics are principally affected by macro economic factors, while output-based metrics can easily become divorced from effectiveness. Specific metrics proposed are outlined in Attachment B.

In order to address Council's concerns and to prepare the Strategic Plan for final adoption, Staff made two changes to the Plan. First, the plan was edited for better clarity and flow. Second, the following paragraph was added to address Council's desire for metrics:

"The Strategic Plan shall guide a dynamic Action Plan for staff, and an annual update shall be presented to Council that includes metrics designed to monitor Shoreline's economic health as well as staff performance. Outcome-based metrics measuring revenue, jobs, exports, and new construction will monitor whether the Council Guidelines are being achieved. Output-based metrics will monitor the performance of staff as it carries out the five Activities of Place Making"

COUNCIL GOALS ADDRESSED

Goal 3: Improve Economic Development opportunities in Shoreline

Goal Overview: The City Council adopted a comprehensive Economic Development Strategy in 2006 to guide the Council, staff, business groups, and the community in providing for continued economic growth and long term economic health of Shoreline. This goal provides for continued implementation of priority strategies outlined in the plan.

Major Objectives:

- Form partnerships to create "Transit-oriented Developments" (TOD) that capitalize on public transportation infrastructure
- Update the Economic Development Strategic Plan for 2012-2017

- Promote investments in Shoreline's neighborhood centers to increase economic vitality, environmental quality, and housing choices
- Provide a business-friendly environment that attracts and retains both large and small businesses

RESOURCE/FINANCIAL IMPACT

The entire Economic Development budget will be devoted to implementing the new six-year strategic plan, but no additional financial impact is anticipated. The 2012 economic development budget is slightly less than \$242,000.

RECOMMENDATION

Staff recommends that Council adopt the 2012-2017 Economic Development Strategic Plan, Clerk receiving No. 6703, by motion.

Attachment A – 2012-2017 Economic Development Strategic Plan

Attachment B – Economic Development Metrics

2012 – 2017 Economic Development Strategic Plan

The year-long collaborative process that resulted in the 2012 – 2017 Economic Development Strategic Plan concluded that the goal of economic development in Shoreline is captured by the concept of **Place Making**. Fred Kent calls Place Making the thing that “turns a City from a place you can’t wait to get through into a place you never want to leave.” Through Place Making, projects can be accomplished that realize the six **Council Guidelines for Sustainable Economic Growth**:

- **Multiple areas** – improvements and events throughout the City that attract investment
- **Revenue** – growing revenue sources that support City programs
- **Jobs** – employers and business starts that create more and better jobs
- **Vertical growth** – sustainable multi-story buildings that efficiently enhance neighborhoods
- **Exports** – vibrant activities and businesses that bring money into Shoreline
- **Collaboration** – broad-based partnerships that benefit all participants

Four significant projects were identified that can dramatically affect the economic vitality of Shoreline. Therefore, these **City-Shaping Place Making Projects** shall be the focus of concerted effort:

- **Creating a Dynamic Aurora Corridor Neighborhood** – unleashing the potential created by the City’s tremendous infrastructure investment
- **Reinventing Aurora Square** – catalyzing a master-planned, sustainable lifestyle destination
- **Unlocking the Fircrest Surplus Property** – establishing a new campus for hundreds of family-wage jobs
- **Planning Light Rail Station Areas** – two imminent and crucial opportunities

Other worthy Place Making projects are listed below that deserve on-going effort:

- | | |
|---|--|
| • Town Center Development Area | • Attracting Mid-sized Businesses |
| • Echo Lake Development Area | • Farmers Market Launch |
| • North City Development Area | • Expansion of Events and Festivals |
| • Richmond Beach Development Areas | • Surplus Institutional Property |
| • Ridgecrest Development Areas | • Enhancing the Community College |
| • Ballinger Development Area | • Attracting Artists and Trendsetters |

The Strategic Plan shall guide a dynamic Action Plan for Staff, and an annual update shall be presented to Council that includes metrics designed to monitor Shoreline’s economic health as well as staff performance. Outcome-based metrics measuring revenue, jobs, exports, and new construction will monitor whether the Council Guidelines are being achieved. Output-based metrics will monitor the performance of staff as it carries out the five **Activities of Place Making**:

- **Creating caché** – buzz, energy, celebrations, significance, identity, marketing, recognition
- **Building infrastructure** – efficiency, capacity, compatibility, synergy, sustainability, beauty
- **Collaborating** – networking, public-private partnerships, communication, mobilization
- **Serving businesses** – listening, acting as liaison, events, education, expertise, counseling
- **Honing legislation** – clear, fair, predictable, timely, reasonable

Attachment B – Proposed Economic Development Metrics

Outcome-based Metrics

1. Tax Revenue
 - a. Retail sales tax
 - i. Major Categories
 - ii. Per Capita Change
 - b. Gambling tax
2. Property Value
 - a. New construction activity
 - b. Permit fee
 - c. Growth in Assessed Value
3. Jobs
 - a. Overall number
 - b. Major employers
4. Occupancy
 - a. Retail
 - b. Office
 - c. Multi-family Residential
 - d. Single-family Rental
5. Perception of Shoreline
 - a. Shoreline citizen survey results
 - i. Percent of residents rating Shoreline as a place with a variety of housing choice
 - ii. Percent of residents rating Shoreline as a place to work
 - iii. Percent of residents rating Shoreline as a place to shop
 - b. Focus group results
 - i. Shoreline businesses
 - ii. Shoreline organizations
 - iii. Citizens of other cities
 - c. Media References

Output-based metrics

1. Place-making Activities
 - a. Create Caché
 - b. Build Infrastructure
 - c. Collaborate
 - d. Serve Businesses
 - e. Hone Legislation
2. Place-making Results

CITY COUNCIL AGENDA ITEM

CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Adoption of Resolution No. 321, Authorizing a One Year Extension of an Interfund Loan to the Roads Capital Fund for the Aurora Corridor Improvements Project From the Revenue Stabilization Fund in an Amount Not to Exceed \$2,500,000 with Interest Charges for the Extension Period
DEPARTMENT:	Administrative Services Department
PRESENTED BY:	Debbie Tarry, Assistant City Manager
ACTION:	<input type="checkbox"/> Ordinance <input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Motion <input type="checkbox"/> Discussion <input type="checkbox"/> Public Hearing

PROBLEM/ISSUE STATEMENT:

It is anticipated that during the first half of 2012, construction activities for the 165th-185th and 185th-192nd segments of the Aurora Corridor Improvements will end and project close out will occur. Final design work and right-of-way negotiations and acquisitions will continue for the 192nd-205th segment. Grant reimbursements have been received on average within 30 to 45 days of submittal. The submittal of the reimbursement occurs within 15 to 30 days of payment of expenses. This results in a deficit cash flow while the City waits to receive reimbursement from the granting agency. Council approved Resolution No. 311 on December 13, 2011 approving a one year interfund loan to the Roads Capital Fund from the Revenue Stabilization Fund to offset the reimbursement waiting period. Staff is requesting to extend the loan through December 31, 2012.

RESOURCE/FINANCIAL IMPACT:

The Revenue Stabilization Fund is projected to end 2011 with a fund balance of \$4.925 million. The Revenue Stabilization Fund could continue to temporarily loan up to \$2.5 million to the Aurora Corridor Improvements project to provide sufficient cash flow to cover the gap between the time of expenditure payments and the receipt of grant reimbursements. The project would repay the loan at the end of 2012 returning the fund balance in the Revenue Stabilization Fund to its current projected level. As required by state law the borrowing fund must pay interest to the lending fund. The additional interest expense for the project is estimated to be less than \$5,000. This expense would need to be absorbed in the current project budget.

RECOMMENDATION

Staff recommends that Council approve Resolution No. 321 to authorize a one year extension of the interfund loan from the Revenue Stabilization Fund to the Roads Capital Fund in an amount not to exceed \$2.5 million for the period of one year commencing on January 1, 2012.

Approved By: City Manager *JU* City Attorney *IS*

BACKGROUND

The Aurora Corridor Improvements project has been divided into three distinct segments as included in the Adopted 2012-2017 CIP: Aurora Avenue North 165th-185th; Aurora Avenue North 185th-192nd; and Aurora Avenue North 192nd-205th. Construction has been underway in the 165th-185th segment since January 4, 2010 and is scheduled to be completed and closed out in the next 60 to 90 days. On the 185th -192nd segment, construction began in January of 2011 with completion and closeout expected in the next three to six months. Final design work for the 192nd – 205th segment is expected to be completed in the second quarter of 2012 with right of way acquisition expected to be completed in the second half of the year.

The Adopted CIP estimates that expenditures for the three segments in 2011 will total nearly \$5.4 million with the City receiving approximately \$3.85 million in reimbursements from grant awards and utility agreements. All of our grant awards and utility agreements require the City to expend funds for the project and then request reimbursement from each agency as appropriate. Most of the agreements include a provision to reimburse the City within 30 days of receipt of a reimbursement request. During 2011, grant reimbursement requests have been received on average within 30 to 45 days of submittal. The submittal of the reimbursement occurs within 15 to 30 days of payment of expenses. This results in a deficit cash flow while the City waits for 45 to 75 days to receive reimbursement after invoices are paid. The close out process for the two segments may extend the waiting period for reimbursements as City staff works with contractors to determine the final construction contract payment amounts and with granting agencies to coordinate the final grant reimbursements.

In 2012 the Roads Capital Fund is projected to begin the year with a fund balance of approximately \$1.7 million. The Adopted 2012-2017 CIP included the use of \$1.1 million of fund balance during the year for various transportation projects. This leaves a limited amount of fund balance available to cover cash flow needs while the City waits for reimbursement payments. The City must ensure that each fund has sufficient cash available to meet its obligations during the year as we cannot end a month with a fund being in a negative cash position.

The City's Financial Policies contain a provision in Section VII Debt Policy that states: "The City will use interfund borrowing where such borrowing is cost effective to both the borrowing and the lending fund." The following guidance is included in the 2010 Budgeting, Accounting, and Reporting System (BARS) manual Volume 1, Part 3, Chapter 4, Page 1 as issued by the Washington State Auditor:

The minimum acceptable procedures for making and accounting for interfund loans are as follows:

- 1. The legislative body of a municipality must, by ordinance or resolution, approve all interfund loans, indicating the lending fund, and provide in the authorization a planned schedule of repayment of the loan principal as well as setting a reasonable rate of interest (based on the external rate available to the municipality) to be paid to the lending fund.*
- 2. Interest should be charged in all cases, unless:*

- a. *The borrowing fund has no other source of revenue other than the lending fund;
or*
 - b. *The borrowing fund is normally funded by the lending fund*
3. *The borrowing fund must anticipate sufficient revenues to be in a position over the period of the loan to make the specified principal and interest payments as required in the authorizing resolution or resolution*
4. *The term of the loan may continue over a period of more than one year, but must be “temporary” in the sense that no permanent diversion of the lending fund results from the failure to repay by the borrowing fund. A loan that continues longer than three years will be scrutinized for a permanent diversion of moneys. (Note: these restrictions and limitations do not apply to those funds which are legally permitted to support one another through appropriations, transfers, advances, etc.)*
5. *Appropriate accounting records should be maintained to reflect the balances of loans in every fund affected by the transactions*

Staff is proposing to extend the interfund loan from the Revenue Stabilization Fund in the amount of \$2.5 million to the Roads Capital Fund an additional year through December 31, 2012. The Revenue Stabilization Fund has sufficient fund balance to provide a loan at this time. It is estimated to end 2011 with a fund balance of \$4.925 million. Staff is proposing that the Roads Capital Fund pay interest to the Revenue Stabilization Fund at a rate of approximately 0.10% annually. This rate is based upon the current rate of return for investments that the City is receiving for a one year investment. Interest would be charged on a monthly basis for the duration of the loan. The additional interest expense for the project is estimated to be less than \$5,000.

RECOMMENDATION

Staff recommends that Council approve Resolution No. 321 to authorize a one year extension of the interfund loan from the Revenue Stabilization Fund in the amount of \$2.5 million to the Roads Capital Fund for the year commencing on January 1, 2012.

ATTACHMENTS

Attachment A – Resolution No. 321

ATTACHMENT A

RESOLUTION NO. 321

A RESOLUTION OF THE CITY COUNCIL, CITY OF SHORELINE, WASHINGTON, AUTHORIZING AN EXTENSION OF ONE YEAR FOR THE INTERFUND LOAN TO THE ROADS CAPITAL FUND FROM THE REVENUE STABILIZATION FUND IN AN AMOUNT NOT TO EXCEED \$2,500,000 WITH INTEREST CHARGES FOR THE EXTENSION PERIOD

WHEREAS the City Council approved Resolution No. 311 on December 13, 2010 authorizing an interfund loan to the Roads Capital Fund from the Revenue Stabilization Fund in the amount not to exceed \$2,500,000; and

WHEREAS, the Roads Capital Fund was established to account for activities related to capital transportation projects; and

WHEREAS, the Aurora Avenue Improvements project is accounted for in the Roads Capital Fund; and

WHEREAS, a significant portion of the total project funding for the Aurora Avenue Improvements is from grants and utility reimbursements; and

WHEREAS, the City is required to expend monies for project costs before requesting reimbursement from granting agencies and utilities; and

WHEREAS, there is an approximate lag of 30 to 45 days between when payments for expenditures are made and reimbursements are received from granting agencies and utilities; and

WHEREAS, the projected fund balance for the Revenue Stabilization Fund at the end of 2011 is \$4,925,357; now therefore

THE CITY COUNCIL OF THE CITY OF SHORELINE, WASHINGTON, HEREBY RESOLVES:

Section 1. The Revenue Stabilization Fund is authorized to extend the term of the loan to the Roads Capital Fund which commenced January 1, 2011 for another year for an amount up to \$2,500,000.

