



AGENDA

SHORELINE CITY COUNCIL WORKSHOP DINNER MEETING

Monday, February 13, 2017
5:45 p.m.

Conference Room 104 · Shoreline City Hall
17500 Midvale Avenue North

TOPIC/GUESTS: Council Strategic Planning Workshop Agenda Review and Council Operations

SHORELINE CITY COUNCIL REGULAR MEETING

Monday, February 13, 2017
7:00 p.m.

Council Chamber · Shoreline City Hall
17500 Midvale Avenue North

| | <u>Page</u> | <u>Estimated</u> <u>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 10 people are signed up to speak, each speaker will be allocated 2 minutes. Please be advised that each speaker's testimony is being recorded. 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 | | 7:20 |
| 7. CONSENT CALENDAR | | 7:20 |
| (a) Minutes of Special Meeting of January 9, 2017 | <u>7a1-1</u> | |
| Minutes of Regular Meeting of January 9, 2017 | <u>7a2-1</u> | |
| (b) Approval of expenses and payroll as of January 27, 2017 in the amount of \$3,836,385.18 | <u>7b-1</u> | |
| (c) Authorize the City Manager to Execute a Contract in an Amount not to Exceed \$88,105 with DA Hogan for Design and Construction Management Services for the Twin Ponds Park Turf and Lighting Replacement Project | <u>7c-1</u> | |
| (d) Adoption of Res. No. 399 – Title VI Plan | <u>7d-1</u> | |
| (e) Adoption of Ord. No. 713 – Repealing Shoreline Municipal Code Chapter 16.10 Shoreline Management Plan | <u>7e-1</u> | |
| (f) Adoption of Ord. No. 714 - Repealing Shoreline Municipal Code Chapter 16.20 Fee Schedule | <u>7f-1</u> | |

- (g) Adoption of Ord. No. 771 – Amending the Property Tax Exemption Program to Encourage Affordable Housing 7g-1
- (h) Motion to Authorize the City Manager to Execute a Contract in the Amount of \$60,000 with the Shoreline Historical Museum 7h-1
- (i) Motion to Authorize the City Manager to Execute a Contract in the Amount of \$120,000 with The Shoreline/Lake Forest Park Arts Council 7i-1
- (j) Motion to Authorize the City Manager to Execute a Contract in the Amount of \$121,708 with Sound Generations for programs to support the Shoreline/Lake Forest Park Senior Center 7j-1
- (k) Motion to Authorize the City Manager to Execute a Contract in an Amount not to Exceed \$200,000 with AECOM to Provide Construction Administration and Document Control Services 7k-1

8. ACTION ITEMS

- (a) Adoption of Ordinance No. 767 – Amending Certain Sections of the Shoreline Municipal Code Title 20, the Unified Development Code, Representing the 2016 Development Code Batch Amendments 8a-1 7:20

9. STUDY ITEMS

- (a) Discussion of Res. No. 404 - Public Art Plan for 2017 - 2022 9a-1 7:40
- (b) Discussion of Res. No. 405 – Adoption of a Public Art Policy as Provided in SMC 3.35.150 9b-1 8:00
- (c) Discussion of Ord. No. 770 – Repealing all Prior City of Shoreline Public Art Policies 9c-1 8:10
- (d) Discussion of Park Impact Fees – Introduction 9d-1 8:20

10. ADJOURNMENT

9:05

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

Monday, January 9, 2017
5:45 p.m.

Conference Room 303 - Shoreline City Hall
17500 Midvale Avenue North

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

ABSENT: None

STAFF: Margaret King, Acting City Manager; Dan Eernisse, Economic Development Manager; and Bonita Roznos, Deputy City Clerk

GUESTS: Suzanne Dale Estey, President & CEO, Economic Development Council of Seattle & King County

At 5:50 p.m., the meeting was called to order by Mayor Roberts.

Dan Eernisse, Economic Development Manager, shared that he serves as the City of Shoreline's Representative to the Economic Development Council (EDC), and introduced Suzanne Dale Estey, EDC President & CEO. He apologized that the City Manager and Assistant Manager were not able to be in attendance due to illness.

Ms. Dale Estey shared her history, professional background, and how she is familiar with the City of Shoreline. She commended Councilmembers on the work they do to make Shoreline a vibrant city and whole community. She stated the EDC is a partnership of private, public, and governmental agencies, partnering to increase economic vitality across King County. She noted that she meets quarterly with cities' Economic Development Managers. She reviewed EDC's history, mission and services, and said their focus is on job recruitment and retention. She presented EDC's targeted industry clusters and emerging economic development opportunities and strategies. She reviewed 2015 and 2016 accomplishments and activities, and the 2017 Economic Vitality Action Plan. She said their focus is on growing local jobs, recruiting new jobs, supporting startups, strengthening industry clusters, and creating a "best-in-class" organization. She shared EDC's 2020 Long-Term Business Plan Goals and reviewed Shoreline specific initiatives, and return on investments. She shared how Shoreline can become more involved with the EDC, and distributed EDC's 2017 Economic Vitality Action Plan and a recruitment brochure.

Councilmember Roberts asked if EDC works with the Port of Seattle. Ms. Dale Estey responded that the Port is a large investor and they serve on the Executive Committee and the Board of Directors.

Councilmember Scully commented on the need to redevelop the urban core in Shoreline to address the business vacancies on Aurora Avenue and in North City. Councilmember Winstead commented on the need to attract small business to occupy the lower level of multifamily developments, to revitalize the Aurora corridor and make to better use of space, and asked recommendations for achieving these goals.

Mayor Roberts commented on the challenge of identifying economic development strategies that will work for Shoreline. Mr. Eernisse shared that the economic development approach has been about placemaking, and commented that Shoreline can offer businesses an affordable location. Ms. Dale Estey responded that Shoreline should consider recruiting micro and small businesses that range from 15-50 employees, research and development companies, start-ups from home business currently in the City, and creating co-working space opportunities. She said Light Rail coming to Shoreline presents tremendous opportunities for economic development. She shared that she will be reaching out to Cheryl Roberts, President of Shoreline Community College, to talk about workforce development opportunities. Margaret King, Acting City Manager, commented that the College has a strong solar program and suggested that she explore this opportunity with them.

Councilmember Hall suggested recruiting businesses in the hospitality industry to locate in Shoreline. Ms. King suggested looking at boutique hotels, where incentives can be provided and land is more readily available. Ms. Dale Estey responded that hotel chain opportunities are usually driven by foreign markets.

Mayor Roberts asked for recommendations on how to boost the efforts of the Chamber of Commerce. Ms. Dale Estey encouraged the Council to help the Chamber be successful and consider it a team effort.

At 6:45 p.m. the meeting was adjourned.

Bonita Roznos, Deputy City Clerk

CITY OF SHORELINE
SHORELINE CITY COUNCIL
SUMMARY MINUTES OF REGULAR MEETING

Monday, January 9, 2017
7:00 p.m.

Council Chambers - Shoreline City Hall
17500 Midvale Avenue North

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

ABSENT: None

1. CALL TO ORDER

At 7:00 p.m., the meeting was called to order by Mayor Roberts who presided.

2. FLAG SALUTE/ROLL CALL

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

(a) Proclamation of Martin Luther King Jr. Day

Mayor Roberts read a proclamation declaring January 16, 2017 as Martin Luther King Jr. Day in the City of Shoreline. Min Su Kim and Hyeonggeon Kim, Shoreline Youth Ambassadors, were on hand to receive the proclamation. They expressed what Dr. King and his *I have a Dream Speech* means to them, and how he inspired people to fight for equality through non-violent means and to create a world that embraces diversity.

3. REPORT OF CITY MANAGER

Margaret King, Acting City Manager, provided reports and updates on various City meetings, projects and events.

4. COUNCIL REPORTS

Mayor Roberts reported that Suzanne Dale Estey, President and CEO, Economic Development Council (EDC) of Seattle & King County attended the Dinner Meeting. She discussed how EDC supports cities in the region and reported that King County's unemployment rate is 3.9%

5. PUBLIC COMMENT

Marcelino Rivera, temporary resident of Shoreline, read a bible scripture, and commented on the perceptions that property values are declining due to homeless encampments. He said the 20 foot

setback recommended by the Planning Commission would create barriers and push the camps back into Seattle. He said he wants to stay away from Seattle to keep his sobriety. He talked about oversight for the encampments and said they have a Board that is the managing agency. He requested that the amendments be sent back to the Planning Commission for review.

Kim Lancaster, Shoreline resident, stated she appreciates the time the Planning Commission has put into encampments. She pointed out the Council charged staff with removing obstacles for transitional encampments and said the Commission's recommendations would have the opposite effect. She shared why she is requesting removal of the 20 foot setback, oversight by city staff, and extending camps stays to six months. She shared that the Commission's recommendations violate individual homeowners' constitutional rights to host homeless encampments.

Ginny Scantlebury, Shoreline resident, asked why the Planning Commission is responding to a few Richmond Beach residents that do not want encampments in their backyards. She commented that only a few churches in Shoreline have space to adhere to a 20 foot setback, and that the zoning code should be amended to help and not harm.

Chris Carter, Camp United We Stand resident, commented that the 20 foot setback recommended by the Planning Commission would make it that many churches could not host a camp. He stated everyone should take care of each other, and extended an invitation to Council to visit the Camp.

Tom Poitras, Shoreline resident, commented on the expense of a second non-motorized pedestrian bridge across Interstate 5, and said it has not been justified and if \$15 to \$20 Million is going to be spent it needs to serve more people. He talked about the City discussions of a new non-motorized bridge at 145th Street with the overpass upgrade.

John Evans, Project Manager for the Shoreline segment of the Lynnwood Link Light Rail extension, expressed Sound Transit's (ST) concern with the changes proposed in Ordinance No. 769 to require public restrooms at the Stations. He shared that public restrooms are constructed where staff is present to provide effective maintenance and security, and capital costs are not prohibitive. He said restrooms are built where there is at a station terminus or when it is required by local code. He said it has been their experience that restrooms attract criminal activity, and ST would prefer to place them where there is transit oriented development or a nearby shopping district. He said the requirement to provide public restrooms will add to the cost of the design, building of the Stations, and long term maintenance. He confirmed that ST supports the existing code adopted in 2016, but not this Ordinance requiring public restrooms.

6. APPROVAL OF THE AGENDA

The agenda was approved by unanimous consent.

7. CONSENT CALENDAR

Upon motion by Deputy Mayor Winstead and seconded by Councilmember Hall and unanimously carried, 7-0, the following Consent Calendar items were approved:

(a) Minutes of Regular Meeting of November 21, 2016, Regular Meeting of November 28, 2016, Special Meeting of December 5, 2016, and Regular Meeting of December 5, 2016

(b) Approval of expenses and payroll as of December 23, 2016 in the amount of \$4,219,303.34

***Payroll and Benefits:**

| Payroll Period | Payment Date | EFT Numbers (EF) | Payroll Checks (PR) | Benefit Checks (AP) | Amount Paid |
|------------------|--------------|------------------|---------------------|---------------------|----------------|
| 11/6/16-11/19/16 | 11/25/2016 | 69303-69529 | 14694-14710 | 65372-65379 | \$694,548.65 |
| 11/20/16-12/3/16 | 12/9/2016 | 69530-69750 | 14711-14727 | 65500-65505 | \$528,959.41 |
| | | | | | \$1,223,508.06 |

***Wire Transfers:**

| Expense Register Dated | Wire Transfer Number | Amount Paid |
|------------------------|----------------------|-------------|
| 11/29/2016 | 1114 | \$6,128.34 |
| | | \$6,128.34 |

***Accounts Payable Claims:**

| Expense Register Dated | Check Number (Begin) | Check Number (End) | Amount Paid |
|------------------------|----------------------|--------------------|--------------|
| 11/28/2016 | 65276 | 65277 | \$1,716.09 |
| 12/1/2016 | 65278 | 65290 | \$37,360.84 |
| 12/1/2016 | 65291 | 65304 | \$11,925.77 |
| 12/1/2016 | 65305 | 65318 | \$29,236.63 |
| 12/1/2016 | 65319 | 65333 | \$10,530.12 |
| 12/2/2016 | 65334 | 65352 | \$118,074.31 |
| 12/2/2016 | 65353 | 65371 | \$62,994.24 |
| 12/2/2016 | 65380 | 65384 | \$1,067.56 |
| 12/2/2016 | 65385 | 65385 | \$1,815.83 |
| 12/9/2016 | 65386 | 65386 | \$5,245.10 |
| 12/9/2016 | 65387 | 65394 | \$9,218.70 |
| 12/9/2016 | 65395 | 65400 | \$329.00 |
| 12/15/2016 | 65401 | 65414 | \$90,363.90 |
| 12/15/2016 | 65415 | 65429 | \$96,497.97 |
| 12/15/2016 | 65430 | 65451 | \$981,707.63 |
| 12/15/2016 | 65452 | 65471 | \$126,355.67 |
| 12/15/2016 | 65472 | 65499 | \$8,544.46 |
| 12/19/2016 | 65506 | 65506 | \$21,495.72 |
| 12/21/2016 | 65507 | 65508 | \$56,206.42 |
| 12/22/2016 | 65509 | 65540 | \$331,847.06 |
| 12/22/2016 | 65541 | 65547 | \$12,530.66 |
| 12/22/2016 | 65548 | 65584 | \$972,910.65 |

| | | | |
|------------|-------|-------|----------------|
| 12/23/2016 | 65585 | 65589 | \$1,692.61 |
| | | | \$2,989,666.94 |

- (c) **Authorize the City Manager to Execute a Contract for the Amount of \$493,916.80 with Award Construction, Inc. for Construction of the 15th Avenue NE Pavement Preservation Project**
- (d) **Authorize the City Manager to Execute a Contract for the Amount of \$881,297.50 with SRV Construction for Construction of the Meridian Avenue N Pavement Preservation Project**

8. ACTION ITEMS

- (a) Motion to Waive Certain Sections of the Parks and Facility Naming Policy and Adopting the Name "Gloria's Path" for the Path Commonly Referred to as the Fremont Trail

Alex Herzog, CMO Management Analyst, shared that Mayor Roberts and Deputy Mayor Winstead have proposed to change the name of *Fremont Trail* to *Gloria's Trail* in honor of Gloria Bryce. He explained that the trail is a non-motorized pathway on the City's right-of-way between the Interurban Train and the Boeing Creek Trail. He shared that in addition to maintaining the trail, Herb and Gloria Bryce have served on numerous boards and City committees, and have been recognized and honored by the City for their tireless work. He concluded the presentation by explaining the next steps in the process.

Mayor Roberts opened the Public Comment Period.

Paul Grace, Shoreline resident, commented that he has watched the path go from a wild urban garden to a wonderful path used by a steady stream of people that would have never been used without the care that Gloria has provided.