Section 2. The loan amount will be assessed an interest rate of 0.1% beginning January 1, 2012 which is equal to the current rate of return that the City would receive for a one-year investment on that date. Interest charges will be assessed monthly based on the loan balance.

ADOPTED BY THE CITY COUNCIL ON JANUARY 23, 2012.

ATTACHMENT A

Keith A. McGlashan, Mayor

ATTEST:

Scott Passey, City Clerk

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Tobacco Free Parks Discussion
DEPARTMENT:	City Manager's Office Parks, Recreation and Cultural Services
PRESENTED BY:	John Norris, CMO Management Analyst Dick Deal, Parks, Recreation and Cultural Services Director
ACTION:	<input type="checkbox"/> Ordinance <input type="checkbox"/> Resolution <input type="checkbox"/> Motion <input checked="" type="checkbox"/> Discussion

PROBLEM/ISSUE STATEMENT:

In September 2011, the City Council adopted a Healthy City Strategy Work Plan for Shoreline titled *Shoreline4Health*. One strategy goal of this plan is to establish a tobacco-free zone in all of Shoreline's parks and public sites. This report provides background information about this strategy goal and recommends a process to move this strategy goal forward.

RESOURCE/FINANCIAL IMPACT:

There is a very minimal fiscal impact to establishing tobacco-free zones in Shoreline parks and other public spaces. If legislation is adopted by the City Council enacting this regulation, the majority of the City resources used to enforce the regulation would be spent on posted signage at parks and other public locations and on educating current law enforcement and parks officials. It is also possible that some signage could be received from Public Health – Seattle and King County as part of a grant program they offer. Staff would not recommend that additional resources be spent on increased police and/or park patrols for this specific regulation and would rely on education and 'peer to peer' enforcement as the predominant enforcement mechanism.

RECOMMENDATION:

This report provides background information about tobacco free parks and recommends a process to move this goal forward. Council should determine if they would like staff to move forward with the recommended process.

Approved by: City Manager - *JU* City Attorney - *IS*

INTRODUCTION:

In September 2011, the City Council adopted a Healthy City Strategy Work Plan for Shoreline titled *Shoreline4Health*. One strategy goal of this plan is to establish a tobacco-free zone in all of Shoreline's parks and public sites. As well, the *Shoreline4Health* Work Plan has a goal of increasing the impact in Shoreline of King County's *Let's Do This* wellness campaign by working to bring their activities and initiatives to Shoreline. To implement both of these goals, staff has invited Caroline Hughes from Public Health – Seattle and King County to discuss the *Let's Do This* Tobacco Free Parks initiative that is being lead by Public Health. Ms. Hughes will provide information to the Council regarding other communities that have tobacco-free legislation, the health and environmental benefits of this type of policy, and how the County can work with Shoreline to implement our own ordinance to make all Shoreline parks tobacco-free.

In addition to the information provided by Ms. Hughes, Shoreline resident and Ridgecrest Neighborhood Association Secretary Patty Hale will be available to discuss the Shoreline cigarette butt clean up events that took place in December. These two events were sponsored by the *Let's Do This* campaign, and were managed and staffed by the Ridgecrest Neighborhood Association (clean up event at Paramount School Park) and the Dale Turner Family YMCA Swim Club (clean up event at Hamlin Park).

BACKGROUND:

In King County, tobacco use causes almost 2,000 premature deaths and costs over \$340 million in medical expenses each year. Part of this 'human cost' of smoking is related to second-hand smoke. When non-smokers are exposed to second-hand smoke, it is called involuntary smoking or passive smoking, as these non-smokers take in nicotine and other toxic chemicals just like smokers do. Even outdoors, second-hand smoke can have serious health consequences for non-smokers. This is why health experts agree that there is no safe level of exposure to second-hand smoke.

In addition to the concerns of second-hand smoke, allowing smoking in parks, beaches and other public places that are seen as 'health-promoting environments' can send a message to children, youth and other adults that using tobacco products is consistent with a healthy environment and a healthy lifestyle. As well, cigarette butts can take up to 15 years to decompose, leaching chemicals into the soil and posing harm to small children and pets if ingested.

These are some of the main reasons that cities, counties and special purpose districts across the United States, including more than 42 agencies and 15 counties throughout Washington State, have adopted policies promoting tobacco and smoke-free public outdoor areas. In King County, the cities of Auburn, Burien, Covington, Seattle, Snoqualmie and the Vashon Parks District all have tobacco or smoke-free policies in place. Additionally, King County Executive Dow Constantine stated that he would work with the County Council to develop a no-smoking policy for King County parks.

Attached to this staff report are two documents from Public Health - Seattle and King County that provide much of the policy reasoning why health experts agree that making public places and parks tobacco-free makes good sense. The first is a policy implementation guide (Attachment A) that provides resources to cities and other jurisdictions about how to get a tobacco-free policy and program in place, and the second is Ms. Hughes' Council presentation for tonight's meeting (Attachment B), which also provides much of the policy and scientific background on this issue.

NEXT STEPS:

If the Council is interested in moving forward with tobacco-free parks regulations, staff recommends the following process:

- **Online survey** – Staff recommends that a web-survey be conducted on the City's website and advertised in *Currents* that asks how residents feel about making Shoreline parks tobacco-free. Although the survey would not have statistical validity, it would hopefully have a large enough sample size of respondents that the results would provide a meaningful barometer of how Shoreline residents feel about making the parks system in Shoreline tobacco-free. The web-survey would be online for a fixed duration of time during the 1st quarter of 2012, and could be configured so that respondents would only be able to respond to the survey once (restricted by computer IP address.) Results of the survey would be tabulated and analyzed.
- **Additional Council discussion of survey results, further due diligence and ordinance review** – Staff would then present the findings of the tobacco-free parks web-survey and provide any additional pertinent information to the Council about moving forward with tobacco-free regulations. This would include various policy considerations, program size and scope, enforcement mechanisms, and ordinance specifics. Staff would also present a draft ordinance for Council review.
- **Ordinance adoption and implementation** – The final proposed ordinance would then be brought back for Council adoption. If adopted, the new regulations could be announced at an upcoming Healthy City event or other City event. Staff would then begin implementing procedures to begin enforcing the ordinance, such as the posting of signage in Shoreline parks and the education of law enforcement and parks officials on the new regulations.

COUNCIL GOAL ADDRESSED:

This staff report addresses Council Goal No. 6: Develop a "health city" strategy. As part of the Healthy City Strategy that was developed, titled *Shoreline4Health*, a strategy goal was developed to establish a tobacco free zone in all of Shoreline's parks and public sites.

RESOURCE/FINANCIAL IMPACT:

There is a very minimal fiscal impact to establishing tobacco-free zones in Shoreline parks and other public spaces. If legislation is adopted by the City Council enacting this

regulation, the majority of the City resources used to enforce the regulation would be spent on posted signage at parks and other public locations and on educating current law enforcement and parks officials. It is also possible that some signage could be received from Public Health – Seattle and King County as part of a grant program they offer. Staff would not recommend that additional resources be spent on increased police and/or park patrols for this specific regulation and would rely on education and ‘peer to peer’ enforcement as the predominant enforcement mechanism.

RECOMMENDATION:

This report provides background information about tobacco free parks and recommends a process to move this goal forward. Council should determine if they would like staff to move forward with the recommended process.

ATTACHMENTS:

- A: Tobacco-Free Parks Policy Implementation Guide: King County *Let's Do This* Program
- B: Communities Putting Prevention to Work; Tobacco-Free Parks Presentation to the Shoreline City Council: Public Health - Seattle and King County



Tobacco-Free Parks Policy Implementation Guide

June 2011

Why do we need to do this?

Enjoying Healthy Park Environments – Tobacco-Free Policies for Parks and Recreation Facilities in King County

Tobacco-free parks and recreation areas promote health and wellness

Parks are highly valued environments in neighborhoods and communities that promote individual and community wellness. Making these environments tobacco-free makes sense and is in alignment with community norms. Leash laws and rules against drinking in public provide for comfortable and safe visits to parks – tobacco use should be added to this list.

Cigarette butts aren't just litter – they're dangerous. According to the Washington Department of Ecology, 480 million cigarette butts are littered in Washington State every year. Cigarette butts are not biodegradable and can take up to 15 years to decompose. During that time, they leach cadmium, arsenic, and other poisons into the soil. Discarded cigarettes are also the third leading cause of preventable outdoor fires. In 2008, approximately 60,000 outdoor fires in the U.S. were caused by tobacco. Cigarette butts may also be ingested by toddlers, pets, birds, and fish.

- Washington State Department of Ecology (2007, April 12). *Statewide litter campaign focuses on dangerous litter behavior*. www.ecy.wa.gov/news/2007news/2007-083.html
- Karter, Michael J. *Fire Loss in the United States During 2009* National Fire Protection Association.
- Ahrens, Marty Brush, Grass, and Forest Fires August 2010 National Fire Protection Association.

Tobacco-free environments prevent kids from using tobacco and assists adults in quitting. Youth and children exposed to smoking and tobacco use are more likely to use tobacco products when they get older. Research shows prohibiting smoking in public places decreases the chances that kids will use tobacco products and supports adults in smoking less or stopping altogether.

- Wakefield, Melanie A., et al. *Do Restrictions on Smoking at Home, at School and in Public Places Influence Teenage Smoking?*

Secondhand smoke harms everyone. Children exposed to secondhand smoke are at an increased risk for acute respiratory problems, ear infections and asthma attacks. Exposure of adults to secondhand smoke has immediate adverse effects on the cardiovascular system and causes coronary heart disease and lung cancer. There is simply no safe level of exposure to secondhand smoke.

- *The Health Consequences of Involuntary Exposure to Tobacco Smoke. The 2006 Surgeon General's Report on Smoking.*

Secondhand smoke can be harmful in outdoor settings. Under some conditions, according to research from Tufts University School of Medicine and Repace Associates, outdoor levels of tobacco smoke can be as high as indoor levels of secondhand smoke.

- Repace, James L. *Fact Sheet: Outdoor Air Pollution from Secondhand Smoke*

Why Tobacco-Free Park Policies are being adopted in King County

Most King County residents support tobacco-free parks and recreation policies.

The 2007 Behavioral Risk Factor Surveillance System (BRFSS) Survey conducted by the Washington State Department of Health reports that a majority of King County residents (72%) support prohibiting smoking in outdoor public areas.

Tobacco-free policies reduce litter and maintenance costs.

High-activity areas in parks, public access areas, and rest areas accumulate more litter per acre each year than roadways do. Parks leaders who have implemented tobacco-free policies report a significant reduction in cigarette butts littering the grounds. This saves money and allows maintenance crews to focus on more important projects.

- Washington State Litter Study, May 2000

Tobacco-free and smoke-free parks are becoming a norm across Washington State.

More than twenty-five cities in twelve counties throughout Washington have already adopted policies promoting tobacco and smoke-free public outdoor areas.

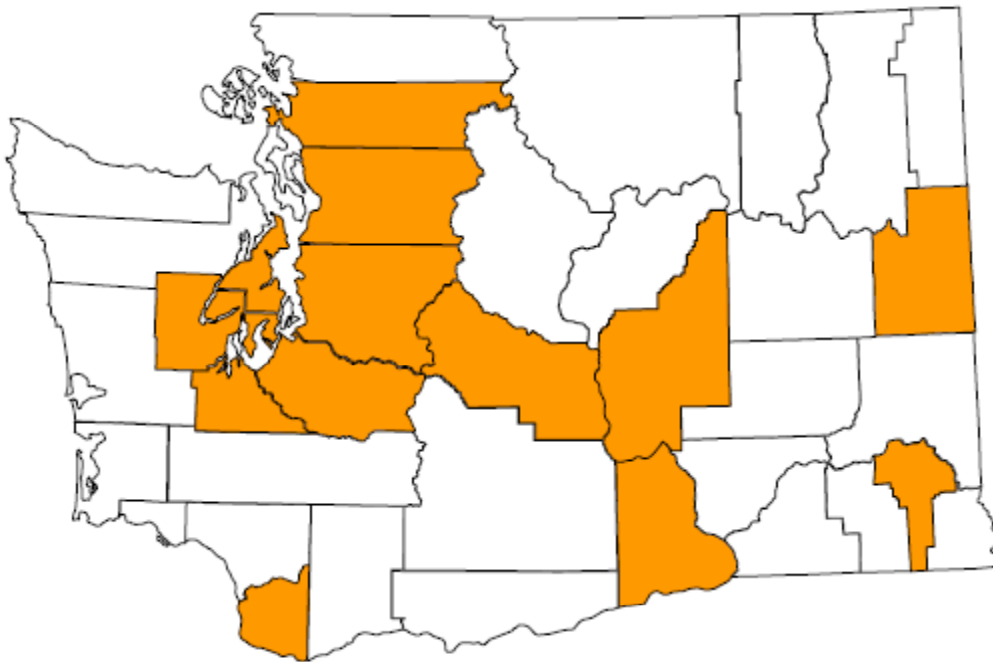
- Public Health in Action – Reducing Tobacco Exposure in Parks WADOH TPC Program Assessment and Evaluation

The time to act is now and King County is leading the way.