Robin McClelland, Shoreline resident, thanked Council for considering naming the path so Gloria could be honored. She commented that you can see Gloria's and Herb's fingerprints throughout the City.

Gene Monger, Shoreline resident and Echo Lake Neighborhood Association Boardmember, spoke to the importance of maintaining the path. She announced they received a mini grant to maintain the Densmore Pathway and said it is a lifelong commitment. She spoke in favor of renaming *Fremont Trail* to *Gloria's Path*.

Guy Hamilton, Shoreline resident, talked about Fremont Trail path improvements, said it is a wonderful addition to Shoreline, and thanked Council for considering renaming the Path.

Herb Bryce, Shoreline resident, recalled as a Park Board Member he tried to get the area changed into a pocket park, but to no avail. He said Gloria called the City and got it cleared for a park.

Clair Grace, Shoreline resident, commented that she has watched Gloria perform a lot of work and personally made this park her focus. She said it deserves to be named *Gloria's Path*.

Tom Bird, Lake Forest Park resident, said he cannot think of anything that he would rather do in life then to walk in *Gloria's Path*.

Deputy Mayor Winstead moved to waive Section 2(h) and Section 3(c) of the Parks and Facility Naming Policy and adopt the name "Gloria's Path" for the non-motorized path commonly referred to as the Fremont Trail. The motion was seconded by Councilmember Salomon.

Deputy Mayor Winstead thanked everyone for coming to the meeting and for the staff's support to honor and recognize the Bryces for their effort to make Shoreline a wonderful community. She applauded Gloria for her efforts to make connections within the City and to help maintain the Trail.

Councilmember Salomon commented that communities are made great by the people who live in them, and Herb and Gloria Bryce are representative of that concept. He thanked the Bryces for their service, wished them well during this difficult time, and stated he is happy to support the motion.

Councilmember McGlashan said he initially questioned the feasibility of creating a trail in that area, but it has turned out wonderfully due to the Bryce's work and love for their neighborhood. He thanked them for loaning the City their 12th Man Flag and said if anyone needs something in the City that they call Herb and Gloria. He said he is excited that the Trail is being renamed *Gloria's Path*.

Councilmember Hall stated he appreciates residents coming out to support naming the Trail after Gloria.

Councilmember McConnell thanked the community for coming out to support Gloria, and commented that it is a testament to all the work she has done for the City. She said she is honored to have the Trail named *Gloria's Path*.

Mayor Roberts said he echoes all the comments made regarding Gloria, and reiterated that her fingerprints are all over the City. He said he supports honoring and recognizing her for all the work she has done for the City.

The motion passed unanimously, 7-0.

Gloria said she is very honored and humbled and shared that her heart is in Shoreline. She said every citizen needs to contribute to where they live. She said arrangements have been made for another twenty years to maintain the Trail.

At 7:50 p.m., Mayor Roberts convened a 5 minute recess, and at 7:55 p.m., he reconvened the meeting.

- (b) Adoption of Ord. No. 769 - Amending Section 15.05.080 of the Shoreline Municipal Code, Standard for Fixed Guideway Transit and Passenger Rail Systems (NFPA 130) Amendments, to Require Public Restrooms at Stations

Rachael Markle, Planning & Community Development Director, recalled that Council adopted the Standard for Fixed Guideway Transit and Passenger Rail System (NFPA 130) in October 2016, and shared it did not include a requirement for public restrooms at the Light Rail Stations. She shared that Council last discussed amending Shoreline Municipal Code 15.05.080 to include public restrooms on December 12, 2016. She stated that Sound Transit has expressed concern about the cost, security, and ongoing maintenance of the restrooms. She shared supporters feel that the restrooms will serve a public need because there are no existing commercial buildings, or public restrooms available in the area. She noted that the City's Guiding Principles for the Light Rail Stations state that restrooms should be considered. She shared that City staff is recommending that public restrooms be required at the Stations.

Councilmember Scully moved to adopt Ordinance No. 769 to require public restrooms in the Light Rail Stations. The motion was seconded by Deputy Mayor Winstead.

Councilmember Scully said he appreciates Sound Transit's position but also thinks the Station needs restrooms given there are no restrooms nearby.

Councilmember Salomon expressed concern about drug use and security needs. He asked if restrooms would be precluded from the Stations if the Ordinance is not adopted tonight. Ms. Markle responded that restrooms would not be precluded, but adopting the Ordinance would state that restrooms are required, and there would be no negotiation on the matter. Margaret King, Acting City Manager, added that the City can always negotiate with Sound Transit.

Councilmember Hall stated he is concerned with safety, security, and financial issues that come with requiring restrooms. He stressed his main concern and highest priority is providing safe multimodal access to the Station. He said he will not be supporting the motion.

Councilmember McGlashan commented that issues with a restroom close to a Transit Center have been successfully addressed. He said operation hours, maintenance responsibilities, and security will need to be addressed in the future.

Deputy Mayor Winstead shared why she supports the motion, and said as a commuter it is frustrating when there are no available restrooms. She also has concerns about safety and suggested that other ideas to ensure safety can be identified.

The motion passed, 6-1, with Councilmember Hall voting no.

9. STUDY ITEMS

- (a) Discussion of Ordinance No. 767 amending Development Code Sections 20.20, 20.30, 20.40, 20.50, 20.70, 20.100, and Ordinance Nos. 713 and 714 amending Municipal Code Sections 16.10 and 16.20

Steve Szafran, Senior Planner, and Paul Cohen, Planning Manager, provided the staff report. Mr. Szafran shared that the Planning Commission voted unanimously to approve the Amendments identified in the staff report. He explained that Ordinance No. 767 will adopt the 37 Proposed Development Code Amendments, Ordinance No. 713 would amend Shoreline Municipal Code (SMC) 16.10 Shoreline Management Plan; and Ordinance 714 would amend SMC 16.20 Fees. He reviewed 20.20 Definitions updates, changes to 20.30 Procedures and Administration, 20.40 Uses, 20.50 General Development Standards, 20.70 Engineering & Utility Development Standards, and Municipal Code Amendments.

Councilmember Salomon commented that some of the proposed Development Code amendments are clean-ups and some are substantive, and he requested staff send an email to Council identifying which ones are substantive. He asked for clarification on Amendments 24 and 25, reducing minimum side yard setbacks from 15 feet combined to 5 feet on each side. He shared that he does not think it is appropriate for single family houses in R-4 and R-6 to be too close together, and said he will not be supporting the amendment.

Councilmember Hall confirmed with staff that the unit lot development proposal does not do anything to change the total density or the number of units that can be built on a site. Councilmember McGlashan expressed concern that getting rid of Covenants, Conditions, and Restrictions (CCR) and Homeowner Associations (HOA) will create animosity among neighbors in attached homes. Councilmember Scully commented that this amendment gets rid of the requirement to have a CCR/HOA, which makes the unit more affordable and allows ownership of the entire unit. Ms. King commented that the code requires a recorded instrument to address issues where there are commons, ingress, egress, garages and said other items can be identified. Mr. Cohen noted that there are seven conditions for getting approval for a unit lot development and said it will also come with a covenant on the plat. Mayor Roberts commented that he would be in favor of something more specific.

Mayor Roberts asked why parking needs to be called out in Amendment 8 G and H. Mr. Cohen responded that parking is a key issue with the changing of tenants and this amendment requires parking problems to be addressed.

Mayor Roberts commented on the six foot fence requirement and said it does not support community or prevent crime. He asked about the setbacks for the Community Renewal Area and said Council may want to reconsider it. Councilmember Salomon expressed that he does not want to dictate to owners how tall their fence can be on their property. Councilmember Hall commented that there is well established public purpose that shorter fences allow the public realm the ability to see into front yards which provides security and safety. Councilmember McGlashan stated he agrees with Councilmember Salomon and does not want to regulate fences.

10. ADJOURNMENT

At 8:42 p.m., Mayor Roberts declared the meeting adjourned.

Jessica Simulcik Smith, City Clerk

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE: Approval of Expenses and Payroll as of January 27, 2017
DEPARTMENT: Administrative Services
PRESENTED BY: Sara S. Lane, 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 \$3,836,385.18 specified in the following detail:

***Payroll and Benefits:**

| Payroll Period | Payment Date | EFT Numbers (EF) | Payroll Checks (PR) | Benefit Checks (AP) | Amount Paid |
|-------------------|--------------|------------------|---------------------|---------------------|----------------|
| 12/18/16-12/31/16 | 1/6/2017 | 69970-70186 | 14744-14763 | 65785-65790 | \$516,312.11 |
| 1/1/17-1/14/17 | 1/20/2017 | 70187-70403 | 14764-14778 | 65854-65861 | \$704,440.84 |
| | | | | | \$1,220,752.95 |

***Wire Transfers:**

| Expense Register Dated | Wire Transfer Number | Amount Paid |
|------------------------|----------------------|-------------------|
| | 1116 | (Not Used) \$0.00 |
| 1/26/2017 | 1117 | \$5,076.17 |
| | | \$5,076.17 |

***Accounts Payable Claims:**

| Expense Register Dated | Check Number (Begin) | Check Number (End) | Amount Paid |
|------------------------|----------------------|--------------------|--------------|
| 1/10/2017 | 65205 | 65205 | (\$262.76) |
| 1/10/2017 | 65677 | 65677 | \$262.76 |
| 1/10/2017 | 65589 | 65589 | (\$50.00) |
| 1/12/2017 | 65678 | 65691 | \$61,749.38 |
| 1/12/2017 | 65692 | 65701 | \$198,883.98 |
| 1/12/2017 | 65702 | 65720 | \$957,552.16 |
| 1/13/2017 | 65721 | 65738 | \$26,796.02 |

***Accounts Payable Claims:**

| Expense Register Dated | Check Number (Begin) | Check Number (End) | Amount Paid |
|------------------------|----------------------|--------------------|-----------------------|
| 1/13/2017 | 65739 | 65739 | \$1,443.65 |
| 1/13/2017 | 65740 | 65753 | \$2,851.20 |
| 1/13/2017 | 65754 | 65756 | \$13,536.60 |
| 1/13/2017 | 65757 | 65771 | \$50,699.64 |
| 1/13/2017 | 65772 | 65784 | \$429,826.63 |
| 1/19/2017 | 65791 | 65792 | \$1,597.86 |
| 1/19/2017 | 65793 | 65811 | \$133,327.78 |
| 1/19/2017 | 65812 | 65821 | \$11,490.95 |
| 1/19/2017 | 65822 | 65837 | \$150,994.38 |
| 1/19/2017 | 65838 | 65851 | \$91,874.10 |
| 1/21/2017 | 65852 | 65853 | \$64,598.43 |
| 1/25/2017 | 65862 | 65862 | \$45,164.63 |
| 1/26/2017 | 65863 | 65875 | \$210,850.23 |
| 1/26/2017 | 65876 | 65885 | \$95,929.90 |
| 1/26/2017 | 65886 | 65892 | \$27,434.09 |
| 1/26/2017 | 65893 | 65899 | \$24,188.29 |
| 1/26/2017 | 65900 | 65910 | \$9,816.16 |
| | | | <u>\$2,610,556.06</u> |

Approved By: City Manager **DT**

City Attorney **MK**

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

| | | | |
|----------------------|---|---|--|
| AGENDA TITLE: | Motion to Authorize the City Manager to Execute a Contract for Professional Services with DA Hogan for Design and Construction Management Services for the Twin Ponds Park Turf and Light Replacement Project in an Amount not to Exceed \$88,105 | | |
| DEPARTMENT: | Public Works | | |
| PRESENTED BY: | Tricia Juhnke | | |
| ACTION: | <input type="checkbox"/> Ordinance | <input type="checkbox"/> Resolution | <input checked="" type="checkbox"/> Motion |
| | <input type="checkbox"/> Discussion | <input type="checkbox"/> Public Hearing | |

PROBLEM/ISSUE STATEMENT:

The Twin Ponds Park sports field was converted to a synthetic turf in 2008 and that turf has reached the end of its useful life. The existing turf has lost its resiliency through use and time, creating safety conditions that fall below industry standards. In addition, the existing field lighting does not meet current industry standards and needs to be replaced. The city has initiated a project to improve the turf and lighting at the park and has solicited consultants to assist in the design and construction of the project. The action under consideration is execution of a contract for those services.

RESOURCE/FINANCIAL IMPACT:

The 2017-2022 Capital Improvement Plan has an approved budget of \$1,700,000 for the Turf and Lighting Repair and Replacement Project including a \$250,000 grant. DA Hogan and Associates will provide design and construction oversight services from project commencement through project completion. The fee for services will be \$88,105.

RECOMMENDATION

Staff recommends that Council authorize the City Manager to execute a contract with DA Hogan for design and construction engineering services related to replacement of synthetic turf and lighting at Twin Ponds Park in an amount not to exceed \$88,105.

Approved By: City Manager **DT** City Attorney **MK**

BACKGROUND

The sports field at Twin Ponds Park was converted from a natural turf surface to a synthetic turf in 2008. The conversion was necessary in order to extend the useable field time for residents and organizations. The field continues to be one of the more heavily used fields in the City's sport field system. Synthetic turf systems are expected to have a lifetime of eight to ten years, after which time they typically lose their resiliency. As resiliency is lost, the surface poses a greater risk of injury to users. The synthetic turf has now reached the end of its useful life and a replacement is warranted.

Additionally, lighting for field use after dusk is in need of upgrades. Modern lighting systems reduce energy use as well as light "spilled" outside of the field area.

In 2016, the City was awarded a \$250,000 grant to help replace this turf, upgrade the field lights, and add new walkway lighting. The Council accepted this grant at the July 11, 2016 meeting.

ALTERNATIVES ANALYSIS

The City requested proposals from qualified firms interested in designing the turf and lighting improvements and providing construction phase services. DA Hogan was the only firm to respond. City staff has worked successfully with DA Hogan on other City projects, including the planning work for this project.

RESOURCE/FINANCIAL IMPACT

DA Hogan will provide turf system and lighting design, and construction oversight services from project commencement through project completion. The fee for services will be \$88,105. The total budget for the project is \$1,700,000. The project cost and budget summary is as follows:

EXPENDITURES

| | |
|--|-----------------------|
| City Project Management | \$45,000.00 |
| Design and Construction Management (<i>DA Hogan</i>) | \$88,105.00 |
| Construction Costs (Estimated) | 1,566,895.00 |
| Total Cost | \$1,700,000.00 |

REVENUE

| | |
|----------------------|-----------------------|
| General Capital Fund | \$1,450,000.00 |
| RCO Grant | \$250,000.00 |
| Total Revenue | \$1,700,000.00 |

RECOMMENDATION

Staff recommends that Council authorize the City Manager to execute a contract with DA Hogan for design and construction engineering services related to replacement of synthetic turf and lighting at Twin Ponds Park in an amount not to exceed \$88,105.

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

| | | | |
|----------------------|--|--|---------------------------------|
| AGENDA TITLE: | Adoption of Resolution No. 399 - Title VI Plan | | |
| DEPARTMENT: | Public Works | | |
| PRESENTED BY: | Tricia Juhnke, City Engineer | | |
| 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:

The City was a sub-recipient of Federal Transit Authority (FTA) funding through King County for the Aurora Corridor project, specifically in regards to the provision of transit along the corridor. As such, King County is required to ensure that all sub-recipients have a Title VI program (Plan) adopted by the elected body.

The City does not currently have an adopted Title VI program; therefore a Resolution and Plan have been prepared to be in compliance with the funding requirements.

RESOURCE/FINANCIAL IMPACT:

There are no financial impacts as a result of the Title VI program.

RECOMMENDATION

Staff recommends the adoption of Resolution No. 399.

Approved By: City Manager **DT** City Attorney **MK**

BACKGROUND

A Title VI Program is required to be adopted by the City to receive Federal Transit Authority (FTA) Funds. The City utilized FTA funds as part of the Aurora Corridor project for the installation of Bus Access Transit (BAT) lanes, sidewalks, station platform and other improvements. King County administers the funds and therefore is responsible to ensure sub-recipients are in compliance with Title VI.

Council discussed Resolution 399 and the Title VI Plan on January 23, 2017 (<http://cosweb.ci.shoreline.wa.us/uploads/attachments/cck/council/staffreports/2017/staffreport012317-9b.pdf>)

Resolution No. 399 (Attachment A) and the Title VI Program (Exhibit A), meets the needs for adoption of a plan per FTA Circular C4702.1B.

Key elements of the Program include:

- A Notice to the Public that the City complies with Title VI and informs members of the public of the protections against discrimination afforded to them by Title VI
- Instructions to the Public on how to file a Title VI complaint, including a copy of the complaint form
- A Public Participation Plan that includes an outreach plan to engage minority and limited English proficient populations

RESOURCE/FINANCIAL IMPACT

There is no financial impact as a result of this Resolution and the associated Plan.

RECOMMENDATION

Staff recommends the adoption of Resolution 399.

ATTACHMENTS

Attachment A –Resolution No. 399
Attachment A, Exhibit A – City of Shoreline Title VI Program

RESOLUTION NO. 399

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHORELINE, WASHINGTON, ADOPTING A PROGRAM FOR COMPLIANCE WITH TITLE VI OF THE CIVIL RIGHTS ACT OF 1964 AND RELATED NON-DISCRIMINATION STATUTES AS A RECIPIENT OF FEDERAL FUNDS FOR TRANSIT FACILITIES.

WHEREAS, Title VI of the Civil Rights Act of 1964 and related statutes prohibits discrimination on the basis of race, color, and national origin in programs and activities receiving federal financial assistance; and

WHEREAS, any entity received federal financial assistance, either directly from the Federal Transit Administration or through a public transit agency, must not discriminate based on race, color, or national origin; and

WHEREAS, since the City is receiving federal grant sub-recipient funding from the King County Department of Transportation Metro Transit Division, it is required to have a Title VI Program to implement Federal Title VI non-discrimination requirements;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SHORELINE, WASHINGTON, HEREBY RESOLVES AS FOLLOWS:

Section 1. Title VI Program. The City of Shoreline Title VI Program, dated February 2017, and attached hereto as Exhibit A, is adopted by the Shoreline City Council.

Section 2. Corrections by City Clerk. Upon approval of the City Attorney, the City Clerk is authorized to make necessary corrections to this resolution, including the corrections of scrivener or clerical errors; references to other local, state, or federal laws, codes, rules, or regulations; or resolution numbering and section/subsection numbering and references.

ADOPTED BY THE CITY COUNCIL ON FEBRUARY 6, 2017.

Mayor Christopher Roberts

ATTEST:

Jessica Simulcik Smith, City Clerk

City of Shoreline Title VI Program

Introduction

The City of Shoreline (“City”) is a Federal Transit Administration (FTA) grant sub-recipient to the King County Department of Transportation’s Metro Transit Division (King County Metro). King County Metro contracts with the City to fund design and construction of items such as Business Access Transit (BAT) lanes, sidewalks, bike lanes, and station platforms in the City. The City does not directly provide any transit service.

To meet its Title VI program requirements, the City has its own procedures to satisfy certain requirements such as a complaint process and public participation. The City will rely upon the analysis and overall program efforts conducted by King County Metro to meet requirements, e.g. Limited English Proficiency

Since the City does not operate any transit service, this plan only addresses the General Reporting Requirements.

General Reporting Requirements

A. Title VI Notice to the Public

The City notifies the public that it complies with the requirements of Title VI and related statutes and regulations. Notices are posted in City Hall and on the City’s web site. The wording of the notice follows:

The City of Shoreline hereby gives public notice that it is the policy of the City to assure full compliance with Title VI of the Civil Rights Act of 1964, as amended, the Civil Rights Restoration Act of 1987, Executive Order 12898, and related statutes and regulations in all programs and activities. Title VI requires that no person in the United State of America shall, on the ground of race, color or national origin be excluded from the participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the City receives federal financial assistance.

Any person who believes they have been aggrieved by an unlawful discriminatory practice under Title VI has a right to file a formal complaint with the City of Shoreline. Any such complaint must be in writing and filed with the Office of the City Clerk within one hundred eighty (180) days following the date of the alleged discriminatory occurrence.

B. Title VI Complaint Procedures and Form

A Title VI complaint form and Instructions for filling out a Title VI complaint can be obtained from City Clerk’s Office. A copy of the complaint form is in Appendix 1 to this document, along with the instructions for completing the form.

C. Title VI Investigations, Complaints, and Lawsuits

The City of Shoreline has had no Title VI complaints related to transit during the past three years.

D. Public Participation Plan

The City fully encourages public involvement and participation in decision-making processes. To comply with the statutory requirement for a public participation plan, the City hereby adopts and incorporates by reference the current version of the public participation plan of the King County Metro Title VI Program Report and will coordinate with King County Metro in public participation efforts related to transit projects being managed by the City of Shoreline.

E. Language Assistance Plan

The City relies upon the current Limited English Proficiency (LEP) analysis conducted by King County. This analysis identified that the City had more than 10 percent of its population with LEP. However, no specific language had more than five percent of the population. As such, the City does not have any special efforts related to a LEP population. The City does work to ensure all residents are informed of public activities and of actions related to FTA funded projects.

F. Monitoring Sub-recipients

The City has no sub-recipients. The City will cooperate with King County Metro in providing information and attending meetings as required by King County Metro as the County's monitoring procedures of the City's efforts.

G. Review of Facilities Constructed

The City did not build any storage facilities, maintenance facilities or operations centers and did not modify any facilities that require a Title VI equity analysis. The City will update King County Metro annually as to whether the City has funded any storage, maintenance facilities or operations centers with FTA funds.

H. Transit related, non-elected Committees and Boards

The City does not currently have any transit-related, non-elected planning boards, advisory councils, or committees. Therefore, this requirement is currently not applicable and the City does not have a process to encourage the participation of minorities on such committees. However, if the City creates any such transit-related, non-elected committees, the City will adopt and implement a process which is fully compliant with Title VI.

I. Documentation of Governing Body Review and Approval of the Title VI Program.

On February 6, 2017, the Shoreline City Council adopted this Title VI program through Resolution 399. The documentation of approval is found in Appendix 2.

Appendix 1

Title VI Complaint Process and Form

COMPLAINT OF DISCRIMINATION ON THE BASIS OF TITLE VI AGAINST THE CITY OF SHORELINE, WASHINGTON

Who can file a Title VI complaint?

- A person who believes he or she has been discriminated against, on the basis of race, color, national origin, may file a Title VI complaint.
- Someone may file on behalf of classes of individuals.

How do I file a complaint?

- Fill out the City's Title VI Complaint Form completely to help us process your complaint. Submit the completed form to the City Clerk within 180 calendar days of the alleged discriminatory act.

What happens when I file a complaint?

- The City will send you a written receipt of your complaint and will forward a copy of your completed complaint form to the City department named as Respondent. The City will designate a person to facilitate and coordinate responses to your Title VI complaint, and this person will contact you.

The duties of this individual include but are not limited to:

- technical assistance to the department on requirements and regulations
 - coordination of meetings between the parties, if needed
 - monitoring completion of any future activities included in a complaint response
 - other services as requested or deemed appropriate.
- Following an investigation of the complaint, the City will send you a letter of resolution.

What if I don't agree with the department's letter of resolution?

A complainant who does not agree with the letter of resolution may submit a written request for a different resolution to the City Clerk within 30 days of the date the complainant receives the City's response.

Do I need an attorney to file or handle complaint?

No. However, you may wish to seek legal advice regarding your rights under the law.

Return this form to:

City of Shoreline
City Clerk's Office
17500 Midvale Avenue N
Shoreline, WA 98133
Telephone: 206-801-2230
Email: clk@shorelinewa.gov

This form is available in alternate formats upon request. Contact the City Clerk with questions on completing this form or about the grievance procedure.

**COMPLAINT OF DISCRIMINATION ON THE BASIS OF TITLE VI
AGAINST THE CITY OF SHORELINE, WASHINGTON**

Complainant Contact Information

Name

Street address/City/State/ Zip code

Work phone #/ Home phone # Message phone #

Email address

Additional mailing address

Aggrieved party contact information (if different from complainant):

Name

Street address/City/State/ Zip code

Work phone #/ Home phone # Message phone #

Email address

Relationship to aggrieved party

Name of respondent – City of Shoreline, Washington

Department or agency (if known): _____

Address/location (if known)

Date of Incident

I believe the above actions were taken because of my:

- Race
- Color
- National Origin
- Religion

Statement of Complaint – Include all facts upon which the complaint is based. Attach Additional sheets if needed.

Name, position, and department of City employees you have contacted regarding the incident(s).

**Witnesses or other involved – provide name, address, telephone number(s) and e-mail (if available).
Attach additional sheets if needed.**

If you have filed a grievance, complaint or lawsuit regarding this matter anywhere else, give name and address of each place where you have filed. Attach additional sheets if needed.

In the complainant's view, what would be the best way to resolve the grievance?

I affirm that the foregoing information is true to the best of my knowledge and belief. I understand that all information becomes a matter of public record after the filing of this complaint.

Complainant

Date

Aggrieved Party

Date

Appendix 2

City Approval of Title VI Program

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

| | |
|----------------------|--|
| AGENDA TITLE: | Adoption of Ordinance No. 713 repealing Shoreline Municipal Code Chapter 16.10. |
| DEPARTMENT: | Planning & Community Development |
| PRESENTED BY: | Steven Szafran, AICP, Senior Planner Paul Cohen, Planning Manager Rachael Markle, AICP, Director |
| ACTION: | <input checked="" type="checkbox"/> Ordinance <input type="checkbox"/> Resolution <input type="checkbox"/> Motion <input type="checkbox"/> Discussion <input type="checkbox"/> Public Hearing |

PROBLEM/ISSUE STATEMENT:

After the City of Shoreline was incorporated in 1995, the City Council passed Ordinance 23, adopting by reference King County Code Title 25 as the City's Interim Shoreline Management Plan (Interim SMP) as required by Washington's Shoreline Management Act, 90.58 RCW. The Interim SMP was codified under SMC Chapter 16.10.

In 2012, in response to the Washington State Department of Ecology's new guidelines for shoreline management, the City initiated an update which resulted in the passage of Ordinance 668 in 2013. This ordinance adopted a new Shoreline Master Program (SMP), including it within the City's Comprehensive Plan and codifying the SMP and its regulations at SMC Title 20, Division II.

However, at the time of Ordinance 668's passage, an ordinance repealing SMC Chapter 16.10 was inadvertently not done. In order to remove the now defunct Interim SMP and SMC provision, a repealing ordinance must be passed by the City Council.

RESOURCE/FINANCIAL IMPACT:

The proposed amendment have no direct financial impact to the City.

RECOMMENDATION

Staff recommends approval of Ordinance No. 713.

Approved By: City Manager **DT** City Attorney **MK**

BACKGROUND

Shortly after the City of Shoreline was incorporated in 1995, the City Council passed Ordinance 23, adopting by reference King County Code Title 25 as the City's Interim Shoreline Management Plan (Interim SMP) as required by Washington's Shoreline Management Act, 90.58 RCW. The Interim SMP was codified under SMC Chapter 16.10.

In 2012, in response to the Washington State Department of Ecology's new guidelines for shoreline management, the City initiated an update which resulted in the passage of Ordinance 668 in 2013. This ordinance adopted a new Shoreline Master Program (SMP), including it within the City's Comprehensive Plan and codifying the SMP and its regulations at SMC Title 20, Division II.

However, at the time of Ordinance 668's passage, an ordinance repealing SMC Chapter 16.10 was inadvertently not done. In order to remove the now defunct Interim SMP and SMC provision, a repealing ordinance must be passed by the City Council,

Planning Staff currently processes amendments to SMC Title 20 pursuant to SMC 20.30.070 which requires Planning Commission review and public hearing prior to submittal for approval by the City Council. While this action does not pertain to SMC Title 20, it does relate to the City's old land use and development regulations and to a division of SMC Title 20 for shoreline development and, therefore, Planning Staff elected to process the repealing action in the same manner as any SMC Title 20 amendments.

The Planning Commission held two study sessions on the repealing amendment in 2016 - on September 15 and November 17 - and a Public Hearing on the proposed amendment on December 1, 2016.

- The staff report for the September 15th discussion can be found here: <http://www.shorelinewa.gov/home/showdocument?id=27891>
- The staff report for the November 17th discussion can be found here: <http://www.shorelinewa.gov/home/showdocument?id=29497>
- The staff report for December 1st Public Hearing can be found here: <http://www.shorelinewa.gov/home/showdocument?id=29611>

The staff report for the January 9, 2017 Council meeting is included as a reference and can be found here:

<http://cosweb.ci.shoreline.wa.us/uploads/attachments/cck/council/staffreports/2017/staffreport010917-9a.pdf>

The City has provided the Washington State Department of Commerce with notice of its intent to repeal SMC Chapter 16.10 and has also provided the Washington State Department of Ecology with notice of its intent to repeal this chapter.

PROPOSED AMENDMENT

This proposed amendment will repeal SMC Chapter 16.10 in its entirety.

Adopted by Ordinance 23, SMC 16.10 was the chapter that regulated the City's Shoreline Master Program and referred to King County's regulations as Shoreline did not have its own program. The Council adopted the City's own Shoreline Master Program in 2013, via Ordinance 668, making Chapter 16.10 unnecessary. The current Shoreline Master Program is contained in SMC Title 20, Division II.