In the Summer of 2010, King County was awarded a national Communities Putting Prevention to Work (CPPW) grant. Diverse partners from across King County are working to create neighborhoods where it's safer to walk or bike, where schools and childcare settings are providing healthier foods and drinks, and where all King County residents can breathe smoke-free air.

Where do Tobacco-Free Park Policies currently exist in Washington State?

Parks across Washington State have adopted policies restricting or prohibiting tobacco use. The map below outlines all the parks in the state with identified tobacco policies.



Source: 2010 Washington State Department of Health, Tobacco Prevention and Control Program, Statewide Policy Outcomes Report on Reducing Tobacco in Parks. Full report including pages that provide more details about the processes that led to policy change in some communities can be found at, http://www.doh.wa.gov/tobacco/data_evaluation/Data/PolicyOutcome/WaPolicyReport.pdf

Where do Tobacco-Free Park Policies currently exist in Washington State?

County	Park	Year	Policy Detail
Benton	Kennewick Parks	2005	Smoke free playgrounds, 25' rule around perimeter. Signs posted at 26 playgrounds.
Benton	Richland Parks	2006	Smoke free playgrounds, 50' rule around perimeter. Signs posted at 20 playgrounds.
Benton	West Richland Parks	2007	Smoke free parks and spit tobacco is specifically prohibited.
Chelan-Douglas	Wenatchee City Parks	2010	City policy covers all parks. Signs posted at play areas, sports fields and wading pools.
Clark	Vancouver & Clark County Parks	2005	Smoke free playgrounds. Signs are posted at playgrounds and restrooms.
Clark	Battleground Parks	2007	Skate park section is smoke free and there are designated smoking areas.
Columbia	Dayton Parks	2010	Smoke free zones 25' around playgrounds, pools, athletic complex.
Garfield	Pioneer Park	2008	A pocket park in Pomeroy is tobacco-free, 25' rule.
Grant	Moses Lake Parks	2006	Rule covers playgrounds, ballparks, play fields, bleachers, restrooms, concession stand and any public gathering space.
King	Seattle Parks	2010	All tobacco use prohibited within 25' of other people, play areas and beaches.
Kitsap	Poulsbo	1999	
Kittitas	Ellensburg	2006	Rule covers playgrounds, restrooms, ball fields, beaches, and events.
Mason	Mason County Property	2006	All county-owned property is smoke free including parks and fairgrounds.
Pierce	Puyallup	2004	Entire park is smoke free, compliance is voluntary.
Pierce	Metro Parks	2009	Parks are smoke free and the policy includes enforcement provisions.
Pierce	Pierce County Parks	2009	Parks are smoke free and the policy includes enforcement provisions.
Skagit	Bakerview Park	2005	Entire park is smoke free, compliance is voluntary.
Skagit	Clear Lake Beach	2005	Entire park is smoke free, compliance is voluntary.
Skagit	Montgomery-Duban Headlands	2007	Entire park is smoke free, compliance is voluntary.
Skagit	Sharpe Park	2007	Entire park is smoke free, compliance is voluntary.
Snohomish	Marysville	2001	First park in Snohomish County to enact a policy.
Snohomish	Lake Stevens	2008	Smoke free policy includes enforcement provision and fine structure.
Snohomish	13 Snohomish Community Parks	2002-2007	Cities of Arlington, Granite Falls, Gold Bar, Monroe, Mukilteo, Index, Sultan, Snohomish, Everett, Lynnwood, Mountlake Terrace, Edmonds, Bothell
Spokane	Spokane Parks	2009	25' rule covers playgrounds, pools, restrooms, skate parks, and community events.
Thurston	Olympia	2005	Signs are posted at playgrounds.
Thurston	Tumwater	2007	Entire park is smoke free, compliance is voluntary.

Source: 2010 Washington State Department of Health, Tobacco Prevention and Control Program, Statewide Policy Outcomes Report on Reducing Tobacco in Parks.

100% Tobacco-Free Parks Model Policy

The following is a model policy for tobacco-free parks and beaches. The language below is intended to help draft and shape a policy that best suits your agency, whether that be through an ordinance, rule or resolution.

Please consult with your local legal advisors when considering how to adapt this policy.

Following the model policy are three examples of current tobacco-free policies in Washington State.

I. Guideline Statement

City and county parks and beaches are intended for the healthy enjoyment of all citizens, including children and youth.

II. Findings

- Parks and beaches are essential, health-promoting environments that can provide low to no cost opportunities for play, physical activity, greater family and community connection, stress reduction, and access to improved nutrition.
- Tobacco use in parks and beaches sends a dangerous message to youth that using tobacco is consistent with a healthy environment. Studies have shown that children and youth exposed to smoking and tobacco use are more likely to use tobacco products when they get older. Parents, leaders, coaches, and officials involved in recreation are role models for youth and can have a positive effect on the lifestyle choices they make.
- The Surgeon General has concluded that there is no safe level of exposure to secondhand smoke. The negative health consequences associated with exposure to secondhand smoke include increased risk of blood clots, heart attack, asthma attacks, respiratory problems, and eye and nasal irritation. Indeed, the Environmental Protection Agency has classified secondhand smoke as a Group A human carcinogen, a category which includes only the most potent cancer causing agents, like benzene, vinyl chloride, asbestos, and arsenic.
- Cigarettes and other tobacco products, once consumed in public places, are often discarded on the ground requiring additional maintenance expenses, diminishing the beauty of recreational facilities, and posing a risk to toddlers and/or animals due to ingestion. Cigarette butts also take up to 15 years to decompose.
- Discarded tobacco products also pose a risk of fire. Matches and cigarettes account for 12 percent and 9 percent of outdoor fires, respectively.
- King County residents want tobacco and smoke-free parks and beaches. The majority of residents (72%) support prohibiting smoking in outdoor public areas. More than 25 cities in 12 counties throughout Washington have adopted policies promoting tobacco-free public outdoor areas.
- In the Spring of 2010, representatives from the King County Parks Directors Network agreed to a region-wide collaboration with Public Health through the federally funded Communities Putting Prevention to Work Initiative that would establish tobacco-free parks in at least 22 cities throughout King County.

100% Tobacco-Free Parks Model Policy

continued

III. Definitions

For purposes of this policy, the terms set forth below shall have the following meanings:

1. *"Tobacco product"* means any product containing tobacco in any form.
2. *"Unapproved nicotine delivery product"* means any product containing or delivering nicotine intended or expected for human consumption that has not been approved or otherwise certified for sale by the United States Food and Drug Administration as a tobacco use cessation product.
3. *"Parks and beaches"* means any property under the jurisdiction of the parks department.

IV. Tobacco-Free Parks Policy

1. The use of tobacco or unapproved nicotine delivery products is prohibited in all parks and beaches.
2. The Parks Department shall prominently post and maintain signage in all parks and beaches indicating that tobacco use is prohibited.
3. The Parks Department shall publicize the tobacco-free policy on its website and other promotional materials.
4. The Parks Department shall amend its permits and rental agreements (governing the private use of parks department facilities such as playing fields and shelters) to reflect that compliance with the tobacco-free park policy is a condition of the permit or lease.
5. Parks Department employees shall be authorized to enforce the tobacco-free policy by asking persons found to be in violation of the policy to discontinue tobacco use or leave the park or beach.

V. Effective Date

This policy is effective immediately upon the date of adoption.

Example: Tacoma Ordinance

ORDINANCE NO. 27841

BY REQUEST OF COUNCIL MEMBERS LADENBURG, STRICKLAND, AND TALBERT

AN ORDINANCE relating to the park code; amending Chapter 8.27 of the Tacoma Municipal Code, prohibiting smoking in all City parks.

WHEREAS the City's parks are intended for the healthy enjoyment of all citizens, including children and youth, and

WHEREAS Metro Parks Tacoma staff has reported that smoking and tobacco use in parks has resulted in litter of cigarette butts, cigar butts, and other tobacco-related waste, which studies have shown can cause environmental degradation and pose a health risk to children and animals, and

WHEREAS the City Council, through its Public Safety, Human Services and Education Committee, received testimony from representatives of the Tacoma-Pierce County Health Department that smoking and tobacco use, including secondhand smoke, has been linked with the development of lung cancer, heart attack, low birth weight, bronchitis, pneumonia, asthma, chronic respiratory problems, and eye and nasal irritation, and

WHEREAS studies have shown that children and youth exposed to smoking and tobacco use are more likely to smoke when they get older, and

WHEREAS many parks in the City contain brush and trees, which can be combustible, particularly in the dry summer months, and the parks do not contain facilities for disposing of tobacco products and tobacco products that are not completely extinguished pose an increased risk of fire, and

WHEREAS, in spring 2009, Metro Parks Tacoma, along with Tacoma-Pierce County Public Health, requested that the Public Safety, Human Services and Education Committee ("Committee") examine the issue of a citywide ban of smoking in all public parks within the City limits of Tacoma in order to promote public health and safety, and

WHEREAS, on June 25, 2009, and August 13, 2009, the Committee discussed the item and deliberated on the policy objectives and the scope of the policy before deciding upon the policy goals of public health, litter concerns, and fire dangers in the ordinance, and

WHEREAS the Committee gave a "do pass" recommendation for the all-encompassing smoking ban in City parks,

WHEREAS, if implemented, the proposed ordinance will require "No Smoking" signage to be in place in order to be effective, and

WHEREAS the City will be responsible for all municipally owned park signage; Now, Therefore,

BE IT ORDAINED BY THE CITY OF TACOMA:

Section 1. That Chapter 8.27 of the Tacoma Municipal Code is amended, as set forth in the attached Exhibit "A."

EXHIBIT "A"

8.27.085 Smoking in parks prohibited.

It is unlawful for any person to smoke or light cigars, cigarettes, tobacco, or other smoking material within a park. The Director or City Manager shall post signs in appropriate locations, prohibiting smoking in parks.

For the purposes of this section, "smoke" or "smoking" means the carrying, holding, or smoking of any kind of lighted pipe, cigar, cigarette, or any other lighted smoking equipment.

A violation of this section is a class 4 civil infraction \$25, not including statutory assessments. Such penalty is in addition to any other remedies or penalties provided by law.

Example: Mason County Rule

9.44.041 - Smoking in county parks or fairgrounds.

All county property, including county parks and fairgrounds, shall be designated nonsmoking areas.

County property does not include:

(1) Private vehicles and residences unless otherwise required by individual or group contracts with the county;

(2) County roads;

(3) Any person passing by or through county property while on a public sidewalk or public right-of-way has not intentionally violated this chapter.

(Ord. 91-06 Att. B (part), 2006).

Example: Tumwater Resolution

A RESOLUTION of the City Council of the City of Tumwater Washington urging park users to refrain from using tobacco products in all city owned park facilities

WHEREAS, tobacco related disease is the number one cause of death to Washington residents, killing more people than AIDS, alcohol, car, accidents, fires, illegal drugs, murders, and suicides combined; and

WHEREAS, the Environmental Protection Agency has classified secondhand smoke as a Group A human carcinogen and therefore concludes that secondhand smoke is a risk to non smokers; and

WHEREAS, there is no safe level of exposure to secondhand smoke and even brief exposure can cause immediate harm; and

WHEREAS, cigarette butts pose a significant litter burden; they are the largest source of outdoor recreation trash in parks and the single most littered item in the world, reports from jurisdictions with tobacco policies in place indicate a dramatic reduction in litter and subsequently maintenance costs; and

WHEREAS, adults are often role models for young people, and adults who smoke set a bad example for youth; and

WHEREAS, it is in the City's interest and the interests of park users to be aware of the risks posed by secondhand smoke, and to acknowledge the desirability of adults providing good role models for kids; and

WHEREAS, approximately 80 percent of Thurston County residents do not smoke; and

WHEREAS, the City encourages the use of parks facilities in a safe and healthy manner, and the Parks and Recreation Department and City Council have recommended the installation of signage requesting voluntary compliance of park patrons not to smoke;

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TUMWATER AS FOLLOWS:

Section 1. The Tumwater Parks and Recreation Department is hereby requested to install signage at all parks owned by the City of Tumwater urging park users to voluntarily comply with the request to refrain from using tobacco products while visiting Tumwater parks.