The Council did not have any issues or concerns with the Planning Commission recommendation to repeal SMC Chapter 16.10.

RESOURCE/FINANCIAL IMPACT

The proposed amendments have no direct financial impact to the City.

RECOMMENDATION

Staff recommends approval of Ordinance No. 713.

ATTACHMENTS

Attachment A – Proposed Ordinance No. 713

Attachment A, Exhibit A – Municipal Code Amendment

ORDINANCE NO. 713

**AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON
REPEALING SHORELINE MUNICIPAL CODE CHAPTER 16.10
SHORELINE MANAGEMENT PLAN.**

WHEREAS, the City of Shoreline is a non-charter optional municipal code city as provided in Title 35A RCW, incorporated under the laws of the state of Washington, and planning pursuant to the Growth Management Act, Title 36.70C RCW; and

WHEREAS, on June 26, 1995, the Shoreline City Council adopted Ordinance No. 23, incorporating by reference King County Code Title 25 as the City's interim shoreline management code; and

WHEREAS, on February 28, 2000, the Shoreline City Council adopted Ordinance No. 230 establishing Title 20 Unified Development Code of the Shoreline Municipal Code; and

WHEREAS, on August 5, 2013, the Shoreline City Council adopted Ordinance No. 668 enacting the City of Shoreline's Shoreline Master Program, incorporating it into the City's Comprehensive Plan, and establishing Shoreline Municipal Code Title 20 Division II Shoreline Master Plan; and

WHEREAS, the provisions of Ordinance No. 668 are now codified as Chapters 20.200, 20.210, 20.220, and 20.230 of the Shoreline Municipal Code; and

WHEREAS, given the enactment of Title 20 Division II, the provisions of Shoreline Municipal Code Chapter 16.10 Shoreline Management Plan are no longer necessary and should be repealed in their entirety; and

WHEREAS, pursuant to RCW 36.70A.106, the City has provided the Washington State Department of Commerce with a 60-day notice of its intent to repeal Shoreline Municipal Code Chapter 16.10; and

WHEREAS, pursuant to RCW 90.58 and WAC 173-26, the City has provided the Washington State Department of Ecology with notice of its intent to repeal Shoreline Municipal Code Chapter 16.10; and

WHEREAS, on November 17, 2016, the City of Shoreline Planning Commission reviewed the proposal to repeal the code provisions; and

WHEREAS, on December 1, 2016, the City of Shoreline Planning Commission held a public hearing on the proposal to repeal the code provisions so as to receive public testimony; and

WHEREAS, at the conclusion of public hearing, the City of Shoreline Planning Commission voted unanimously to approve the proposal to repeal the code provisions; and

WHEREAS, on January 9, 2017, the City Council held a study session on the proposal to repeal the code provisions; and

WHEREAS, the City Council has considered the entire public record, public comments, written and oral, and the Planning Commission's recommendation; and

WHEREAS, the City provided public notice of the proposal to repeal the code provisions and the public hearing as provided in SMC 20.30.070; and

WHEREAS, the City Council has determined that the provisions of Shoreline Municipal Code Chapter 16.10 are no longer necessary and should be repealed;

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

Section 1. Repeal. Shoreline Municipal Code Chapter 16.10 Shoreline Management Plan is repealed in its entirety as set forth in Exhibit A to this Ordinance.

Section 2. Corrections by City Clerk or Code Reviser. Upon approval of the City Attorney, the City Clerk and/or the Code Reviser are authorized to make necessary corrections to this ordinance, including the corrections of scrivener or clerical errors; references to other local, state, or federal laws, codes, rules, or regulations; or ordinance numbering and section/subsection numbering and references.

Section 3. Severability. Should any section, subsection, paragraph, sentence, clause, or phrase of this ordinance or its application to any person or situation be declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of this ordinance or its application to any person or situation.

Section 4. Publication and Effective Date. A summary of this Ordinance consisting of the title shall be published in the official newspaper. This Ordinance shall take effect five days after publication.

PASSED BY THE CITY COUNCIL ON THE 6th DAY OF FEBRUARY, 2017.

Mayor Christopher Roberts

ATTEST:

APPROVED AS TO FORM:

Jessica Simulcik-Smith
City Clerk

Margaret King
City Attorney

Date of Publication: , 2017
Effective Date: , 2017

**ORDINANCE NO. 713
MUNICIPAL CODE AMENDMENT**

**Chapter 16.10
SHORELINE MANAGEMENT PLAN**

Sections:

~~16.10.010— Authority to adopt.~~

~~16.10.020— Adoption of administrative rules.~~

~~16.10.030— Adoption of certain other laws.~~

~~16.10.040— Reference to hearing bodies.~~

~~16.10.010 Authority to adopt.~~

~~Pursuant to RCW 35.21.180, 35A.11.020, 35A.21.160 and 90.58.280, the city adopts by reference Title 25 of the King County Code (Exhibit A, attached to the ordinance codified in this chapter) as presently constituted, as the interim shoreline management code. Exhibit A is hereby incorporated by reference as if fully set forth herein. [Ord. 93 § 1, 1996; Ord. 23 § 1, 1995]~~

~~16.10.020 Adoption of administrative rules.~~

~~Pursuant to Chapter 25.32 KCC of the shoreline management plan, there are hereby adopted by reference any and all implementing administrative rules now in effect regarding shoreline management that have been adopted either pursuant to King County Code Chapter 2.98, Rules of county agencies, or Title 23, Enforcement, or elsewhere in the King County Code except that, unless the context requires otherwise, any reference to the “county” or to “King County” shall refer to the city of Shoreline, and any reference to county staff shall refer to the city manager or designee. [Ord. 23 § 2, 1995]~~

~~16.10.030 Adoption of certain other laws.~~

~~To the extent that any provision of the King County Code, or any other law, rule or regulation referenced in the shoreline management code is necessary or convenient to establish the validity, enforceability or interpretation of the shoreline management code, then such provision of the King County Code, or other law, rule or regulation, is hereby adopted by reference. [Ord. 23 § 3, 1995]~~

~~16.10.040 Reference to hearing bodies.~~

~~To the extent that the shoreline management code refers to planning commissions, board of appeals, hearing examiner, or any other similar body, the city council shall serve in all such roles, but retains the right to establish any one or more of such bodies, at any time and without regard to whether any quasi-judicial or other matter is then pending. [Ord. 23 § 4, 1995]~~

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

| | |
|----------------------|--|
| AGENDA TITLE: | Adoption of Ordinance No. 714 Repealing Shoreline Municipal Code, Chapter 16.20. |
| DEPARTMENT: | Planning & Community Development |
| PRESENTED BY: | Steven Szafran, AICP, Senior Planner Paul Cohen, Planning Manager Rachael Markle, AICP, Director |
| ACTION: | <input checked="" type="checkbox"/> Ordinance <input type="checkbox"/> Resolution <input type="checkbox"/> Motion <input type="checkbox"/> Discussion <input type="checkbox"/> Public Hearing |

PROBLEM/ISSUE STATEMENT:

After the City of Shoreline’s incorporation in 1995, the City Council adopted Ordinance 24 and Ordinance 101, giving the City Manager authority to charge development fees for land use and permit applications, referencing a fee collection agreement with King County, and setting forth administrative interpretation and refund authority. These were all codified in SMC Chapter 16.20.

Fees for land use and permit applications and refund provisions have subsequently been codified in SMC Chapter 3.01 Fee Schedule, specifically SMC 3.01.010 for Planning and Community Development. SMC 20.10 and 20.30 contains provisions necessary for administration of the permitting system. The King County fee collection agreement is no longer necessary. The result has been that SMC Chapter 16.20 is redundant and unnecessary.

In order to remove this now defunct SMC chapter, a repealing ordinance must be passed by the City Council.

RESOURCE/FINANCIAL IMPACT:

The proposed amendments have no direct financial impact to the City.

RECOMMENDATION

Staff recommends approval of Ordinance No. 714.

Approved By: City Manager **DT** City Attorney **MK**

BACKGROUND

After the City of Shoreline's incorporation in 1995, the City Council adopted Ordinance 24 and Ordinance 101, giving the City Manager authority to charge development fees for land use and permit applications, referencing a fee collection agreement with King County, and setting forth administrative interpretation and refund authority. These were all codified in SMC Chapter 16.20.

Fees for land use and permit applications and refund provisions have subsequently been codified in SMC Chapter 3.01 Fee Schedule, specifically SMC 3.01.010 for Planning and Community Development. SMC 20.10 and 20.30 contains provisions necessary for administration of the permitting system. The King County fee collection agreement is no longer necessary due to the passage of time since incorporation.

The result has been that SMC Chapter 16.20 is redundant and unnecessary. In order to remove this now defunct SMC chapter, a repealing ordinance must be passed by the City Council.

Planning Staff currently processes amendments to SMC Title 20 pursuant to SMC 20.30.070 which requires Planning Commission review and public hearing prior to submittal for approval by the City Council. While this action does not pertain to SMC Title 20, it does relate to City's old land use and development regulations and, therefore, Planning Staff elected to process the repealing action in the same manner as any SMC Title 20 amendments.

The Planning Commission held two study sessions on the repealing amendment in 2016 - on September 15 and November 17 - and a Public Hearing on the proposed amendment on December 1, 2016.

The staff report for the September 15th discussion can be found here:
<http://www.shorelinewa.gov/home/showdocument?id=27891>

The staff report for the November 17th discussion can be found here:
<http://www.shorelinewa.gov/home/showdocument?id=29497>

The staff report for December 1st Public Hearing can be found here:
<http://www.shorelinewa.gov/home/showdocument?id=29611>

The staff report for the January 9, 2017 Council meeting is included as a reference and can be found here:
<http://cosweb.ci.shoreline.wa.us/uploads/attachments/cck/council/staffreports/2017/staffreport010917-9a.pdf>

DISCUSSION

This proposed amendment will delete SMC Chapter 16.20 in its entirety.

In 1995 and 1996, the City Council adopted Ordinance 24 and Ordinance 101, giving the City Manager authority to charge development fees for land use and permit applications, referencing a fee collection agreement with King County, and setting forth

administrative interpretation and refund authority. These were all codified in SMC Chapter 16.20.

Fees for land use and permit applications and refund provisions have subsequently been codified in SMC Chapter 3.01 Fee Schedule, specifically SMC 3.01.010 for Planning and Community Development. SMC 20.10 and 20.30 contains provisions necessary for administration of the permitting system. The King County fee collection agreement is no longer necessary due to the passage of time since incorporation.

The City Council did not raise any issues related to the Planning Commission recommendation to delete SMC Chapter 16.20 in its entirety.

RESOURCE/FINANCIAL IMPACT

The proposed amendments have no direct financial impact to the City.

RECOMMENDATION

Staff recommends approval of Ordinance No. 714.

ATTACHMENTS

Attachment A – Proposed Ordinance No. 714

Attachment A, Exhibit A – Municipal Code Amendments

ORDINANCE NO. 714

**AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON
REPEALING SHORELINE MUNICIPAL CODE CHAPTER 16.20 FEE
SCHEDULE.**

WHEREAS, the City of Shoreline is a non-charter optional municipal code city as provided in Title 35A RCW, incorporated under the laws of the state of Washington, and planning pursuant to the Growth Management Act, Title 36.70C RCW; and

WHEREAS, on August 7, 1995, the Shoreline City Council adopted Ordinance No. 24 which set development fees for land use and permit applications along with administrative and interpretation provisions and an allowance for King County to collect some remaining permitting fees; and

WHEREAS, on August 12, 1996, the Shoreline City Council adopted Ordinance No. 101, adopting a new fee schedule for land use and building permits which, in conjunction with the administrative provisions, was codified as Shoreline Municipal Code Chapter 16.20; and

WHEREAS, since this time the City has established SMC Chapter 3.01 Fee Schedule, which, at SMC 3.01.010 sets for fees and refund provisions for Planning and Community Development and, the Council has establish SMC Chapter 20.10 and Chapter 20.30 in regards to general permit administration and interpretation; and

WHEREAS, given the establishment of SMC Chapter 3.01 and SMC Chapters 20.10 and 20.30 and the passage of time since incorporation, the provisions of Shoreline Municipal Code Chapter 16.20 Fee Schedule are no longer necessary and should be repealed in their entirety; and

WHEREAS, pursuant to RCW 36.70A.106, the City has provided the Washington State Department of Commerce with a 60-day notice of its intent to repeal Shoreline Municipal Code Chapter 16.20; and

WHEREAS, on November 17, 2016, the City of Shoreline Planning Commission reviewed the proposal to repeal the code provisions; and

WHEREAS, on December 1, 2016, the City of Shoreline Planning Commission held a public hearing on the proposal to repeal the code provisions so as to receive public testimony; and

WHEREAS, at the conclusion of public hearing, the City of Shoreline Planning Commission voted unanimously to approve the proposal to repeal the code provisions; and

WHEREAS, on January 9, 2017, the City Council held a study session on the proposal to repeal the code provisions; and

WHEREAS, the City Council has considered the entire public record, public comments, written and oral, and the Planning Commission's recommendation; and

WHEREAS, the City provided public notice of the proposal to repeal the code provisions and the public hearing as provided in SMC 20.30.070; and

WHEREAS, the City Council has determined that the provisions of Shoreline Municipal Code Chapter 16.20 are no longer necessary and should be repealed;

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

Section 1. Repeal. Shoreline Municipal Code Chapter 16.20 Fee Schedule is repealed in its entirety as set forth in Exhibit A to this Ordinance.

Section 2. Corrections by City Clerk or Code Reviser. Upon approval of the City Attorney, the City Clerk and/or the Code Reviser are authorized to make necessary corrections to this ordinance, including the corrections of scrivener or clerical errors; references to other local, state, or federal laws, codes, rules, or regulations; or ordinance numbering and section/subsection numbering and references.

Section 3. Severability. Should any section, subsection, paragraph, sentence, clause, or phrase of this ordinance or its application to any person or situation be declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of this ordinance or its application to any person or situation.

Section 4. Publication and Effective Date. A summary of this Ordinance consisting of the title shall be published in the official newspaper. This Ordinance shall take effect five days after publication.

PASSED BY THE CITY COUNCIL ON THE 6th DAY OF FEBRUARY, 2017.

Mayor Christopher Roberts

ATTEST:

APPROVED AS TO FORM:

Jessica Simulcik-Smith
City Clerk

Margaret King
City Attorney

Date of Publication: , 2017
Effective Date: , 2017

**ORDINANCE NO. 714
MUNICIPAL CODE AMENDMENT**

**Chapter 16.20
FEE SCHEDULE**

Sections:

~~16.20.010—Land use and development fee schedule.~~

~~16.20.020—Fee collection—King County authority.~~

~~16.20.030—Administration.~~

~~16.20.040—Refund of application fees.~~

~~16.20.010 Land use and development fee schedule.~~

~~A. The city manager or designee is authorized to charge applicants for development and land use permits received by the city's permit center, in the amounts set forth in the development services fee schedule.~~

~~B. Fee Schedule. See SMC 3.01.010, 3.01.015 and 3.01.020. [Ord. 256 § 1, 2000; Ord. 401 § 1, 1996]~~

~~16.20.020 Fee collection—King County authority.~~

~~Pursuant to the August 1995 "Interlocal Agreement Relating to the Use of City-Owned Real Property", King County is authorized to collect fees pursuant to the county's adopted fee schedule, as presently constituted or hereafter amended, for those applications to be processed by the county pursuant to the interlocal agreement. [Ord. 101 § 2, 1996]~~

~~16.20.030 Administration.~~

~~The director of development services is authorized to interpret the provisions of this chapter and may issue rules for its administration. [Ord. 101 § 3, 1996]~~

~~16.20.040 Refund of application fees.~~

~~Any fee established in this chapter which was erroneously paid or collected will be refunded. Refunds for applications, permits, or approvals which are withdrawn or canceled shall be determined by the director of development services. [Ord. 101 § 4, 1996]~~

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

| | |
|----------------------|--|
| AGENDA TITLE: | Adoption of Ordinance No. 771 – Amendment of Property Tax Exemption Program to Encourage Affordable Housing Application Deadline |
| DEPARTMENT: | City Manager’s Office |
| PRESENTED BY: | Dan Eernisse, Economic Development Manager |
| ACTION: | <input checked="" type="checkbox"/> Ordinance <input type="checkbox"/> Resolution <input type="checkbox"/> Motion <input type="checkbox"/> Public Hearing <input type="checkbox"/> Discussion |

PROBLEM/ISSUE STATEMENT:

Ordinance No. 771 amends the City's Property Tax Exemption Program (PTE) by changing the deadline for application to the PTE Program from prior to the issuance of the project's first building permit to prior to the issuance of the project's first occupancy permit, either temporary or final. The change allows additional time to encourage participation in the PTE program and will hopefully result in more affordable housing in the Shoreline housing stock. Council considered proposed Ordinance No. 771 during its [January 30, 2016 meeting](#). A copy of the staff report for that meeting is available at: <http://cosweb.ci.shoreline.wa.us/uploads/attachments/cck/council/staffreports/2017/staffreport013017-8b.pdf>

After discussion on January 30, the City Council instructed staff to bring the ordinance back for adoption on the consent agenda at tonight's meeting.

RESOURCE/FINANCIAL IMPACT:

The PTE program provides an exemption to the owner for the *ad valorem* property tax of the value of new or rehabilitated multiple unit housing for the duration of the exemption period (12 Years); the property owner is not exempted from the property tax on the land. In addition, staff time is required to process applications, file annual reports to the State and King County, and to monitor compliance with affordable housing requirements.

RECOMMENDATION

Staff recommends that Council adopt Ordinance No. 771 by consent.

Approved By: City Manager **DT** City Attorney **MK**

ATTACHMENTS

Attachment A – Ordinance No. 771

ORDINANCE NO. 771

AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON AMENDING SHORELINE MUNICIPAL CODE CHAPTER 3.27, THE PROPERTY TAX EXEMPTION PROGRAM TO AMEND THE DEADLINE FOR APPLYING FOR THE PROGRAM.

WHEREAS, the City of Shoreline is a non-charter optional municipal code city as provided in Title 35A RCW, incorporated under the laws of the state of Washington; and

WHEREAS, the City has established a Property Tax Exemption (PTE) Program in Shoreline Municipal Code (SMC), Chapter 3.27, as provided in RCW 84.14; and

WHEREAS, SMC 3.27.050 sets for the application procedures for a property owner seeking to benefit from the PTE Program; and

WHEREAS, SMC 3.27.050(B) requires that an application must be filed prior to issuance of the project's first building permit; and

WHEREAS, allowing for an application to be filed prior to a project's certificate of occupancy could provide an incentive for the development of affordable housing within the designated PTE Program areas; and

WHEREAS, on January 30, 2017, the City Council held a study session on the proposed amendment; and

WHEREAS, the City Council has considered the entire public record, public comments, written and oral, and

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

Section 1. Amendment. Chapter 3.27 of the Shoreline Municipal Code, Property Tax Exemption Program, is amended as follows:

SMC 3.27.050 Application procedures for conditional certificate.

A. A property owner who wishes to propose a project for a tax exemption shall file an application with the department of planning and community development upon a form provided by that department.

B. The application for exemption must be filed prior to issuance of the project's ~~first building permit~~ first certificate of occupancy, temporary or final.

C. The application shall include:

1. Information setting forth the grounds for the exemption;
2. A description of the project and a site plan, including the floor plan of units;
3. A statement that the applicant is aware of the potential tax liability when the project ceases to be eligible under this chapter;
4. Information describing how the applicant shall comply with the affordability requirements of this chapter;
5. In the case of rehabilitation or where demolition or new construction is required, verification from the department of the property's noncompliance with applicable building and housing codes; and
6. Verification by oath or affirmation of the information submitted by the applicant.

D. Fees. At the time of application under this section, the applicant shall pay a minimum fee deposit of three times the current hourly rate for processing land use permits as provided in Chapter 3.01 SMC, Fee Schedules. Total city fees will be calculated using the adopted hourly rates for land use permits in effect during processing of the tax exemption and any excess will be refunded to the applicant upon approval or denial of the application.

Section 2. Corrections by City Clerk or Code Reviser. Upon approval of the City Attorney, the City Clerk and/or the Code Reviser are authorized to make necessary corrections to this ordinance, including the corrections of scrivener or clerical errors; references to other local, state, or federal laws, codes, rules, or regulations; or ordinance numbering and section/subsection numbering and references.

Section 3. Severability. Should any section, subsection, paragraph, sentence, clause, or phrase of this ordinance or its application to any person or situation be declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of this ordinance or its application to any person or situation.

Section 4. Publication and Effective Date. A summary of this Ordinance consisting of the title shall be published in the official newspaper. This Ordinance shall take effect five days after publication.

PASSED BY THE CITY COUNCIL ON _____, _____, 2017.

Mayor Christopher Roberts

ATTEST:

APPROVED AS TO FORM:

Jessica Simulcik-Smith
City Clerk

Margaret King
City Attorney

Date of Publication: , 2017
Effective Date: , 2017

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

| | | | |
|----------------------|--|---|--|
| AGENDA TITLE: | Motion to Authorize the City Manager to Execute the 2017 – 2018 Shoreline Historical Museum Contract | | |
| DEPARTMENT: | Parks, Recreation and Cultural Services | | |
| PRESENTED BY: | Mary K. Reidy, Recreation Superintendent | | |
| ACTION: | <input type="checkbox"/> Ordinance | <input type="checkbox"/> Resolution | <input checked="" type="checkbox"/> Motion |
| | <input type="checkbox"/> Discussion | <input type="checkbox"/> Public Hearing | |

PROBLEM/ISSUE STATEMENT:

The City of Shoreline has contracted with the Shoreline Historical Museum since 1996 to provide educational and heritage opportunities for the citizens of Shoreline. The Museum provides valuable historic preservation and heritage information to the City and the Shoreline community, as well as interactive activities that bring our history to life.

In 2017 the Museum will feature two rotating/temporary exhibits and in 2018 two different exhibits will be featured. Each year the Executive Director of the Shoreline Historical Museum, Vicki Stiles, will present a detailed update and briefing on museum programs and attendance to the City Council. A scope of work for the Shoreline Historical Museum contract is attached to this staff report as Attachment A.

Traditionally, the contract has been for a one year term. However, to assist in contract management and efficiency, the City is transitioning from an annual contract to a 2-year contract (Attachment A).

RESOURCE/FINANCIAL IMPACT:

The financial impact of this contract was included in the 2017 Parks, Recreation and Cultural Services budget for \$60,000. The budget amount for 2018 will be determined in the 2018 budget process and an amendment will be executed to reflect any necessary change in compensation. City purchasing policies require Council authorization for service contracts exceeding \$50,000.

RECOMMENDATION

Staff recommends that the City Council authorize the City Manager to execute a two-year contract between the City of Shoreline and the Shoreline Historical Museum for a maximum amount of \$120,000 to provide educational programs and exhibits for the Shoreline community.

Approved By: City Manager **DT** City Attorney **MK**

ATTACHMENTS (Optional)

Attachment A 2017-18 Agreement for Services - Shoreline Historical Museum



Contract No. 8674

Brief Description: Shoreline Historical Museum

**CITY OF SHORELINE
AGREEMENT FOR SERVICES**

This Agreement is entered into by and between the City of Shoreline, Washington, a municipal corporation hereinafter referred to as the “CITY,” and The Shoreline Historical Museum, hereinafter referred to as the “CONSULTANT.”

WHEREAS, the City desires to retain the services of a consultant to provide historical and educational programs and exhibits for the Shoreline community and

WHEREAS, the City has selected The Shoreline Historical Museum to perform the above-mentioned services;

NOW, THEREFORE, in consideration of the mutual promises and covenants contained herein, it is mutually agreed as follows:

1. Scope of Services to be Performed by the Consultant.

The Consultant shall perform the services outlined in Exhibit A. In performing these services, the Consultant shall at all times comply with all federal, state and local statutes, rules and ordinances applicable to the performance of such services. In addition, these services and all duties incidental or necessary therefore, shall be performed diligently and completely and in accordance with professional standards of conduct and performance. All services performed under this Agreement will be conducted solely for the benefit of the City and will not be used for any other purpose without written consent of the City.

2. Compensation.

- A. Services will be paid at the rate set forth in Exhibit A, not to exceed a maximum of \$60,000 per year, including all fees and those reimbursable expenses listed in Exhibit A.
- B. The City shall pay the Consultant for services rendered after receipt of a billing voucher in the form set forth on Exhibit B. **NO PAYMENT WILL BE ISSUED WITHOUT A BILLING VOUCHER.** Payments will be processed within 30 (thirty) days from receipt of billing voucher. The Consultant shall be paid for services rendered but, in no case shall the total amount to be paid exceed the amount(s) noted in the Exhibit(s) and approved by the City. The consultant shall complete and return a W-9 to the City prior to contract execution by the City. No payment will be issued without a Taxpayer Identification Number on file. Mail all billing vouchers to: the attention of the contract manager identified in Section 14, 17500 Midvale Avenue North, Shoreline, Washington 98133-4905.

3. Term.

- A. The term of this Agreement shall commence January 4, 2017 and end at midnight on the 31st day of December, 2018.

4. Termination.

- A. The City reserves the right to terminate this Agreement at any time, with or without cause by giving fourteen (14) days notice to Consultant in writing. In the event of such termination or suspension, all finished or unfinished documents, data, studies, worksheets, models and reports, or other material prepared by the Consultant pursuant to this Agreement shall be submitted to the City.
- B. In the event this Agreement is terminated by the City, the Consultant shall be entitled to payment for all hours worked and reimbursable expenses incurred to the effective date of termination, less all

payments previously made. This provision shall not prevent the City from seeking any legal remedies it may have for the violation or nonperformance of any of the provisions of this Agreement and any such charges due the City shall be deducted from the final payment due the Consultant. No payment shall be made by the City for any expenses incurred or work done following the effective date of termination unless authorized in advance in writing by the City.

- C. The Consultant reserves the right to terminate this Agreement with not less than sixty (60) days written notice, or in the event outstanding invoices are not paid within 30 days.
- D. If the Consultant is unavailable to perform the scope of services, the City may, at its option, cancel this Agreement immediately.

5. Ownership of Documents.

- A. All documents, data, drawings, specifications, software applications and other products or materials produced by the Consultant in connection with the services rendered under this Agreement shall be the property of the City whether the project for which they are made is executed or not. All such documents, products and materials shall be forwarded to the City at its request and may be used by the City as it sees fit. The City agrees that if the documents, products and materials prepared by the Consultant are used for purposes other than those intended by the Agreement, the City does so at its sole risk and agrees to hold the Consultant harmless for such use.
- B. All or portions of materials, products and documents produced under this Agreement may be used by the Consultant if the City confirms that they are subject to disclosure under the Public Disclosure Act.
- C. The Consultant shall preserve the confidentiality of all City documents and data accessed for use in Consultant's work product. Any requests for City documents and data held by Consultant shall be forwarded to the City which shall be solely responsible for responding to the request.

6. Independent Contractor Relationship.

- A. The consultant is retained by the City only for the purposes and to the extent set forth in this Agreement. The nature of the relationship between the Consultant and the City during the period of the services shall be that of an independent contractor, not employee. The Consultant, not the City, shall have the power to control and direct the details, manner or means of services. Specifically, but not by means of limitation, the Consultant shall have no obligation to work any particular hours or particular schedule, unless otherwise indicated in the Scope of Work where scheduling of attendance or performance is critical to completion, and shall retain the right to designate the means of performing the services covered by this Agreement, and the Consultant shall be entitled to employ other workers at such compensation and on such other conditions as it may deem proper, provided, however, that any contract so made by the Consultant is to be paid by it alone, and that employing such workers, it is acting individually and not as an agent for the City.
- B. The City shall not be responsible for withholding or otherwise deducting federal income tax or Social Security or contributing to the State Industrial Insurance Program, or otherwise assuming the duties of an employer with respect to Consultant or any employee of the Consultant.

7. Hold Harmless.

The Consultant shall defend, indemnify, and hold the City, its officers, officials, employees and volunteers harmless from any and all claims, injuries, damages, losses or suits including attorney fees resulting from the negligent, gross negligent and/or intentional acts, errors or omissions of the Consultant, its agents or employees arising out of or in connection with the performance of this Agreement, except for injuries and damages caused by the sole negligence of the City.

Should a court of competent jurisdiction determine that this Agreement is subject to RCW 4.24.115, then, in the event of liability for damages arising out of bodily injury to persons or damages to property caused by or resulting from the concurrent negligence of the Consultant and the City, its officers, officials, employees, and volunteers, the Consultant's liability hereunder shall be only to the extent of the Consultant's negligence. It is further specifically and expressly understood that the indemnification provided herein constitutes the Consultant's waiver of immunity under Industrial Insurance, Title 51

RCW, solely for the purpose of this indemnification. This waiver has been mutually negotiated by the parties. The provisions of this section shall survive the expiration or termination of this Agreement.