Section 2. Ratification. Any act consistent with the authority and prior to the effective date of this Resolution is hereby ratified and affirmed.

Section 3. Severability. The provisions of this Resolution are declared separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section, or portion of this Resolution or the invalidity of the application thereof to any person or circumstance, shall not affect the validity of the remainder of the Resolution or the validity of its application to other persons or circumstances.

Section 4. Effective Date. This Resolution shall become effective immediately upon adoption and signature provided by law.

ADOPTED this 16th day of October 2007.

Enforcing and Publicizing Your Tobacco-Free Park Policy

Post Signs

The best way to publicize your tobacco-free policy is by posting signs. This also means immediately re-posting them if you find them vandalized or torn down.

The following locations are suggested places for posting your tobacco-free signs:

- ☐ Fencing around playgrounds and fields
- ☐ Backstops
- ☐ Picnic shelters
- ☐ Restrooms
- ☐ Concession stands
- ☐ Parking lot entrances
- ☐ Beach entrances
- ☐ Lifeguard stands
- ☐ Hiking trail entrances
- ☐ Information/bulletin boards
- ☐ Near garbage cans
- ☐ Near water fountains

Inform Your Community!

There will be a local overarching media campaign educating King County residents on the importance of tobacco-free parks. You are highly encouraged to educate your internal staff, community members and the local media about your tobacco-free policies.

Here are some ways of doing so:

- ☐ Staff notification of the new policy and setting procedures for handling violations
- ☐ Bookmarks or small notification cards explaining the policy distributed by park staff or community members to park users
- ☐ Articles in a local or regional newspaper, as the result of a news release or reporters' coverage
- ☐ Park and recreation department and city newsletters
- ☐ Recreation program brochures, catalogs, and announcements
- ☐ Rulebooks or policy statements that are distributed to sports league administrators, coaches, officials, parents and participants
- ☐ Other fact sheets or educational articles about tobacco and secondhand smoke distributed at community meetings, in mailings, or through newsletters

- ☐ Postings on the recreation department's or city's website
- ☐ Public address announcements at recreation events, or public service announcements on local radio stations or public access cable channels
- ☐ Kick-off celebration or community event with tobacco-free pledges, activities, etc.

Enforcement

- ☐ Provide ongoing and clear communication about the rationale, components and enforcement of the tobacco-free environment policy.
- ☐ Discuss, plan and monitor the implementation and enforcement of this policy as you do other current policies (i.e., off-leash laws, alcohol use, etc.) especially relating to the most effective way to respond to individuals found violating the policy.
- ☐ Provide referrals for low to no-cost cessation resources to interested persons:

1-800-QUIT NOW (1-800-784-8669) or www.quitline.com

Tobacco-Free Parks Signage

*FREE signs provided by Public Health-Seattle & King County and the
U.S. Department of Health and Human Services*

For signage, the tobacco-free policy must include:

- ❑ A statement that tobacco use is prohibited
- ❑ A list of all the facilities it covers
- ❑ A commitment to posting signs

Two signs will be available based on the type of policy that you intend to implement:



Please fill out the interest form if you would like to participate in this project.

Download form at: <http://www.healthykingcounty.org/forum/categories/tobaccofree-parks-1/listForCategory>

Resources

*So, you know you want tobacco-free parks but you're not sure what to do next.
Here are some resources and tools to help you plan, implement, and enforce your strategy.*

Join Healthy King County!

Healthy King County is a social networking site for those interested and involved in Healthy Eating, Active Living and Tobacco Prevention in King County. It's like a Facebook page. The home page provides general updates and posts from members. The work groups page allows for interactions based on a common project. Our project work group is called **Healthy Parks and Recreation**.

Join this site to download information including this implementation guide. To join, go to www.healthykingcounty.org and click the **Sign Up** link on the right hand side of the page. Then go to the work groups page and click to **Add** the Healthy Parks and Recreation work group.

The following materials can be downloaded from the Healthy King County website at:

<http://www.healthykingcounty.org/forum/categories/tobaccofree-parks-1/listForCategory>

- **Policy Implementation Guide**

Download the electronic version of this toolkit

- **General Tobacco-Free Parks and Beaches Model Policy**

Download the word document version of the model policy found in this toolkit for easy editing

- **Worksheet: Develop a Policy Strategy – The “How” of Local Policy and Organizational Change**

Each community is different and it is worth taking the time to answer these important questions on how you will go about successfully creating tobacco-free parks. This is a great document to use when first convening the team of people who will be assisting in the policy initiative.

- **Handout: The Policy Adoption Model – Los Angeles County Tobacco Control and Prevention Program**

This provides you a step-by-step framework for a successful policy campaign. Take your strategy and use this framework to plan what you're going to do next. Each step is a progression from the next and provides you a strategic course of action for passing your policy.

Let's Do This – Working Together for Healthier Places to Live (Overarching Communications Campaign)

- <http://www.letsdothiskingcounty.org>

- Learn more about smoke free places: http://www.letsdothiskingcounty.org/pdf/Smoke_free_places.pdf

- Download posters: http://www.letsdothiskingcounty.org/pdf/LetsDoThis_Ads_v2.pdf

Communication Resources

- Fact Sheet: <http://www.healthykingcounty.org/forum/categories/tobaccofree-parks-1/listForCategory>

- Creating a Communications Plan Worksheet: <http://www.healthykingcounty.org/forum/topics/creating-a-communications-plan-1>

- Guide to Creating a Communications Plan: <http://www.healthykingcounty.org/forum/topics/communications-plan-overview>

- Sample Communications Plan: <http://www.healthykingcounty.org/forum/categories/tobaccofree-parks-1/listForCategory>

- Sample Press Release: <http://www.healthykingcounty.org/forum/categories/tobaccofree-parks-1/listForCategory>

- CPPW Communication Key Messages: <http://www.healthykingcounty.org/forum/topics/cppw-key-messages>

- Crafting Your Key Messages: <http://www.healthykingcounty.org/forum/topics/crafting-key-messages>

- Resources from a CPPW Media Training: <http://www.healthykingcounty.org/forum/topics/media-training-resources>

Contact Information

If you have any questions or need assistance with anything, please contact any of the Park Directors or Project Managers listed below

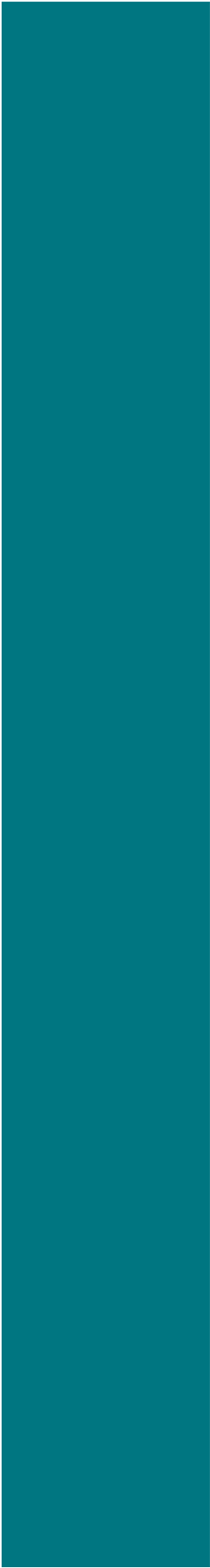
Kevin Brown Director King County Parks 206-296-8631 kevin.brown@kingcounty.gov	Pat Parkhurst Recreation & Fleet Manager City of Bothell Public Works Department 425-486-7430 pat.parkhurst@ci.bothell.wa.us
Daryl Faber Parks, Arts & Recreation Director City of Auburn 253-931-3043 dfaber@auburnwa.gov	Jennifer Schroder Parks and Community Services Director City of Kirkland 425-587-3301 jschroder@ci.kirkland.wa.us
Sue Goodwin Recreation Director Seattle Parks & Recreation 206-684-4558 sue.goodwin@seattle.gov	Lee Anne Hughes Tobacco-Free Parks Project Manager King County Parks 206-263-0180 leeanne.hughes@kingcounty.gov
Michael Lafreniere Department Director Burien Parks, Recreation & Cultural Services 206-988-3703 michaell@burienwa.gov	Caroline Hughes Tobacco-Free Parks Project Officer Public Health – Seattle/King County 206-263-9298 caroline.hughes@kingcounty.gov



Communities Putting Prevention to Work

Tobacco-Free Parks

City of Shoreline
City Council
January 17, 2012



Public Health
Seattle & King County





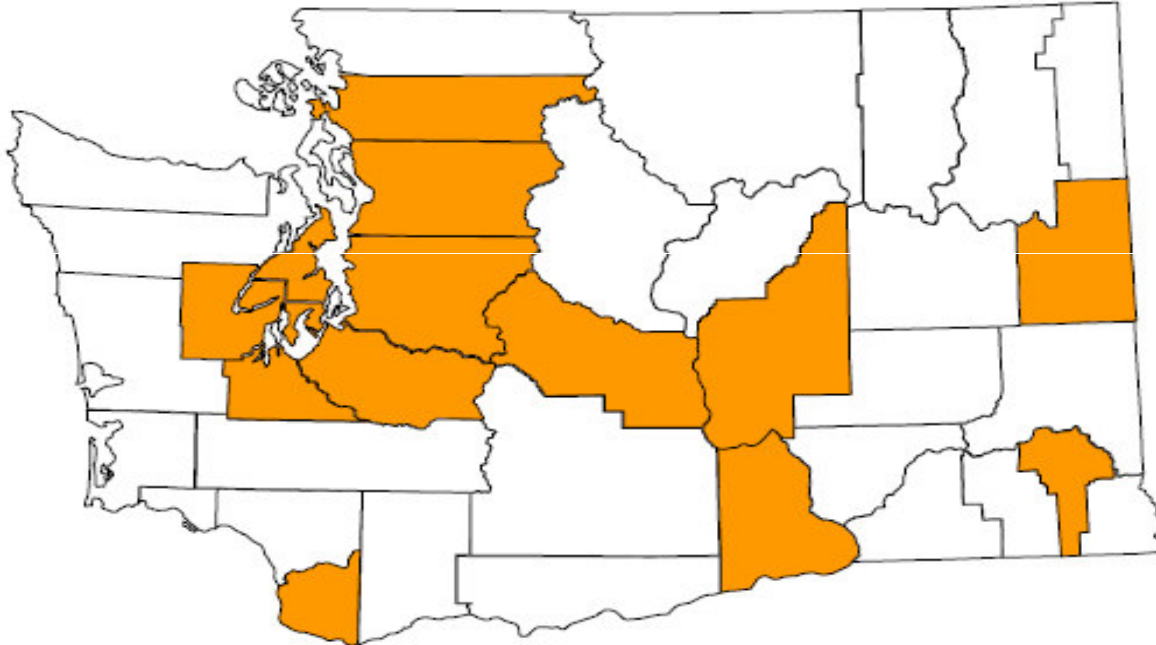
**Paramount Park:
2,096 butts
Hamlin Park:
1,265 butts**

Tobacco-Free Parks Nationally

- **New York City (2011)**
 - 1,700 parks and 14 miles of public beaches plus boardwalks, marinas and pedestrian plazas like the one in the heart of Times Square.
- **Los Angeles County (2011)**
 - 144 parks
 - Enforcement ranges from a fine to eviction
- **Minnesota (2004 - 2006)**
 - 126 cities, 6 counties, 3 district parks
 - Enforcement ranges from none to eviction from park
- **San Francisco (2005)**

Tobacco-Free Park Policies in Washington State

Parks across Washington State have adopted policies restricting or prohibiting tobacco use. The map below outlines these policies, which include 15 counties representing 42 agencies.



Source: 2010 Washington State Department of Health, Tobacco Prevention and Control Program, Statewide Policy Outcomes Report on Reducing Tobacco in Parks. Full report including pages that provide more details about the processes that led to policy change in some communities can be found at, http://www.doh.wa.gov/tobacco/data_evaluation/Data/PolicyOutcome/WaPolicyReport.pdf

Where are Tobacco-Free Parks Policies in Washington State?

County	Park	Year	Policy Detail
Benton	Kennewick Parks	2005	Smoke free playgrounds, 25' rule around perimeter. Signs posted at 26 playgrounds.
Benton	Richland Parks	2006	Smoke free playgrounds, 50' rule around perimeter. Signs posted at 20 playgrounds.
Benton	West Richland Parks	2007	Smoke free parks and spit tobacco is specifically prohibited.
Chelan-Douglas	Wenatchee City Parks	2010	City policy covers all parks. Signs posted at play areas, sports fields and wading pools.
Clark	Vancouver & Clark County	2005	Smoke free playgrounds. Signs are posted at playgrounds and restrooms.
Clark	Battleground Parks	2007	Skate park section is smoke free and there are designated smoking areas.
Columbia	Dayton Parks	2010	Smoke free zones 25' around playgrounds, pools, athletic complex.
Garfield	Pioneer Park	2008	A pocket park in Pomeroy is tobacco-free, 25' rule.
Grant	Moses Lake Parks	2006	Rule covers any public gathering space including play fields.
King	Auburn, Covington, Vashon, Snoqualmie cities	2009-2010	Resolution, ordinance or rule.
King	Seattle Parks	2010	All tobacco use prohibited within 25' of other people, play areas and beaches.
Kitsap	Poulsbo	1999	
Kittitas	Ellensburg	2006	Rule covers playgrounds, restrooms, ball fields, beaches, and events.
Mason	Mason County Property	2006	All county-owned property is smoke free including parks and fairgrounds.
Pierce	Puyallup	2004	Entire park is smoke free, compliance is voluntary.
Pierce	Tacoma Metro Parks and Pierce County Parks	2009	Parks are smoke free and the policy includes enforcement provisions.
Skagit	Bakerview Park and Clear Lake Beach	2005	Entire park is smoke free, compliance is voluntary.
Skagit	Montgomery-Duban Headlands and Sharpe Park	2007	Entire park is smoke free, compliance is voluntary.
Snohomish	Marysville	2001	First park in Snohomish County to enact a policy.
Snohomish	Lake Stevens	2008	Smoke free policy includes enforcement provision and fine structure.
Snohomish	13 Snohomish Community Parks	2002-2007	Cities of Arlington, Granite Falls, Gold Bar, Monroe, Mukilteo, Index, Sultan, Snohomish, Everett, Lynnwood, Mountlake Terrace, Edmonds, Bothell
Spokane	Spokane Parks	2009	25' rule covers playgrounds, pools, restrooms, skate parks, and community events.
Thurston	Olympia	2005	Signs are posted at playgrounds.
Thurston	Tumwater	2007	Entire park is smoke free, compliance is voluntary.

Source: 2010 Washington State Department of Health, Tobacco Prevention and Control Program, Statewide Policy Outcomes Report on Reducing Tobacco in Parks.

Seattle & King County



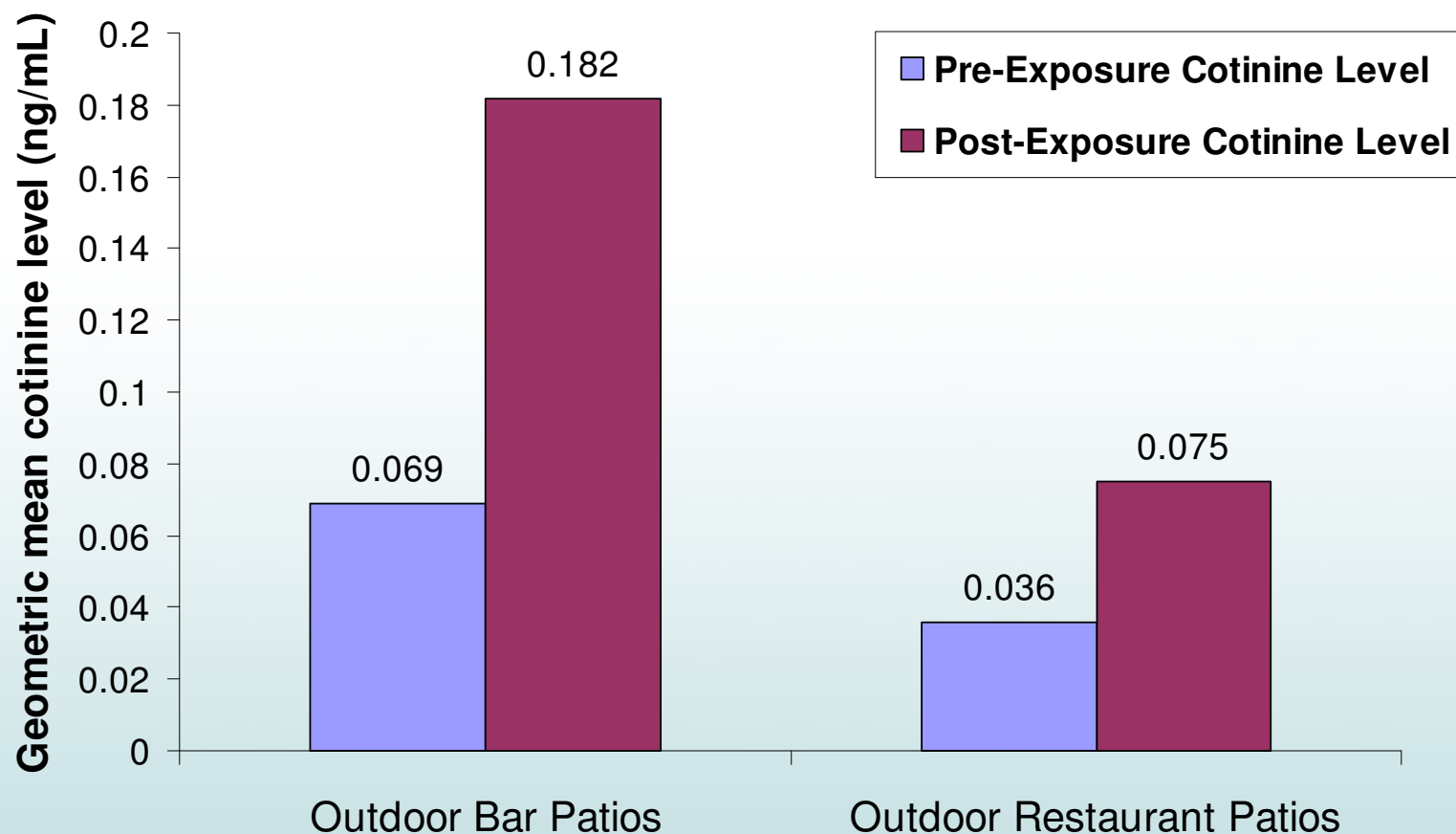
Why Tobacco-Free Outdoor Areas?



It protects health

- Smoking is the leading cause of preventable illness and premature death in the United States
- There is no safe level of exposure to second-hand smoke
- Exposure outdoors can be as high as exposure indoors
- Prohibiting smoking in public places supports adults in smoking less or quitting

Outdoor Exposure Increases Cotinine Levels in Nonsmokers



Hall, JC et al (2009). Assessment of exposure to secondhand smoke at outdoor bars and family restaurants in Athens, Georgia, using salivary cotinine. *J Occ Env Hyg* 6: 698-704.

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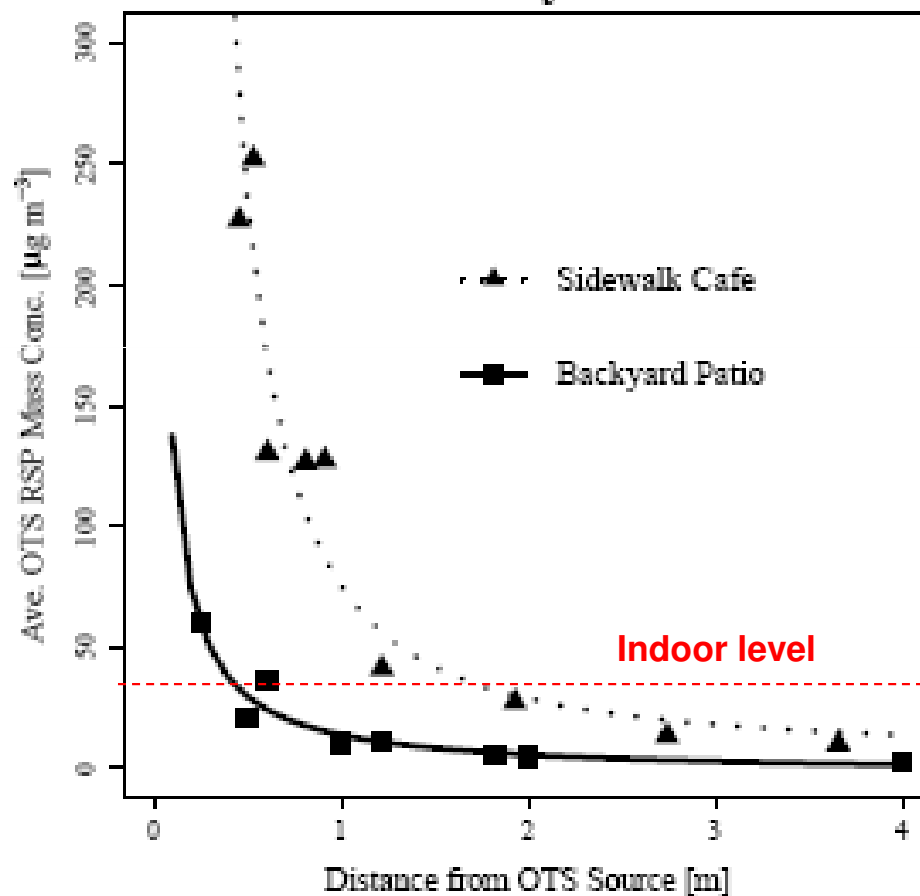
Brief Exposure to Second Hand Smoke Poses Serious Health Risks

- Even brief exposure can:
 - result in upper airway changes in healthy persons
 - lead to more frequent asthma attacks in asthmatic children
- Just 30 minutes of exposure to SHS can:
 - increase risk of blot clots
 - slow the rate of blood flow through the coronary arteries
 - injure blood vessels and interfere with their repair



Levels of SHS Outdoors Close to Levels Indoors

Proximity Effect



Levels of small particles detected at varying distances from 5 cigarettes outdoors, compared to indoor living room

Why Tobacco-Free Outdoor Areas?

It reduces exposure for kids to tobacco products

- Research shows that youth exposed to tobacco use are more likely to use tobacco themselves
- Children exposed to secondhand smoke are more likely to have acute respiratory problems, asthma attacks and ear infections
- In 2009, U.S. Poison Control Centers received about 5,500 calls re cigarette ingestion and over 2,000 calls about tobacco ingestion among children 5 yrs old.

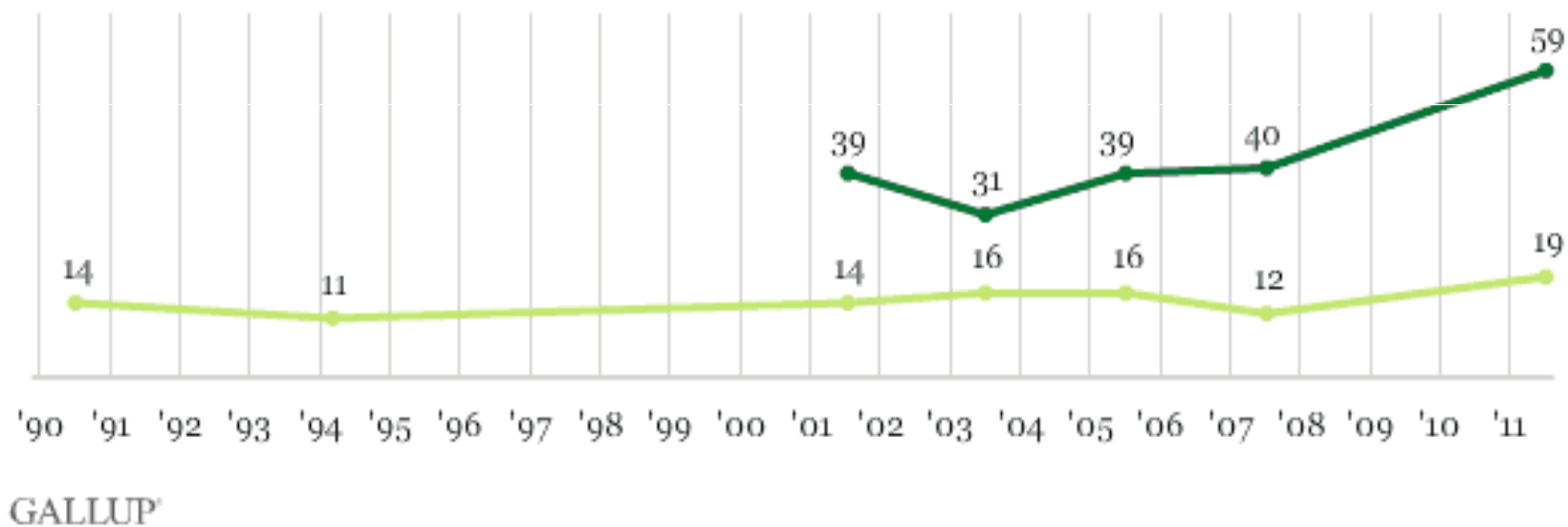


Why Tobacco-Free Outdoor Areas?

- **Support for tobacco-free outdoor areas is overwhelming**
 - Over 70% of King County residents support prohibitions on smoking in outdoor public places
 - Almost 90% of adults in King County are non-smokers
 - Nationally, support for tobacco-free outdoor areas has grown rapidly
 - Over 500 cities across the United states have passed laws to prevent smoking at parks

Support for Making Smoking Illegal in All Public Places, and Totally Illegal Across Country

■ % Illegal in all public places ■ % Totally illegal in U.S.



Source: July 2011 report from [Gallup](#)

Public Health
Seattle & King County



Why Tobacco-Free Outdoor Areas?