8. Gifts.

The City's Code of Ethics and Washington State law prohibit City employees from soliciting, accepting, or receiving any gift, gratuity or favor from any person, firm or corporation involved in a contract or transaction. To ensure compliance with the City's Code of Ethics and state law, the Consultant shall not give a gift of any kind to City employees or officials.

9. City of Shoreline Business License.

As mandated by SMC 5.05.030, the Consultant shall obtain a City of Shoreline Business License prior to performing any services and maintain the business license in good standing throughout the term of its agreement with the City.

10. Insurance.

Consultant shall obtain insurance of the types described below during the term of this agreement and extensions or renewals. These policies are to contain, or be endorsed to contain, provisions that

1) Consultant's insurance coverage shall be primary insurance with insurance or insurance pool coverage maintained by the City as excess of the Consultant's insurance (except for professional liability insurance); and 2) Consultant's insurance coverage shall not be cancelled, except after thirty (30) days prior written notice to the City.

- A. Professional Liability, Errors or Omissions insurance with limits of liability not less than \$1,000,000 per claim and \$1,000,000 policy aggregate limit shall be provided if services delivered pursuant to their Contract involve or require professional services provided by a licensed professional including but not limited to engineers, architects, accountants, surveyors, and attorneys.
- B. Commercial General Liability insurance covering premises, operations, independent contractors' liability and damages for personal injury and property damage with a limit of no less than \$1,000,000 each occurrence and \$2,000,000 general aggregate. The City shall be named as an additional insured on this policy. The Consultant shall submit to the City a copy of the insurance certificate and relevant endorsement(s) as evidence of insurance coverage acceptable to the City.
- C. Automobile Liability insurance with combined single limits of liability not less than \$1,000,000 for bodily injury, including personal injury or death and property damage shall be required if delivery of service directly involves Consultant use of motor vehicles.

11. Delays.

Consultant is not responsible for delays caused by factors beyond the Consultant's reasonable control. When such delays beyond the Consultant's reasonable control occur, the City agrees the Consultant is not responsible for damages, nor shall the Consultant be deemed to be in default of the Agreement.

12. Successors and Assigns.

Neither the City nor the Consultant shall assign, transfer or encumber any rights, duties or interests accruing from this Agreement without the written consent of the other.

13. Nondiscrimination.

In hiring or employment made possible or resulting from this Agreement, there shall be no unlawful discrimination against any employee or applicant for employment because of sex, age, race, color, creed, national origin, marital status or the presence of any sensory, mental, or physical handicap, unless based upon a bona fide occupational qualification. This requirement shall apply to but not be limited to the following: employment, advertising, layoff or termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship. No person shall be denied or subjected to discrimination in receipt or the benefit of any services or activities made possible by or resulting from

Attachment A

this Agreement on the grounds of sex, race, color, creed, national origin, age except minimum age and retirement provisions, marital status, or in the presence of any sensory, mental or physical handicap.

14. Notices.

Any notice required under this Agreement will be in writing, addressed to the appropriate party at the address which appears below (as modified in writing from time to time by such party), and given personally, by registered or certified mail, return receipt requested, by facsimile or by a nationally recognized overnight courier service. All notices shall be effective upon the date of receipt.

City Manager
City of Shoreline
17500 Midvale Avenue N
Shoreline, WA 98133-4905
(206) 801-2700

Consultant Name: Vicki Stiles
Name of Firm: Shoreline Historical Museum
Address: PO Box 55594
Address: Shoreline, WA 98155
Phone Number: 206-542-7111

15. Governing Law and Venue.

This Agreement shall be construed and enforced in accordance with the laws of the State of Washington. Venue of any suit between the parties arising out of this Agreement shall be King County Superior Court.

16. General Administration and Management.

The City’s contract manager shall be (name and title): Mary K. Reidy, Recreation Superintendent.

17. Severability.

Any provision or part of the Agreement held to be void or unenforceable under any law or regulation shall be deemed stricken and all remaining provisions shall continue to be valid and binding upon the City and the Consultant, who agree that the Agreement shall be reformed to replace such stricken provision or part thereof with a valid and enforceable provision that comes as close as possible to expressing the intention of the stricken provision.

18. Entire Agreement.

This agreement contains the entire Agreement between the parties hereto and no other agreements, oral or otherwise, regarding the subject matter of this agreement, shall be deemed to exist or bind any of the parties hereto. Either party may request changes in the agreement. Proposed changes which are mutually agreed upon shall be incorporated by written amendment to this agreement.

This agreement is executed by

CITY OF SHORELINE

CONSULTANT

By: _____
Name: Debbie Tarry
Title: City Manager

By: _____
Name: Victoria Stiles
Title: Executive Director

Date: _____

Date: _____

Approved as to form:

By: _____
Margaret J. King, City Attorney
Julie Ainsworth-Taylor, Assistant City Attorney

Attachments: Exhibit A (Scope and compensation), B (Billing Voucher)

Attachment A - Exhibit A

CITY OF SHORELINE

SCOPE OF WORK AND COMPENSATION

17500 Midvale Ave., N., Shoreline, WA 98133

(206) 801-2600 Fax (206) 801-2780

Shoreline Historical Museum

2017

Scope of Services to be Provided by the Consultant during the term of this agreement:

The Consultant shall furnish to City of Shoreline residents programs to support education and understanding of the history of Shoreline.

1. Exhibits
 - Museum Exhibits – 2 rotating/temporary exhibits
 - *The Farmer in the Dell: The History of Growing Food in the Community (January 2017 thru March 31)*
 - *The Centennial of the Lowering of Lake Washington 1917-2017 - Economic and Environmental Effects (opens in May)*
 - Traveling Exhibits
 - The exhibits will be marketed in SHM e-newsletter and in brochure.
 - Provide two different traveling exhibits, available to other museums, schools and/or organizations on request with goal of loaning them out twice a year. Borrowing institutions to keep loaned exhibits for at least a month.
2. Tours, outreach and related programs
 - a. Tour groups 12 annually
 - b. Hands-on days - 12 annually
 - c. Community outreach activities (ie, community festivals, walking tours, day camps, concerts) – 5 annually
3. Historic Preservation Research
 - a. Services provided year-round for City staff, consultants, citizens and community groups.
4. Celebrate Shoreline - Cruise In Car Show
 - a. Work with City PRCS staff in coordination of Car Show as part of Celebrate Shoreline Festival.
 - b. Coordinate all registrations, prizes and day-off activities.
 - c. Work with City PRCS staff to maximize marketing efforts for event.
5. Community Partnership Development –

- a. Meet 4 times a year with community partners and city staff to maximize marketing for heritage activities and other cultural activities. This is in addition to regular communication with PRCS staff on recreation guide submittal information and specific program collaboration.
6. The Museum facility will allow the City of Shoreline and related organizations the use of meeting space at no cost if available.
7. The Museum facility will be open year-round, with typical hours being Tuesday through Saturday 10 a.m. to 4 p.m. Archives, special tours and related research to be available by appointment. Unscheduled programming to include both outreach and site-based lectures and oral histories.
8. In an effort to increase program publicity, Museum Director will provide information on upcoming activities for submittal in the PRCS Recreation Guide. PRCS staff will notify Museum Director well in advance of deadlines.
9. The Director will present an annual presentation to the City Council on programs and services provided to the community.
10. The Consultant shall maintain files for this project containing the following items:
 - a. Motions, resolutions, or minutes documenting Board or Council actions;
 - b. A copy of this contract on this project;
 - c. Correspondence regarding budget revision requests;
 - d. Copies of all invoices and reports submitted to the City for this Exhibit;
 - e. Bills for payment;
 - f. Copies of approved invoices and other documentation;
 - g. All records required by this agreement shall be retained by the Consultant for a minimum of seven (7) years, unless there is litigation, claims, audit, negotiation, or other actions involving the records, which has started before expiration of the seven-year period. The period of time shall commence on January 1 of the year following the year in which the final invoice was paid.
11. Contract Administration.
 - a. The Consultant will notify the City, in writing, within ten (10) days of any changes in program personnel or signature authority.

- b. The Consultant's main contact for the day-to-day operations of the program will be Victoria Stiles.
- c. The City's main contact for the day-to-day contract administration will be Mary Reidy.
- d. The Consultant will provide the City with a copy of their independent audit, when completed.

12. Compensation

Annual compensation shall be payable in four equal payments. Each payment shall equate to 25% of the amount approved by the City Council in the annual city budget. If substantial changes (15% or more) in funding levels occur from one year to the next either party has the right to request re-negotiation of this Scope of Work.

13. Reports and Reimbursement Requests.

- a. Reimbursement forms and instructions will be provided to the Consultant with the fully executed contract. All required reports must accompany the invoice statement in order to receive payment.
- b. A completed Program Attendance Form (Exhibit D) must accompany each Billing Voucher.
- c. A Taxpayer Identification Number (Exhibit C) must be submitted prior to any requests for funds.
- d. Expenses must be incurred prior to submission of quarterly reimbursement requests.
- e. Estimated quarterly payments are contingent upon meeting or exceeding the above performance measure(s) for the corresponding quarter. This requirement may be waived at the sole discretion of the City with satisfactory explanation of how the performance measure will be met by year-end.

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

| | |
|----------------------|--|
| AGENDA TITLE: | Motion to Authorize the City Manager to Execute the 2017-2018 Shoreline-Lake Forest Park Arts Council Contract |
| DEPARTMENT: | Parks, Recreation and Cultural Services |
| PRESENTED BY: | Eric Friedli, PRCS Director |
| ACTION: | <input type="checkbox"/> Ordinance <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Motion <input type="checkbox"/> Discussion <input type="checkbox"/> Public Hearing |

PROBLEM/ISSUE STATEMENT:

The City of Shoreline has contracted with the Shoreline-Lake Forest Park Arts Council since 1996 to assist in providing educational and cultural opportunities for the Shoreline community. Since that time, the City and the Shoreline-Lake Forest Park Arts Council have enjoyed a positive relationship serving the Shoreline community with a variety of programs and events that would not be possible without this partnership.

Programs funded by the City and provided by the Arts Council include, but are not limited to, Concerts in the Park, a Children's performance series, the annual Shoreline Arts festival and various workshops throughout the year. The annual scope of work for the Arts Council contract is included in Attachment B.

Traditionally, the contract has been for a one year term. However, to assist in contract management and efficiency, the City is transitioning from an annual contract to a 2-year contract (Attachment A).

RESOURCE/FINANCIAL IMPACT:

The financial impact for this contract was included in the 2017 Parks, Recreation and Cultural Services budget for \$60,000. The budget amount for 2018 will be determined in the 2018 budget process and an amendment will be executed to reflect any necessary change in compensation. City purchasing policies require Council authorization for service contracts exceeding \$50,000.

RECOMMENDATION

Staff recommends that the City Council authorize the City Manager to execute a two-year contract between the City of Shoreline and the Shoreline-Lake Forest Park Arts Council for two-year maximum amount of \$120,000 to provide educational and cultural opportunities for the Shoreline community.

Approved By: City Manager **DT** City Attorney **MK**

ATTACHMENTS (Optional)

Attachment A 2017-18 Agreement for Services - Shoreline-Lake Forest Park Arts Council



Contract No. 8706

Brief Description: Shoreline-Lake Forest Park Arts Council 2017-18

**CITY OF SHORELINE
AGREEMENT FOR SERVICES**

This Agreement is entered into by and between the City of Shoreline, Washington, a municipal corporation hereinafter referred to as the “CITY,” and Shoreline-Lake Forest Park Arts Council, hereinafter referred to as the “CONSULTANT.”

WHEREAS, the City desires to retain the services of a consultant to provide educational, arts and cultural services to its citizens and

WHEREAS, the City has selected Shoreline-Lake Forest Park Arts Council to perform the above-mentioned services;

NOW, THEREFORE, in consideration of the mutual promises and covenants contained herein, it is mutually agreed as follows:

1. Scope of Services to be Performed by the Consultant.

The Consultant shall perform the services outlined in Exhibit A. In performing these services, the Consultant shall at all times comply with all federal, state and local statutes, rules and ordinances applicable to the performance of such services. In addition, these services and all duties incidental or necessary therefore, shall be performed diligently and completely and in accordance with professional standards of conduct and performance. All services performed under this Agreement will be conducted solely for the benefit of the City and will not be used for any other purpose without written consent of the City.

2. Compensation.

- A. Services will be paid at the rate set forth in Exhibit A, not to exceed a maximum of \$60,000 per year, including all fees and those reimbursable expenses listed in Exhibit A.
- B. The City shall pay the Consultant for services rendered after receipt of a billing voucher in the form set forth on Exhibit B. **NO PAYMENT WILL BE ISSUED WITHOUT A BILLING VOUCHER.** Payments will be processed within 30 (thirty) days from receipt of billing voucher. The Consultant shall be paid for services rendered but, in no case shall the total amount to be paid exceed the amount(s) noted in the Exhibit(s) and approved by the City. The consultant shall complete and return a W-9 to the City prior to contract execution by the City. No payment will be issued without a Taxpayer Identification Number on file. Mail all billing vouchers to: the attention of the contract manager identified in Section 14, 17500 Midvale Avenue North, Shoreline, Washington 98133-4905.

3. Term.

- A. The term of this Agreement shall commence January 4, 2017 and end at midnight on the 31st day of December, 2018.

4. Termination.

- A. The City reserves the right to terminate this Agreement at any time, with or without cause by giving fourteen (14) days notice to Consultant in writing. In the event of such termination or suspension, all finished or unfinished documents, data, studies, worksheets, models and reports, or other material prepared by the Consultant pursuant to this Agreement shall be submitted to the City.
- B. In the event this Agreement is terminated by the City, the Consultant shall be entitled to payment for all hours worked and reimbursable expenses incurred to the effective date of termination, less all

payments previously made. This provision shall not prevent the City from seeking any legal remedies it may have for the violation or nonperformance of any of the provisions of this Agreement and any such charges due the City shall be deducted from the final payment due the Consultant. No payment shall be made by the City for any expenses incurred or work done following the effective date of termination unless authorized in advance in writing by the City.

- C. The Consultant reserves the right to terminate this Agreement with not less than sixty (60) days written notice, or in the event outstanding invoices are not paid within 30 days.
- D. If the Consultant is unavailable to perform the scope of services, the City may, at its option, cancel this Agreement immediately.

5. Ownership of Documents.

- A. All documents, data, drawings, specifications, software applications and other products or materials produced by the Consultant in connection with the services rendered under this Agreement shall be the property of the City whether the project for which they are made is executed or not. All such documents, products and materials shall be forwarded to the City at its request and may be used by the City as it sees fit. The City agrees that if the documents, products and materials prepared by the Consultant are used for purposes other than those intended by the Agreement, the City does so at its sole risk and agrees to hold the Consultant harmless for such use.
- B. All or portions of materials, products and documents produced under this Agreement may be used by the Consultant if the City confirms that they are subject to disclosure under the Public Disclosure Act.
- C. The Consultant shall preserve the confidentiality of all City documents and data accessed for use in Consultant's work product. Any requests for City documents and data held by Consultant shall be forwarded to the City which shall be solely responsible for responding to the request.