- **It protects the environment**

- Over 480 million cigarette butts are littered in Washington State each year. Butts can take up to 15 years to decompose, leaching chemicals into the ground and causing damage to animals who may consume them.
- Butts can clog drainage systems and cost taxpayers money to clean up
- King County Community Corrections estimates that over 70% of garbage picked up by the work crew is cigarette butts.



King County Parks Director's Network

- Network of 29 parks
- Created goal in 2010 to implement tobacco/smoke-free policies in 75%
- Interest in a coordinated effort with joint marketing, communication and media outreach



Director's Network for CPPW Tobacco-free Parks

Grant lead	Steering Committee Members	Mentored Cities	Director
King County			Kevin Brown
		Si View Metro Park	Travis Stombaugh
		Enumclaw	Erika Shook
		Covington	Scott Thomas
		Vashon Park District	Wendy Braicks
	City of Auburn		Daryl Faber
		Federal Way	Donna Hanson
		Kent	Jeff Watling
		Maple Valley	Greg Brown
	City of Burien		Michael Lafreniere
		Des Moines	Patrice Thorell
		Renton	Terry Higashiyama
		SeaTac	Kit Ledbetter
		Tukwila	Rick Still
	City of Bothell		Pat Parkhurst
		Lake Forest Park	Tema Nesoff
		Shoreline	Dick Deal
		Woodinville	Tom Hansen
	City of Kirkland		Jennifer Schroder
		Bellevue	Patrick Foran
		Redmond	Craig Larsen
		Issaquah	Anne McGill
		Sammamish	Jessi Richardson
	City of Seattle		Sue Goodwin
		Snoqualmie	Gwen Voelpel
		Mercer Island	Bruce Fletcher
		Newcastle	Carol Nugent



King County Cities with Tobacco-Free Parks Policies

- **Auburn**

- Resolution proclaiming “For Our Kids – Tobacco Free Parks”
- Education program to protect children from the harmful effects of environmental tobacco smoke

- **Covington**

- Ordinance prohibited smoking on park property except in designated areas
- Violation is considered a misdemeanor

- **Seattle**

- Park rule prohibited tobacco use within 25’ of other people, and in play areas, beaches and playgrounds
- Enforcement by removal from premises, citation or arrest

- **Snoqualmie**

- Park rule prohibiting smoking on athletic fields and playgrounds, in picnic shelters and park restrooms, and in any other areas specifically posted as “No Smoking”
- Violation can result in banning from premises

- **Vashon Park District**

- Park rule prohibiting smoking on any park grounds



Around King County – Other Tobacco-Free Projects

- **Hospitals - tobacco-free campuses:**
 - University of Washington Medical Center
 - Highline Medical Center
 - Harborview
- **Housing Authorities – smoke-free units:**
 - Seattle
 - Renton
 - King County
 - Part of 10,000 units of affordable housing, including non-profits, that will be smoke-free by March 2012
- **Mental Health and Chemical Dependency Treatment Centers – tobacco-free:**
 - Over 100 campuses including Recovery Centers of King County, Pioneer Human Services, and Navos
- **Colleges:**
 - Cornish College of the Arts is developing a smoke-free policy for 2012 implementation



Thank you

Caroline Hughes

caroline.hughes@kingcounty.gov

206-263-9298

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Discussion of Special Event Alcohol Use in Parks		
DEPARTMENT:	PRCS Department		
PRESENTED BY:	Dick Deal, PRCS Director Eric Bratton, CMO Management Analyst		
ACTION:	<input type="checkbox"/> Ordinance	<input type="checkbox"/> Resolution	<input type="checkbox"/> Motion
	<input checked="" type="checkbox"/> Discussion	<input type="checkbox"/> Public Hearing	

PROBLEM/ISSUE STATEMENT

Councilmember Winstead requested staff to review the City's policy regarding alcohol use in the City's parks and facilities and options for expanding the number of locations where alcohol is allowed for special events with a permit. Currently, under SMC 8.12.500, the only City park area or facility where alcohol is permitted is indoors at the Richmond Highland Recreation Center. The City also allows alcohol to be used at City Hall.

With the many improvements made to the City's park system over the past few years, more and more people are using parks and facilities for special events. By expanding the number of areas where alcohol is permitted, it is possible that the City could attract more events to Shoreline parks.

FINANCIAL IMPACT

There is no direct financial impact from expanding the alcohol use policy to include more parks and facilities. It is possible that there may be an increase in rentals, which would bring in more rental fee revenue. However, there are some costs to consider, such as the potential for more damage to park facilities as a result of alcohol use. The City currently requires a \$200.00 damage deposit when any food or beverage is served, including alcohol. Since we have not had any events where alcohol has been served, it may take time to determine if \$200.00 is an acceptable damage deposit amount for alcohol use. The deposit would need to be adequate to cover any potential damage or extra clean-up that may be necessary. There may also be requirements for more staff time for set-up and supervision, which should be captured through the permit fee.

RECOMMENDATION

Staff recommends that Council discuss the options provided in this report regarding the potential expansion of allowing alcohol use in parks for special events. Although no action is required this evening, staff will use direction provided by the Council to return at a later date with specific legislative and policy proposals for the use of alcohol in City parks and facilities.

Approved By: City Manager - *JU* City Attorney - *IS*

BACKGROUND

Under SMC 8.12.500, alcohol is not permitted in any of Shoreline's parks or park facilities except for the Richmond Highlands Recreation Center. Anyone wishing to serve alcohol at an event at the Richmond Highlands Recreation Center must obtain a Special Alcohol Use Permit (Attachment A) from the City, which requires proof of insurance and all applicable State permits. Alcohol may also be served at events at City Hall.

Since the City hadn't developed the necessary alcohol use policies and procedures until recently, the City did not permit alcohol at the Richmond Highlands Recreation Center until 2011. So far, no paying customers have ever completed the paperwork necessary to acquire an alcohol use permit. Several people have expressed interest, but changed their minds after learning about the City's insurance requirements. When necessary for certain events, renters can often obtain special event insurance through Washington Cities Insurance Authority (WCIA). However, WCIA will not provide insurance to renters that want to serve alcohol.

While all surrounding cities prohibit the use of alcohol in their parks, most do permit it for special events where a permit has been obtained and insurance has been provided. Most cities also limit alcohol use to a few locations.

DISCUSSION

In looking at what areas in the City's parks are most conducive to permitting alcohol use for special events, staff looked at areas that are easily contained and controlled and would have limited impacts on other park patrons or surrounding neighborhoods. Staff also considered which areas would be most desirable for special events where alcohol would be served.

For areas that are not as easily segregated by natural screening, staff considered the feasibility of requiring renters to physically segregate areas where alcohol would be served with temporary white fencing, similar to what is seen at beer/wine gardens. The City owns such fencing and setting up and use of such fencing could require an extra fee.

For discussion purposes, staff developed three options for how the City could proceed with expanding the number of locations where alcohol is permitted in City parks for special events. The options are as follows:

Option 1: Status quo. The City could continue to only allow alcohol to be served at the Richmond Highlands Recreation Center and City Hall. Now that the City has adopted regulations for the use of alcohol at special events, it is accepting applications for Special Alcohol Use Permits. Staff can review the policy in a year to see how many people obtained a special alcohol use permit for their events and what issues arose as a result of alcohol use and present the findings to Council for discussion.

Option 2: Amend SMC 8.12.500 to include the Terrace at Richmond Beach Saltwater Park. SMC 8.12.500 could be amended to expand the areas where alcohol

use is permitted to include the Terrace at Richmond Beach Saltwater Park. Staff believes that the Terrace would be an acceptable location for alcohol to be served because it is physically segregated from the rest of the park making it easier to contain the alcohol to that one location and it is a very desirable spot for events where alcohol may likely be served, such as weddings.

If, after a trial period, it seems that more people are holding events where alcohol is served and the Terrace seems to be working as a location for such events, staff could come back to Council to consider including other park areas under the policy.

Option 3: Amend SMC 8.12.500 to grant City Manager discretion. Council could amend SMC 8.12.500 to grant the City Manager discretion in where and when to allow alcohol use in City parks and facilities. Currently, staff believes that the Terrace at Richmond Beach Saltwater Park offers the best place to expand the permitted use of alcohol for special events. However, after staff has had a chance to assess the impacts and/or benefits of expanding the permitted use of alcohol to the Terrace, the City Manager could determine whether it makes sense to expand to other parks or if it should no longer be permitted at the Terrace.

While there are a number of different locations in City parks that may be acceptable for alcohol use, it will take some time and experimentation to determine which parks and locations would work best for permitting alcohol use. The City needs to balance the needs for providing spaces for renters who wish to hold special events where alcohol will be served with the need to provide park space to other park patrons who desire an alcohol free environment. This option would allow the City the flexibility of experimenting with different locations to determine what makes the most sense for expanding the locations where alcohol is permitted.

This option would also grant the City Manager the authority to permit alcohol at events in other parks on a case-by-case basis. For instance, if the City or a community group wanted to include a beer/wine garden at an event in Cromwell Park it could do so with approval by the City Manager and the applicant obtaining a Special Alcohol Use Permit. This would allow the City the flexibility to permit certain special community events while still limiting alcohol use in parks.

FINANCIAL IMPACT

There is no direct financial impact from expanding the alcohol use policy to include more parks and facilities. It is possible that there may be an increase in rentals, which would bring in more rental fee revenue. However, there are some costs to consider, such as the potential for more damage to park facilities as a result of alcohol use. The City currently requires a \$200.00 damage deposit when any food or beverage is served, including alcohol. Since we have not had any events where alcohol has been served, it may take time to determine if \$200.00 is an acceptable damage deposit amount for alcohol use. The deposit would need to be adequate to cover any potential damage or extra clean-up that may be necessary. There may also be requirements for more staff time for set-up and supervision, which should be captured through the permit fee.

RECOMMENDATION

Staff recommends that Council discuss the options provided in this report regarding the potential expansion of allowing alcohol use in parks for special events. Although no action is required this evening, staff will use direction provided by the Council to return at a later date with specific legislative and policy proposals for the use of alcohol in City parks and facilities.

Attachment A – Special Alcohol Use Permit Form

**SPECIAL ALCOHOL PERMIT**

Today's Date: _____ Facility: _____
Date Requested: _____ Start Time: _____ End Time: _____
Type of Event: _____ Estimated Attendance: _____
Applicant Name: _____ Organization Name: _____
Home Phone: _____ Work Phone: _____ E-mail: _____
Address: _____ City: _____ Zip: _____

Event Sponsor: The event sponsor (or the persons designated in writing by the event sponsor at least two (2) weeks prior to the event) will attend the event, be the designated contact person for City staff and be responsible for making decisions regarding the operation of the event. Because of the event sponsor's responsibilities, the event sponsor shall not be intoxicated at any time during the event.

Event Sponsor _____ **Cell Phone:** _____ **E-mail:** _____

The Permittee agrees to comply with the terms and conditions of **Exhibit A** of this Permit.

Signature of Permittee: _____ Date: _____

Permit Approved by: _____ Date: _____
(Recreation Superintendent)

☐ Permit approved with the completion of the requirements listed below

Special Alcohol Permit Requirements (Required at least two (2) weeks in advance of the event):

- ☐ Signed Facility Rental Contract Received
- ☐ Certificate of Insurance naming the "City of Shoreline" as the Certificate Holder Received.
- ☐ Washington State Liquor Control Board ("WSLCB") Banquet Permit Received
- ☐ Other _____

☐ All requirements have been met for the Special Alcohol Permit.

Permit Final Confirmation by: _____ Date: _____
(Facility Scheduler)

Notes: _____



**City of Shoreline
Parks, Recreation and Cultural Services**

SPECIAL ALCOHOL PERMIT

**EXHIBIT A
TERMS AND CONDITIONS**

Facilities - The following are the City of Shoreline facilities at which alcohol consumption may be allowed:

- Richmond Highlands Recreation Center
- City of Shoreline City Hall

Special Alcohol Permit - Any person or entity seeking to host an event at a City of Shoreline facility at which alcohol will be consumed must obtain a Special Alcohol Permit from the Parks Department.

Requirements for Special Alcohol Permit - All parties wanting a Special Alcohol Permit allowing alcohol consumption in any City of Shoreline facility or park are required to obtain the following:

- (1) A Facility Rental Contract
- (2) A Certificate of Liability of Insurance in the amount and with the assurances set forth in SMC 8.12.090 and naming the City of Shoreline as the Certificate Holder
- (3) A Washington State Liquor Control Board ("WSLCB") Banquet Permit, or a Washington State Liquor Special Occasion License if applicable, as well as any other permits that may be required under state and local law prior to the date of the event.

Procedure for Obtaining a Special Alcohol Permit

- (1) The event sponsor will apply for a Special Alcohol Permit, on forms to be provided by the City, a minimum of thirty (30) days prior to the date of the event. The Recreation Superintendent or his or her designee will review the Special Alcohol Permit application and identify any permit conditions that may be necessary or appropriate.
- (2) The event sponsor will provide proof of commercial general liability insurance in an amount of not less than \$1,000,000 each occurrence and \$1,000,000 general aggregate at least two (2) weeks prior to the event.
- (3) The event sponsor must provide a copy of the WSLCB Banquet Permit, along with any other required permits for the event, a minimum of two (2) weeks prior to the event to the Facility Scheduler for the Parks Department. If the Parks, Recreation, and Cultural Services Facility Rental Contract is complete and all other requirements have been met, the Facility Scheduler will then issue a Special Alcohol Permit and advise the Building Monitor of the date, time and nature of the event.

Event Requirements

- (1) The event sponsor (or the persons designated in writing by the event sponsor at least two (2) weeks prior to the event) will attend the event, be the designated contact person for City staff and be responsible for making decisions regarding the operation of the event. Because of the event sponsor's responsibilities, the event sponsor shall not be intoxicated at any time during the event.
- (2) No one under the age 21 will be served alcohol or be in the possession of alcohol
- (3) It is the responsibility of the event sponsor to (1) ensure compliance with all WSLCB rules, regulations and permit conditions; (2) ensure compliance with all City rules, regulations and permit conditions; and (3) provide adequate security and supervision for all persons at the event. The City has the right to shut down and terminate the event if the event sponsor fails to comply with these responsibilities or if any illegal activity occurs at the event.
- (4) The City will provide a facility attendant (21 or older) to be the designated contact person for the City.
- (5) The City may require trained alcohol servers for the event and may specify the minimum number of trained alcohol servers required to work the event. For the purpose of this Policy, "trained alcohol server" means any person holding a valid Class 12 Mixologist Permit issued by the WSLCB. The requirement for trained alcohol servers is at the discretion of the Director of Parks, Recreation and Cultural Services.
- (6) The City of Shoreline may require reasonable security measures for the duration of the event. The event sponsor will be responsible for provided and paying for all security measures required by the City.

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Update to Council Goal #7 – Acquire SPU Water System
DEPARTMENT:	Public Works
PRESENTED BY:	Mark Relph, Public Works Director

PROBLEM/ISSUE STATEMENT:

City Council Goal #7 is stated as the acquisition of the Seattle Public Utilities (SPU) potable water system in the City of Shoreline. In November of 2011, the City of Seattle and the City of Shoreline announced a tentative agreement in principle to the sale of the water system assets at a price of \$25 million in the year 2020. This staff report will provide a summary of the next steps in the process.

FINANCIAL IMPACT:

There is no immediate impact to Shoreline residents. However, if the acquisition is to proceed, the financial mechanism to purchase the system would be a Revenue Bond issued at the time of acquisition and paid for only by the utility rate payers within the SPU service area. Citizens who receive their water service from the Shoreline Water District are not financially affected by this decision. Repayment of the Revenue Bond, or debt service, would be incorporated within a rate structure approved by City Council.

RECOMMENDATION

No action is required. This is intended as an update and for Council discussion.

Approved By: City Manager - *JU* City Attorney - *IS*

INTRODUCTION

The goal to acquire the SPU water system within the City of Shoreline has been a specific Council goal since at least 2009; however, the issue has been discussed perhaps as far back as the time of the City's incorporation. The central issues have been no direct citizen representation on issues such as rates and service since the utility is owned and operated by Seattle, and the decisions that affect infrastructure improvements. The Council's goal with the acquisition has been to address such concerns, but within a rate structure that would be equal to or less than the SPU forecasted rate structure over a reasonable time period. This report is intended to provide a brief review of the progress that lead to the announcement with the sale and to review the next steps in the process.

BACKGROUND

The SPU water system is located approximately west of I-5 (see attachment A) and serves roughly two thirds of the City. The water system within Shoreline is a distribution system. It includes water storage tanks and pump stations, but does not include a watershed or water treatment. There are larger transmission lines that pass through the City, providing treated water supply to larger wholesale customers (e.g. Shoreline Water District, Olympic View Water & Sanitation District) and south to the Seattle distribution systems. With the SPU system in Shoreline being solely a distribution system, the costs and responsibilities are more narrowly focused and less substantial had it included the water supply.

The infrastructure itself varies in age from the 1930s to present day with a large phase of construction in the 1950's through the 1960's, as this area developed into an unincorporated suburb of King County. While the pipelines are perhaps moderate in age, the question that many have raised is whether or not the level of maintenance performed over that time has been adequate, and if the investment in capital improvement programs (CIP) has met the demands of redevelopment and fire protection. This has been one of the central issues staff has discussed with SPU during the past several months as the City negotiated for the acquisition.

On April 18, 2011, staff presented to City Council an update on the negotiations with SPU, including:

1. The reasons for acquiring the system;
2. What are the parameters to decide if the acquisition would be successful; and
3. The extent of the public participation process.

A copy of the full staff report may be found at:

<http://cosweb.ci.shoreline.wa.us/uploads/attachments/cck/Council/Staffreports/2011/staffreport041811-7b.pdf>

This staff report will discuss in more detail the next steps in the process and the citizen participation process. A brief summary of the first two issues of the April 18, 2011 presentation is found within Attachment B.

DISCUSSION

With the announcement of the tentative agreement in principle for the purchase of the water system assets, the City will now begin a more detailed engineering and financial analysis for creating a City water utility. This “due diligence” phase will be completed by the firm EES Consulting. The team assembled has considerable experience in the financial analysis of utilities and has added two key engineering personnel tasked with the development of an operations and maintenance plan for the water utility. A copy of their biographies is found in Attachment C.

On May 23, 2011, the City Council approved a contract with EES Consulting for this next phase, in anticipation of the City reaching an agreement for the sale of the assets with SPU. The detailed staff report explaining the contract and this “due diligence” may be found on the City’s website at:

<http://cosweb.ci.shoreline.wa.us/uploads/attachments/cck/Council/Staffreports/2011/staffreport052311-8a.pdf>.

With the City reaching a tentative agreement, EES has been authorized to begin the work. Over the course of the next seven to eight months, EES will be completing four key tasks:

1. Performing a preliminary engineering due diligence on the distribution and general plant water system
2. Completing a financial analysis and feasibility study
3. Developing a Business or Operating Plan
4. Providing an overview and study of water supply options in the region

A summary of the four tasks includes:

Engineering Analysis

An important component of preparing for the purchase of the water system is performing preliminary engineering due diligence on the distribution and general plant water system included in the proposed sale of Seattle’s assets within the City of Shoreline. The City must be satisfied that the assets reflected on Seattle’s books are in existence and in good working condition. In addition, the City will need to review SPU’s planned capital improvement plans, identify additional capital improvements, general operation and maintenance (O&M) spending needed on the system, and estimating separation costs of the two systems.

The engineering analysis report will outline the status of the current system, proposed capital and operational improvements, a proposed capital and O&M budget, and identification of separation issues and potential costs.

The Financial Analysis

The purpose of the economic and financial analysis would be to develop detailed information that can be used to make a decision on how to proceed. The focus of this financial feasibility study will be a forecast of retail user rates under various scenarios. As such, a 10 to 20-year forecast of retail rates under each option will be developed.

There are numerous responsibilities associated with operating a water utility. The functions of the City generally fall under the categories of engineering and operations, finance and administration, customer service, and human resources. In general, the financial analysis will include cost projections for SPU rates contained in the current SPU water rate study for the years 2012-2014. Forecasts will continue under the SPU utility through 2019 to establish the starting point of a separate Shoreline water utility for the year 2020. Projections for the initial 10-year period will be developed to look at long-term impacts as well as first year impacts of the new utility.

The financial analysis will test the purchase price along with the other operating costs against the forecasted SPU rates. A retail rate forecast would be developed based on information from the engineering analysis.

The financial analysis will be a report to describe the responsibilities associated with providing water service to the City, and to present a preliminary plan for meeting those responsibilities. In addition, the plan will provide a financial comparison between projected SPU water rates and City of Shoreline water rates.

Business Plan

The Business Plan is intended to use information from the engineering and financial analysis and identify the steps necessary to move the process from acquisition to implementation.

Water Supply Analysis

Adequate and competitively-priced water supply is one of the most important aspects of this utility acquisition. Currently, Shoreline customers receive water costs based on Seattle's retail rate. In the future, the City would pay the wholesale rate for water. This analysis would include a review of the water supply situation in the region and provide an overview of water supply options, including those costs that may be unique to other existing SPU wholesale customers and how that might affect the City's wholesale contract.

The City and SPU will now begin the drafting of a formal agreement, and it is anticipated to be presented to the public and eventually City Council by late spring. This agreement will be coordinated with the City's engineering and financial analysis.

This agreement is anticipated to address such issues as the final contract price, the level of system maintenance until the City would take ownership, how the wholesale

water contract would be addressed, any services the City may still contract with SPU after ownership (permanently and/or temporarily), separation of the two systems and so on.

STAKEHOLDER OUTREACH

The City is committed to an extensive public process, which will occur over the next eight months. Sharing the details and soliciting input on the level of water service problems, the CIP, maintenance, rates, and expectations on customer service will be important to determine if a proposed budget will meet the public expectations and ultimately the financial parameters established by Council.

The City has assembled a Steering Committee whose task is to review and comment on the engineering and financial analysis prepared by EES Consulting. This Committee has been appointed by the City Manager and will meet approximately every three weeks beginning in late January. A tentative list of Committee members is included as Attachment D. Attachment E is a copy of the Committee's charter.

The Steering Committee will be facilitated by Milenko Matanovic of the Pomegranate Center, whose motto, "bringing people together to build better communities," has been very successful for many communities trying to use collaboration to address complex issues. The Pomegranate Center is a non-profit organization and has been used in the past by the City of Shoreline for the development of the Sunset School Master Plan. More information about the Pomegranate Center may be found at: www.pomegranate.org.

Coordinated with the Steering Committee will be other types of opportunities for public participation, and they are likely to include:

- Attending neighborhood, business, and civic group meetings;
- Providing open houses and workshops;
- Distributing information to neighborhood newsletters, *Currents*, the cable channel, direct mailers to the affected rate payers as well as all the citizens of Shoreline; and
- Conducting formal public hearings.

At the conclusion of the Steering Committee's review, the Committee will make a recommendation to the City Manager as to whether or not to proceed with the acquisition along with their supporting observations and conclusions. The City Manager will use this information, along with other staff input and public comment in her recommendation to City Council. This is anticipated to be complete by late spring or early summer 2012.

The City Manager's recommendation will include whether or not to proceed with the acquisition and if so, a recommendation on the specifics of the agreement between the City of Seattle and the City of Shoreline. If the City Council decides to move forward with the acquisition, then the Council would have to approve the agreement and forward to the City of Seattle. Approval by Seattle City Council would then allow the Shoreline

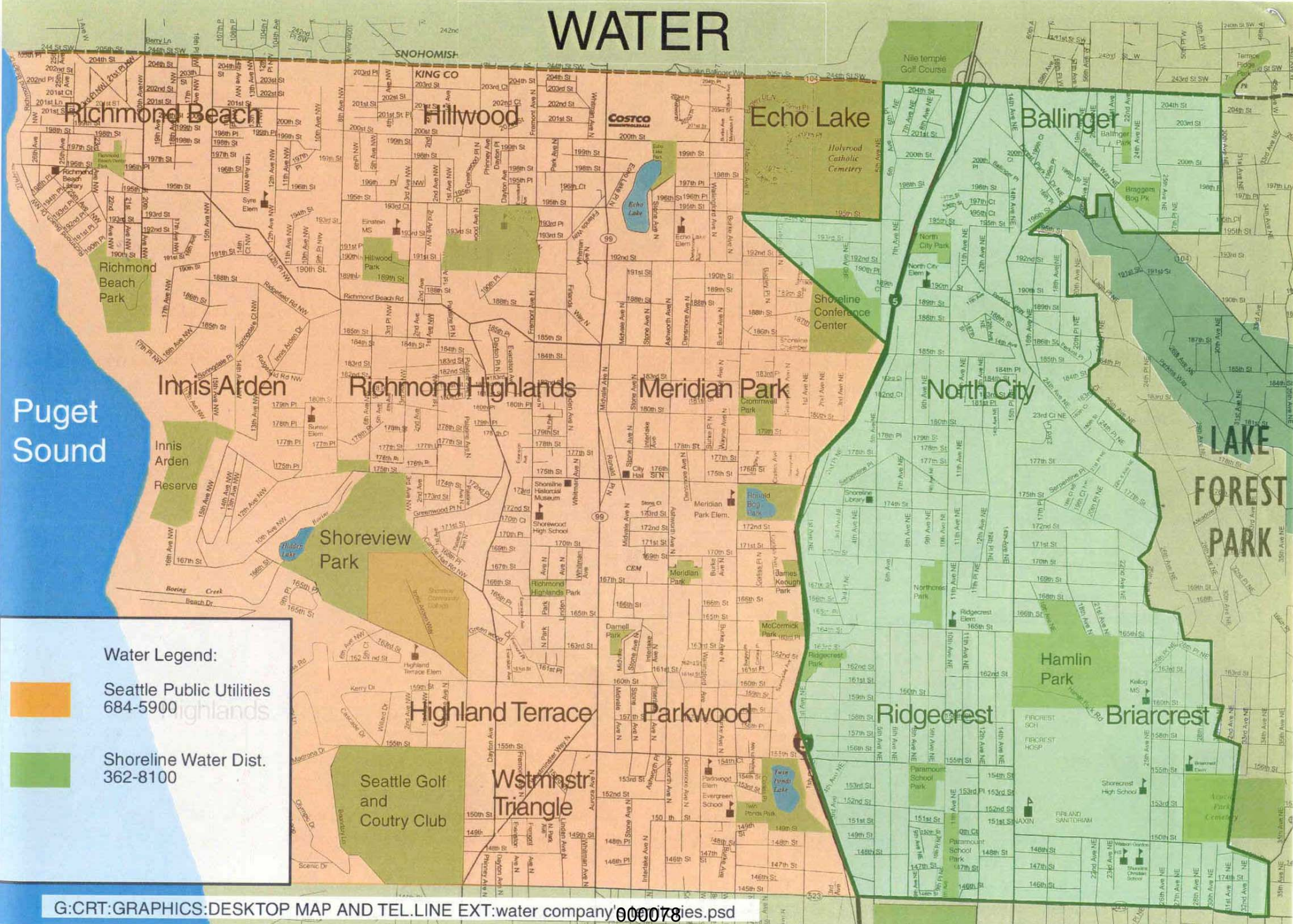
City Council to set the ballot language sometime this summer for a vote of the entire City in November 2012. If Shoreline voters approve the acquisition, then the City would move to the last phase of the project – the detailed development of a transition plan to move the utility from the City of Seattle to the City of Shoreline.