6. Independent Contractor Relationship.

- A. The consultant is retained by the City only for the purposes and to the extent set forth in this Agreement. The nature of the relationship between the Consultant and the City during the period of the services shall be that of an independent contractor, not employee. The Consultant, not the City, shall have the power to control and direct the details, manner or means of services. Specifically, but not by means of limitation, the Consultant shall have no obligation to work any particular hours or particular schedule, unless otherwise indicated in the Scope of Work where scheduling of attendance or performance is critical to completion, and shall retain the right to designate the means of performing the services covered by this Agreement, and the Consultant shall be entitled to employ other workers at such compensation and on such other conditions as it may deem proper, provided, however, that any contract so made by the Consultant is to be paid by it alone, and that employing such workers, it is acting individually and not as an agent for the City.
- B. The City shall not be responsible for withholding or otherwise deducting federal income tax or Social Security or contributing to the State Industrial Insurance Program, or otherwise assuming the duties of an employer with respect to Consultant or any employee of the Consultant.

7. Hold Harmless.

The Consultant shall defend, indemnify, and hold the City, its officers, officials, employees and volunteers harmless from any and all claims, injuries, damages, losses or suits including attorney fees resulting from the negligent, gross negligent and/or intentional acts, errors or omissions of the Consultant, its agents or employees arising out of or in connection with the performance of this Agreement, except for injuries and damages caused by the sole negligence of the City.

Should a court of competent jurisdiction determine that this Agreement is subject to RCW 4.24.115, then, in the event of liability for damages arising out of bodily injury to persons or damages to property caused by or resulting from the concurrent negligence of the Consultant and the City, its officers, officials, employees, and volunteers, the Consultant's liability hereunder shall be only to the extent of the Consultant's negligence. It is further specifically and expressly understood that the indemnification provided herein constitutes the Consultant's waiver of immunity under Industrial Insurance, Title 51

RCW, solely for the purpose of this indemnification. This waiver has been mutually negotiated by the parties. The provisions of this section shall survive the expiration or termination of this Agreement.

8. Gifts.

The City's Code of Ethics and Washington State law prohibit City employees from soliciting, accepting, or receiving any gift, gratuity or favor from any person, firm or corporation involved in a contract or transaction. To ensure compliance with the City's Code of Ethics and state law, the Consultant shall not give a gift of any kind to City employees or officials.

9. City of Shoreline Business License.

As mandated by SMC 5.05.030, the Consultant shall obtain a City of Shoreline Business License prior to performing any services and maintain the business license in good standing throughout the term of its agreement with the City.

10. Insurance.

Consultant shall obtain insurance of the types described below during the term of this agreement and extensions or renewals. These policies are to contain, or be endorsed to contain, provisions that

1) Consultant's insurance coverage shall be primary insurance with insurance or insurance pool coverage maintained by the City as excess of the Consultant's insurance (except for professional liability insurance); and 2) Consultant's insurance coverage shall not be cancelled, except after thirty (30) days prior written notice to the City.

A. Professional Liability, Errors or Omissions insurance with limits of liability not less than \$1,000,000 per claim and \$1,000,000 policy aggregate limit shall be provided if services delivered pursuant to their Contract involve or require professional services provided by a licensed professional including but not limited to engineers, architects, accountants, surveyors, and attorneys.

B. Commercial General Liability insurance covering premises, operations, independent contractors' liability and damages for personal injury and property damage with a limit of no less than \$1,000,000 each occurrence and \$2,000,000 general aggregate. The City shall be named as an additional insured on this policy. The Consultant shall submit to the City a copy of the insurance certificate and relevant endorsement(s) as evidence of insurance coverage acceptable to the City.

C. Automobile Liability insurance with combined single limits of liability not less than \$1,000,000 for bodily injury, including personal injury or death and property damage shall be required if delivery of service directly involves Consultant use of motor vehicles.

11. Delays.

Consultant is not responsible for delays caused by factors beyond the Consultant's reasonable control. When such delays beyond the Consultant's reasonable control occur, the City agrees the Consultant is not responsible for damages, nor shall the Consultant be deemed to be in default of the Agreement.

12. Successors and Assigns.

Neither the City nor the Consultant shall assign, transfer or encumber any rights, duties or interests accruing from this Agreement without the written consent of the other.

13. Nondiscrimination.

In hiring or employment made possible or resulting from this Agreement, there shall be no unlawful discrimination against any employee or applicant for employment because of sex, age, race, color, creed, national origin, marital status or the presence of any sensory, mental, or physical handicap, unless based upon a bona fide occupational qualification. This requirement shall apply to but not be limited to the following: employment, advertising, layoff or termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship. No person shall be denied or subjected to discrimination in receipt or the benefit of any services or activities made possible by or resulting from

this Agreement on the grounds of sex, race, color, creed, national origin, age except minimum age and retirement provisions, marital status, or in the presence of any sensory, mental or physical handicap.

14. Notices.

Any notice required under this Agreement will be in writing, addressed to the appropriate party at the address which appears below (as modified in writing from time to time by such party), and given personally, by registered or certified mail, return receipt requested, by facsimile or by a nationally recognized overnight courier service. All notices shall be effective upon the date of receipt.

City Manager
City of Shoreline
17500 Midvale Avenue N
Shoreline, WA 98133-4905
(206) 801-2700

Consultant Name: Executive Director
Name of Firm: Shoreline-Lake Forest Park Arts Council
Address: 18560 1st Ave NE
Address: Shoreline, WA 98155
Phone Number: 206-417-4645

15. Governing Law and Venue.

This Agreement shall be construed and enforced in accordance with the laws of the State of Washington. Venue of any suit between the parties arising out of this Agreement shall be King County Superior Court.

16. General Administration and Management.

The City's contract manager shall be (name and title): Public Art Coordinator.

17. Severability.

Any provision or part of the Agreement held to be void or unenforceable under any law or regulation shall be deemed stricken and all remaining provisions shall continue to be valid and binding upon the City and the Consultant, who agree that the Agreement shall be reformed to replace such stricken provision or part thereof with a valid and enforceable provision that comes as close as possible to expressing the intention of the stricken provision.

18. Entire Agreement.

This agreement contains the entire Agreement between the parties hereto and no other agreements, oral or otherwise, regarding the subject matter of this agreement, shall be deemed to exist or bind any of the parties hereto. Either party may request changes in the agreement. Proposed changes which are mutually agreed upon shall be incorporated by written amendment to this agreement.

This agreement is executed by

CITY OF SHORELINE

CONSULTANT

By: _____
Name: Debbie Tarry
Title: City Manager

By: _____
Name: Lorie Hoffman
Title: Executive Director

Date: _____

Date: _____

Approved as to form:

By: _____
Julie Ainsworth-Taylor, Assistant City Attorney

Attachments: Exhibit A (Scope and compensation), B (Billing Voucher)

CITY OF SHORELINE
SCOPE OF WORK AND COMPENSATION

2017 - 2018

17500 Midvale Ave., N., Shoreline, WA 98133

(206) 801-2700 ♦ Fax (206) 546-7868

Shoreline-Lake Forest Park Arts Council

1. **Cultural Programs and Community Outreach.** The Shoreline-Lake Forest Park Arts Council agrees to provide the following cultural programs and community outreach for the City of Shoreline citizens:

Shoreline Arts Festival

Two-day summer event presenting a wide variety of arts for all ages, including visual, performing, cultural and literary events, activities, exhibits, and programs and arts installations/happenings before the Festival. Identify the City as a primary festival sponsor in media releases.

Concerts/Performances in the Parks

Minimum of five evening summer concerts/performances in Shoreline parks and facilities.

Arts & Culture Events

Adult/family series featuring a minimum of three different events in Shoreline during the winter, spring, and fall, such as Edible Book Festival, Create & Make Workshops, Art/Business Workshops, and Sketch crawl and Free Play Art Day.

Family Events

Children/family series featuring a minimum of three different events during the winter and spring.

Community Outreach

Respond to and work with a variety of community organizations, including the City, on arts related projects including:

- Advise and consult, as representative of the arts community, with the City on Public Art projects such as Piano Time and Groundswell.
- Sponsor the Summerset Arts Festival, in years in which it occurs.
- Sponsor grants for the arts for teens and ethnic minorities
- Sponsor Community Project Awards to support groups presenting arts projects.
- Maintain a community arts event calendar to help promote other organizations.
- Participate in Community Conversations to foster partnerships among arts groups.
- Work with other non-profits like the YMCA, Kruckeberg Botanic Garden, and Shoreline Historical Museum on arts or arts education related projects.

Arts Education

Fund teaching artists to work with Shoreline Schools to enhance arts education in visual, performing, and literary arts.

Portable Works

Enhance City facilities by making selections available from the Portable Works collection upon 14-days prior request.

2. **Performer Contracts.** The Shoreline Lake Forest Park Arts Council agrees to contract with performers of the City's choosing for the following City events:

Celebrate Shoreline

One performance, if requested by the City, or hands-on arts activity at the City's Celebrate Shoreline festival.

Hamlin Haunt

One evening performance or hand-on arts activity at the City's Hamlin Haunt Halloween event.

3. **Collaboration.**

- A. The Arts Council agrees to meet four times per year with the City and other community partners to discuss leveraging community dollars and support in marketing and programming.
- B. The Arts Council will provide the PRCS Director and Public Art Coordinator announcements of Arts Council Board meetings, meeting agendas and approved minutes from Board meetings in a timely fashion.

4. **City Regulations.** The Shoreline Lake Forest Park Arts Council agrees to comply with all City regulations.

5. **City Recognition.** Identify the City of Shoreline as the primary "co-sponsor" of these programs, defined as follows:

- A. For all printed program promotional materials, appropriately list the words, "with support from the City of Shoreline." Separate listing will include City logo and standard phrasing. Printed program promotional materials including, but not limited to, posters, signs, flyers, newsletter listing, media advertising, etc. The City recognizes that publications of articles may be subject to edits by the new media, but that the Shoreline-Lake Forest Park Arts Council will make every attempt to acknowledge the City by name.
- B. Inclusion, when appropriate, of the City's name in City-funded programs in Public Service Announcements, and any other non-print media.
- C. Display of City's identification banner at outdoor events and verbal recognition at indoor events.

6. **Marketing and Publicity.**

- A. The Shoreline Lake Forest Park Arts Council agrees to assist with marketing of City-sponsored arts events. The Arts Council will share Calls for Art and include City arts events on the Arts Council calendar and share arts events with the Arts Council e-news list, the City will provide information and photos, when appropriate, on these items in a timely fashion.
- B. In an effort to increase program publicity, Shoreline Lake Forest Park Arts Council Executive Director will provide information and photos on upcoming activities for submittal in the PRCS Recreation Guide. PRCS staff will notify Executive Director well in advance of deadlines.

7. **Showmobile Use.** The Arts Council agrees to allow the City of Shoreline to use the Showmobile for City-sponsored events. The City agrees to provide in-kind labor from the Parks, Recreation and Cultural Services and/or Public Works Department to assist with the transportation, set-up and take down of the Showmobile for Arts Council events in the City of Shoreline.

8. **Compensation.** Annual compensation shall be payable in four equal payments. Each payment shall equate to 25% of the amount approved by the City Council in the annual city budget. A Billing Voucher (Exhibit B) shall be submitted each quarter. Requests are to be submitted at the end of March, June, September and November. A completed Program Attendance Form (Exhibit D) must accompany each Billing Voucher. A Taxpayer Identification Number (Exhibit C) must be submitted prior to any requests for funds. If substantial changes (15% or more) in funding levels occur from one year to the next either party has the right to request re-negotiation of this Scope of Work.
9. **Reporting.** The Arts Council will include an annual statement of how City funds were allocated with the final Billing Voucher in November. The Arts Council will provide the City a copy of its annual report to funders.

DRAFT

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

| | |
|----------------------|--|
| AGENDA TITLE: | Motion to Authorize the City Manager to Execute the 2017 Shoreline/Lake Forest Park Senior Center Contract |
| DEPARTMENT: | Parks, Recreation and Cultural Services |
| PRESENTED BY: | Mary K. Reidy, Recreation Superintendent |
| ACTION: | <input type="checkbox"/> Ordinance <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Motion <input type="checkbox"/> Discussion <input type="checkbox"/> Public Hearing |

PROBLEM/ISSUE STATEMENT:

The City of Shoreline has contracted with Sound Generations (formerly Senior Services of Seattle/King County) to furnish to City of Shoreline residents programs which support health and social services at the Shoreline/Lake Forest Park Senior Center.

The annual service contract with Sound Generations is included in the 2017 budget and is recommended for approval. A scope of work for the service contract is attached to this staff report as Attachment A. In addition to continuation of service delivery from previous years, the 2017 scope includes additional items which require City and Senior Center staff to work together throughout the year to assess the Center's financial health and programmatic future.

RESOURCE/FINANCIAL IMPACT:

This contract was included in the 2017 Parks, Recreation and Cultural Services budget for \$121,708. \$95,708 of the contract amount is Senior Center funding transferred from Human Services and the remainder (\$26,000) is a one-time supplemental backfill due to Shoreline/Lake Forest Park Senior Center revenue short-fall. The contract is now managed in PRCS. City purchasing policies require Council authorization for service contracts exceeding \$50,000.

RECOMMENDATION

Staff recommends that the City Council authorize the City Manager to execute a 2017 contract between the City of Shoreline and the Sound Generations in the total amount of \$121,708 to provide social, recreational, nutritional and health programs, counseling and support services, community services, transportation, outreach and to partner with City staff to assess the financial health and programmatic future of the Center.

Approved By: City Manager **DT** City Attorney **MK**

ATTACHMENTS (Optional)

Attachment A 2017 Agreement for Services - Sound Generations



Contract No. 8676

Brief Description: Services for Shoreline Seniors

**CITY OF SHORELINE
AGREEMENT FOR SERVICES**

This Agreement is entered into by and between the City of Shoreline, Washington, a municipal corporation hereinafter referred to as the "CITY," and Sound Generations, hereinafter referred to as the "CONSULTANT."