RECOMMENDATION

No action is required. This is intended as an update and for Council discussion.

ATTACHMENTS

Attachment A – SPU Water Service Area within the City of Shoreline
Attachment B – Summary of the April 18, 2011 Council presentation
Attachment C – EES Consulting Team Bios
Attachment D – Tentative List of Steering Committee Members
Attachment E – Steering Committee Charter.



ATTACHMENT B – Summary of the April 18, 2011 Council presentation:

1. Reasons for Acquiring the SPU System:

A. Long-term Strategic Interests

In 2009, the City Council adopted a **Community Vision Statement** and a series of **Framework Goals** through a diverse and extensive public process of community meetings and open houses. The resulting Framework Goals provide the overall policy foundation for the Comprehensive Plan and support the City Council's vision. Acquisition of the SPU system would be a significant step towards achieving the intent of Framework Goals #2 and #14:

FG 2: Provide high quality public services, utilities, and infrastructure that accommodate anticipated levels of growth, protect public health and safety, and enhance the quality of life.

FG 14: Designate specific areas for high density development, especially along major transportation corridors.

It has been one of the City's expressed goals for acquiring the system to gain local control for our citizens in the decisions that allow for a more aggressive investment strategy, thereby facilitating more effectively the redevelopment of corridors such as Aurora Avenue N. The timely and strategic installation of utilities is perhaps one of the greatest inducements any city can perform to encourage redevelopment, which for the City of Shoreline, is key in growing and diversifying the City's tax base. This direct control of the CIP would also allow a more direct opportunity to address fire protection issues the City and the Fire Department have identified throughout the SPU system.

B. Representation

Direct control of the utility by the City perhaps has its most significant meaning when it comes to the decision of rates. Currently, those Shoreline citizens that are within the SPU system have no say in the rates, including the current 14% surcharge for Shoreline residents simply because they are outside the City of Seattle.

C. Construction Coordination

Another reason to acquire the SPU is to allow the City to better plan and manage construction activity within the public rights-of-way. Currently, the City has to rely upon working relationships to facilitate City goals, but the City cannot require certain actions or improvements.

D. Operational Efficiencies

One of the key responsibilities of owning any utility is providing adequate operation and maintenance (O&M) that allows for long-term, efficient use of the system.

Properly performed, the investment of O&M provides for a longer service life and a more reasonable and stable rate structure over time.

E. Staff Expertise

One of the issues to consider is the City's experience with utilities. The City's Surface Water Utility has a very similar set of responsibilities. The City has clearly demonstrated effective management and service of the Surface Water Utility since its inception in 1996.

In April, 2011, staff discussed the two key management positions essential in moving the acquisition forward to create a successful City utility: the Public Works Director and the Administrative Services Director. Since then, Debbie Tarry has become the Assistant City Manager. Her involvement and expertise will still be part of the process. However, the new Administrative Services Director, Robert Hartwig, will also bring another list of extensive experience with utilities and will certainly add to the process.

2. Parameters for Successful Acquisition:

In establishing Council goal #7, the City Council set some specific parameters. The first and most significant would be:

To acquire the system at a price that when added to the other costs to operate and maintain the system, would fall within a rate structure equal to or less than what SPU would forecast over a reasonable period of time.

This specific requirement has set the parameters for the City in the negotiations with SPU. If this is achieved, then the Council goal would be met and those citizens affected would have a unique opportunity to control their long-term future. If those parameters cannot be met, then the service would continue under the franchise agreement with SPU.

Another parameter the Council established was the development of a budget that reasonably accounted for the costs to own and operate a utility. This work would occur over two phases: the first during the negotiation phase to test the reasonableness of the purchase price, and the second as a more detailed review and confirmation of the costs once and if the two parties reach some level of a tentative agreement on the purchase price. Included in the proposed utility budget are such costs as:

- A proposed revenue stream for the utility based largely on historical data and rate projections from SPU
- Debt service for the purchase price
- The purchase of "wholesale" water by contract from SPU
- Operating and Maintenance costs

- Separation costs between Shoreline and Seattle
- Capital Improvement Program (CIP)

Another parameter established by state law for a utility of this nature is the requirement that all revenues collected for the utility be spent for purposes of operating and maintaining the utility. A utility is expected to operate much like a private business, in that the resources collected (utility fees/rates) have to pay for all the costs of the utility without any tax subsidy. As such, the financial operations of the utility are accounted for as an Enterprise Fund. The utility itself is charged its share – of which there has to be specific criteria subject to auditing standards to determine the appropriate amount – of overhead such as accounting and legal services, human resources, facility costs, etc.

ATTACHMENT C – EES Consulting team

Anne Falcon, Manager of Economics and Rates

Anne Falcon's primary responsibility with EES Consulting includes providing project management and technical support for all types of economic studies. Ms. Falcon has managed projects concerning cost of service and rate analyses, financial planning and regulatory proceedings for electric, water, wastewater, and natural gas utilities. Her area of expertise includes restructuring, strategic planning, forecasting, unbundled cost-of-service studies, optimization research and specialized statistical studies.

Through her research and analysis of the current state of the industry, she has assisted many California and Northwest clients in preparing for the changes that are taking place. Ms. Falcon's work with utilities has included developing unbundled rates, average embedded and marginal cost-of-service studies, analysis of stranded costs, development of customer choice and conservation programs, market-based and green rate designs.

Ms. Falcon, who has a graduate degree from Stanford in operation research, also provides technical assistance for EES Consulting's clients by applying modeling techniques for our client needs. This includes modeling in the following areas: dispatch modeling, least-cost planning, load forecasting, demand-side management studies, and cost of service studies. She assisted in developing optimization models in utility dispatch and resource planning.

Gail Tabone, Consultant

Ms. Tabone has applied her skills in integrated resource planning, resource evaluation, load forecasting, economic feasibility studies, cost of service analysis, conservation planning, and surveys in the many work products related to financial and power supply planning. A strong educational background combined with years of experience in the utility industry provide her with the skills to assess the needs of the client, to develop an approach to meet the need, provide the expertise necessary to conduct the economic analysis, and to make recommendations on future actions.

Kelly Tarp, Project Manager

Kelly Tarp specializes in the areas of project management, cost of service, rate analysis and financial studies. Ms. Tarp has more than six years experience as a consultant in the energy industry, completing a variety of technical assessments for electric and gas utilities, government agencies, and supporting energy organizations with a focus on distributed generation and renewable energy. In addition, Ms. Tarp has performed a variety of financial studies, including cost of service and rate analyses for electric, water, and wastewater utilities; valuation studies; and financial analyses. Since joining EES Consulting, Ms. Tarp has performed the analytical and technical work on a long-range financial and rate impact analysis for a \$500 million water project. Duties include developing detailed cost allocation models, evaluating and comparing project alternatives, projecting costs under different financing options, and allocating projected costs to individual participants. Ms. Tarp has a degree in mechanical engineering.

David Sherman

Mr. Sherman retired from Tacoma Water in 2010, where he served as the Water Supply Manager for the last 17 years of his 32-year career at Tacoma. Mr. Sherman was responsible for the engineering design, construction, inspection, operation and maintenance of Tacoma Water's supply infrastructure including transmission mains, tanks and reservoirs, wells, structures, pump stations, pressure reducing stations, and communications systems. Mr. Sherman also administered the water rights for the system, and was responsible for emergency response planning and coordination for Tacoma Water. In addition, Mr. Sherman was responsible for the operation and maintenance of the water transmission system and management of seasonal water storage for the Regional Water Supply System, a partnership formed by Tacoma and three other large water systems. Subsequent to retirement, Mr. Sherman has provided consulting expertise to Tacoma Water on several ongoing projects.

John Kirner

John Kirner is retired from Tacoma Water, where he served as the Water Superintendent of the Tacoma Department of Public Utilities. His previous professional experience includes work for the Boatbuilding Company in Tacoma, Washington, as an associate program manager for the construction of two hazardous waste burning incineration ships. Mr. Kirner also worked for the Washington Department of Social and Health Services, Water Supply Program in administration of the State of Washington's Water Supply Program. He has a Bachelor's degree in Civil engineering from Tufts University, a Master of Science and Engineering from the University of Michigan at Ann Arbor and a Master of Business Administration from University of Puget Sound. Mr. Kirner has been a member of the American Water Works Association for more than 20 years and has served on the National Water Utility Council, an industry group concerned with regulatory and legislative affairs affecting water utilities.

ATTACHMENT D – Tentative Steering Committee Members

1. Jim Abbott
2. Gretchen Atkinson
3. Joe Bozick
4. Mark Bunje
5. Bill Clements
6. Kevin Grossman
7. David Harris
8. Marcia Harris
9. Bruce Hosford
10. Joseph Irons
11. Jeff King
12. Lee Michaelis
13. William Montero
14. Edie Loyer Nelson
15. Les Nelson
16. Rick O'Leary
17. Larry Owens
18. Sis Polin
19. Johanna Polit
20. Diane Pottinger
21. Bob Ransom
22. Kyle Roquet
23. Jesse Sycuro
24. Dan Thwing
25. Mark Torrance

SEATTLE PUBLIC UTILITY WATER SYSTEM ACQUISITION STEERING COMMITTEE

The citizen steering committee will assist City staff in validating the final feasibility and technical review process required to be completed prior to the City Manager making a final Seattle Public Utility water system acquisition recommendation to the City Council. Steering committee members are appointed by the Shoreline City Manager and will make recommendations to the City Manager.

Problem Statement

City Council Goal No. 7 is the acquisition of the Seattle Public Utility water system in Shoreline. In order to develop a final acquisition recommendation to the City Council staff must complete a final feasibility analysis and financial plan.

Desired Outcome

The Steering Committee will provide a recommendation to the City Manager on whether the City should proceed with the acquisition of the Seattle Public Utility water system acquisition in Shoreline.

Project Steps

1. *Establish the Steering Committee (November 2011):* The recommended committee size is 12 to 15 Shoreline residents and/or business owners. The committee should include representatives from major stakeholder groups along with some positions that are at-large from the community.
2. *Review of Financial Feasibility Analysis and System Operation and Maintenance Plan (December 2011 – June 2012)*
3. *Recommendation to the City Manager (July 2012):* The committee needs to complete its review and deliberation by June 2012 in order to provide a final recommendation to the City Manager by early July 2012. The City Manager will include the Committee's recommendation in her final recommendation to the City Council. The Council will need to determine, based on recommendations from the City Manager, the timing of a public vote on the SPU acquisition.
4. *Election Strategy and Campaigns (If Council chooses to pursue a public vote based on a recommendation from the City Manager):* At this phase the election strategy and campaign is turned over to citizen volunteers. Under Public Disclosure Commission rules, City involvement is limited to drafting the ballot title and providing factual information to the electorate. In general, at least four to five months lead-time is needed for a good citizen campaign. As with any election, a strong core of active volunteers is needed to raise funds and run the campaign.

Communication

Throughout the process the City Manager will be briefed by staff and the Committee to ensure that the work of the committee is focused on this charter. A communications plan will also be developed to inform the public, neighborhood councils, citizen groups and stakeholders about the process and how to provide input.

Roles and Responsibilities

The City Manager will appoint the members of the Committee. The City Manager will set the charter and parameters for the committee and receive the final recommendations on acquisition of the SPU water system in Shoreline. The committee will receive input from staff, consultants, public survey results, and provide recommendations to the Manager. Staff will provide all necessary information to the committee to support their decision making process, manage consultants and surveys, and ensure good communications to and from the public during this process.