WHEREAS, the City desires to retain the services of a consultant to furnish City of Shoreline residents programs to support health and social services at the Shoreline/Lake Forest Park Senior Center and

WHEREAS, the City has selected Sound Generations to perform the above-mentioned services;

NOW, THEREFORE, in consideration of the mutual promises and covenants contained herein, it is mutually agreed as follows:

1. Scope of Services to be Performed by the Consultant.

The Consultant shall perform the services outlined in Exhibit A. In performing these services, the Consultant shall at all times comply with all federal, state and local statutes, rules and ordinances applicable to the performance of such services. In addition, these services and all duties incidental or necessary therefore, shall be performed diligently and completely and in accordance with professional standards of conduct and performance. All services performed under this Agreement will be conducted solely for the benefit of the City and will not be used for any other purpose without written consent of the City.

2. Compensation.

- A. Services will be paid at the rate set forth in Exhibit A, not to exceed a maximum of \$121,708 (\$95,708 of the contract amount is Senior Center funding transferred by Human Services and the remainder (\$26,000) is a one-time supplemental backfill), including all fees and those reimbursable expenses listed in Exhibit A.
- B. The City shall pay the Consultant for services rendered after receipt of a billing voucher in the form set forth on Exhibit B. **NO PAYMENT WILL BE ISSUED WITHOUT A BILLING VOUCHER.** Payments will be processed within 30 (thirty) days from receipt of billing voucher. The Consultant shall be paid for services rendered but, in no case shall the total amount to be paid exceed the amount(s) noted in the Exhibit(s) and approved by the City. The consultant shall complete and return a W-9 to the City prior to contract execution by the City. No payment will be issued without a Taxpayer Identification Number on file. Mail all billing vouchers to: the attention of the contract manager identified in Section 14, 17500 Midvale Avenue North, Shoreline, Washington 98133-4905.

3. Term.

- A. The term of this Agreement shall commence February 13, 2017 and end at midnight on the 31st day of December, 2017.

4. Termination.

- A. The City reserves the right to terminate this Agreement at any time, with or without cause by giving fourteen (14) days notice to Consultant in writing. In the event of such termination or suspension, all finished or unfinished documents, data, studies, worksheets, models and reports, or other material prepared by the Consultant pursuant to this Agreement shall be submitted to the City.

- B. In the event this Agreement is terminated by the City, the Consultant shall be entitled to payment for all hours worked and reimbursable expenses incurred to the effective date of termination, less all payments previously made. This provision shall not prevent the City from seeking any legal remedies it may have for the violation or nonperformance of any of the provisions of this Agreement and any such charges due the City shall be deducted from the final payment due the Consultant. No payment shall be made by the City for any expenses incurred or work done following the effective date of termination unless authorized in advance in writing by the City.
- C. The Consultant reserves the right to terminate this Agreement with not less than sixty (60) days written notice, or in the event outstanding invoices are not paid within 30 days.
- D. If the Consultant is unavailable to perform the scope of services, the City may, at its option, cancel this Agreement immediately.

5. Ownership of Documents.

- A. All documents, data, drawings, specifications, software applications and other products or materials produced by the Consultant in connection with the services rendered under this Agreement shall be the property of the City whether the project for which they are made is executed or not. All such documents, products and materials shall be forwarded to the City at its request and may be used by the City as it sees fit. The City agrees that if the documents, products and materials prepared by the Consultant are used for purposes other than those intended by the Agreement, the City does so at its sole risk and agrees to hold the Consultant harmless for such use.
- B. All or portions of materials, products and documents produced under this Agreement may be used by the Consultant if the City confirms that they are subject to disclosure under the Public Disclosure Act.
- C. The Consultant shall preserve the confidentiality of all City documents and data accessed for use in Consultant's work product. Any requests for City documents and data held by Consultant shall be forwarded to the City which shall be solely responsible for responding to the request.

6. Independent Contractor Relationship.

- A. The consultant is retained by the City only for the purposes and to the extent set forth in this Agreement. The nature of the relationship between the Consultant and the City during the period of the services shall be that of an independent contractor, not employee. The Consultant, not the City, shall have the power to control and direct the details, manner or means of services. Specifically, but not by means of limitation, the Consultant shall have no obligation to work any particular hours or particular schedule, unless otherwise indicated in the Scope of Work where scheduling of attendance or performance is critical to completion, and shall retain the right to designate the means of performing the services covered by this Agreement, and the Consultant shall be entitled to employ other workers at such compensation and on such other conditions as it may deem proper, provided, however, that any contract so made by the Consultant is to be paid by it alone, and that employing such workers, it is acting individually and not as an agent for the City.
- B. The City shall not be responsible for withholding or otherwise deducting federal income tax or Social Security or contributing to the State Industrial Insurance Program, or otherwise assuming the duties of an employer with respect to Consultant or any employee of the Consultant.

7. Hold Harmless.

The Consultant shall defend, indemnify, and hold the City, its officers, officials, employees and volunteers harmless from any and all claims, injuries, damages, losses or suits including attorney fees resulting from the negligent, gross negligent and/or intentional acts, errors or omissions of the Consultant, its agents or employees arising out of or in connection with the performance of this Agreement, except for injuries and damages caused by the sole negligence of the City.

Should a court of competent jurisdiction determine that this Agreement is subject to RCW 4.24.115, then, in the event of liability for damages arising out of bodily injury to persons or damages to property caused by or resulting from the concurrent negligence of the Consultant and the City, its officers, officials, employees, and volunteers, the Consultant's liability hereunder shall be only to the extent of the Consultant's negligence. It is further specifically and expressly understood that the indemnification

provided herein constitutes the Consultant's waiver of immunity under Industrial Insurance, Title 51 RCW, solely for the purpose of this indemnification. This waiver has been mutually negotiated by the parties. The provisions of this section shall survive the expiration or termination of this Agreement.

8. Gifts.

The City's Code of Ethics and Washington State law prohibit City employees from soliciting, accepting, or receiving any gift, gratuity or favor from any person, firm or corporation involved in a contract or transaction. To ensure compliance with the City's Code of Ethics and state law, the Consultant shall not give a gift of any kind to City employees or officials.

9. City of Shoreline Business License.

As mandated by SMC 5.05.030, the Consultant shall obtain a City of Shoreline Business License prior to performing any services and maintain the business license in good standing throughout the term of its agreement with the City.

10. Insurance.

Consultant shall obtain insurance of the types described below during the term of this agreement and extensions or renewals. These policies are to contain, or be endorsed to contain, provisions that

1) Consultant's insurance coverage shall be primary insurance with insurance or insurance pool coverage maintained by the City as excess of the Consultant's insurance (except for professional liability insurance); and 2) Consultant's insurance coverage shall not be cancelled, except after thirty (30) days prior written notice to the City.

- A. Professional Liability, Errors or Omissions insurance with limits of liability not less than \$1,000,000 per claim and \$1,000,000 policy aggregate limit shall be provided if services delivered pursuant to their Contract involve or require professional services provided by a licensed professional including but not limited to engineers, architects, accountants, surveyors, and attorneys.
- B. Commercial General Liability insurance covering premises, operations, independent contractors' liability and damages for personal injury and property damage with a limit of no less than \$1,000,000 each occurrence and \$2,000,000 general aggregate. The City shall be named as an additional insured on this policy. The Consultant shall submit to the City a copy of the insurance certificate and relevant endorsement(s) as evidence of insurance coverage acceptable to the City.
- C. Automobile Liability insurance with combined single limits of liability not less than \$1,000,000 for bodily injury, including personal injury or death and property damage shall be required if delivery of service directly involves Consultant use of motor vehicles.

11. Delays.

Consultant is not responsible for delays caused by factors beyond the Consultant's reasonable control. When such delays beyond the Consultant's reasonable control occur, the City agrees the Consultant is not responsible for damages, nor shall the Consultant be deemed to be in default of the Agreement.

12. Successors and Assigns.

Neither the City nor the Consultant shall assign, transfer or encumber any rights, duties or interests accruing from this Agreement without the written consent of the other.

13. Nondiscrimination.

In hiring or employment made possible or resulting from this Agreement, there shall be no unlawful discrimination against any employee or applicant for employment because of sex, age, race, color, creed, national origin, marital status or the presence of any sensory, mental, or physical handicap, unless based upon a bona fide occupational qualification. This requirement shall apply to but not be limited to the following: employment, advertising, layoff or termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship. No person shall be denied or subjected to

Attachment A

discrimination in receipt or the benefit of any services or activities made possible by or resulting from this Agreement on the grounds of sex, race, color, creed, national origin, age except minimum age and retirement provisions, marital status, or in the presence of any sensory, mental or physical handicap.

14. Notices.

Any notice required under this Agreement will be in writing, addressed to the appropriate party at the address which appears below (as modified in writing from time to time by such party), and given personally, by registered or certified mail, return receipt requested, by facsimile or by a nationally recognized overnight courier service. All notices shall be effective upon the date of receipt.

City Manager
City of Shoreline
17500 Midvale Avenue N
Shoreline, WA 98133-4905
(206) 801-2700

Consultant Name: Paula Houston
Name of Firm: Sound Generations
Address: 2208 Second Avenue, Suite 100
Address: Seattle, WA 98121
Phone Number: (206)448-5766

15. Governing Law and Venue.

This Agreement shall be construed and enforced in accordance with the laws of the State of Washington. Venue of any suit between the parties arising out of this Agreement shall be King County Superior Court.

16. General Administration and Management.

The City’s contract manager shall be (name and title): Mary Reidy, Recreation Superintendent.

17. Severability.

Any provision or part of the Agreement held to be void or unenforceable under any law or regulation shall be deemed stricken and all remaining provisions shall continue to be valid and binding upon the City and the Consultant, who agree that the Agreement shall be reformed to replace such stricken provision or part thereof with a valid and enforceable provision that comes as close as possible to expressing the intention of the stricken provision.

18. Entire Agreement.

This agreement contains the entire Agreement between the parties hereto and no other agreements, oral or otherwise, regarding the subject matter of this agreement, shall be deemed to exist or bind any of the parties hereto. Either party may request changes in the agreement. Proposed changes which are mutually agreed upon shall be incorporated by written amendment to this agreement.

This agreement is executed by

CITY OF SHORELINE

CONSULTANT

By: _____

By: _____

Name: Debra S. Tarry

Name: Paula Houston

Title: City Manager

Title: Chief Executive Officer

Date: _____

Date: _____

Approved as to form:

By: _____

Margaret J. King, City Attorney
Julie Ainsworth-Taylor, Assistant City Attorney

Attachments: Exhibit A (Scope and compensation), B (Billing Voucher)

**AGREEMENT FOR HUMAN SERVICES
SCOPE OF SERVICES TO BE PERFORMED
AND PROGRAM PERFORMANCE MEASURES**

Scope of Services to be Provided by the Consultant during the term of this agreement: The Consultant shall furnish to City of Shoreline residents programs to support health and social services at the Shoreline/Lake Forest Park Senior Center. The total amount of reimbursement pursuant to this Exhibit shall not exceed \$121,708 in Shoreline General Funds.

1. Services to be Provided.

The Consultant shall use City General funds to provide health services and social/recreational services at the Shoreline/Lake Forest Park Senior Center. These activities may include, but are not limited to: social, recreational and arts/crafts programs, educational programs, nutrition programs, health programs, health maintenance services, counseling and support services, financial and legal assistance, community services, and transportation services.

The Shoreline Lake Forest Park Senior Center will provide a minimum of 245 days of operation during the calendar year of 2017.

2. Program Requirements and Performance Measures.

a. Performance Measures (to be reported quarterly)

| | Total in Year 2017 |
|---|--------------------|
| Number of unduplicated Shoreline residents served | 1,595 |
| Health Services Hours | 16831 |
| Social/Recreational Services Hours | 19434 |

b. Program Capacity Building

Attend bi-monthly meetings with City staff to address the following:

1. Current cost recovery strategy
2. Current budget forecast and methodology
3. Review and assess current program offerings
4. Partnership opportunities, current and potential
5. Sustainability plan
6. Site stability assessment
7. Develop 5 year plan for service delivery

3. The Consultant shall maintain files for this project containing the following items:

- a. Motions, resolutions, or minutes documenting Board or Council actions;
- b. A copy of this contract on this project;
- c. Correspondence regarding budget revision requests;

- d. Copies of all invoices and reports submitted to the City for this Exhibit;
- e. Bills for payment;
- f. Copies of approved invoices and other documentation;
- g. All records required by this agreement shall be retained by the Consultant for a minimum of seven (7) years, unless there is litigation, claims, audit, negotiation, or other actions involving the records, which has started before expiration of the seven-year period. The period of time shall commence on January 1 of the year following the year in which the final invoice was paid.

4. Contract Administration.

- a. The Consultant will notify the City, in writing, within ten (10) days of any changes in program personnel or signature authority.
- b. The Consultant's main contact for the day-to-day operations of the program will be Bob Lohmeyer.
- c. The City's main contact for the day-to-day contract administration will be Mary Reidy.
- d. The Consultant will provide the City with a copy of their independent audit, when completed.

5. Reports and Reimbursement Requests.

- a. The Consultant shall submit a Billing Voucher and supporting forms on a Quarterly basis until the funds are expended. Deadlines for these reports are as follows:
 - 1st Quarter: April 14, 2016 or within 10 days of notice to proceed, whichever is later;
 - 2nd Quarter: July 14, 2017;
 - 3rd Quarter: October 13, 2017; and
 - 4th Quarter: Final Billing Voucher due January 12, 2018.
- b. These forms and instructions will be provided to the Consultant with the fully executed contract. All required reports must accompany the invoice statement in order to receive payment.
- c. Expenses must be incurred prior to submission of quarterly reimbursement requests. Proof of expenditures must be attached to the reimbursement request for invoice to be approved.
- d. Estimated quarterly payments are contingent upon meeting or exceeding the above performance measure(s) for the corresponding quarter. This requirement may be waived at the sole discretion of the City with satisfactory explanation of how the performance measure will be met by year-end.



**AGREEMENT FOR HUMAN SERVICES
LINE ITEM BILLING VOUCHER**

Attachment A - EXHIBIT B

Line Item Budget
Billing Voucher

| | |
|---|--|
| <p><u>RETURN TO:</u> Mary Reidy, Recreation Superintendent City of Shoreline 17500 Midvale Avenue N Shoreline, WA 98133-4921</p> | <p>CONSULTANT: _____ ADDRESS: _____ CITY/STATE/ZIP: _____ CONTACT: _____ PHONE _____ VOUCHER DATE: _____</p> |
|---|--|

CONTRACT #: _____ PROGRAM TITLE: _____

THE COSTS AS PRESENTED IN THIS REQUEST WERE INCURRED BETWEEN THE TIME PERIOD OF
(dates): _____ TO _____

| COST CATEGORIES | ORIGINAL BUDGET | REVISED BUDGET # _____ | TOTAL REQUESTED | CUMULATIVE TO DATE | AWARD BALANCE |
|--|-----------------|------------------------|-----------------|--------------------|---------------|
| 1 Personnel <i>(Complete a Personnel & Travel Reimbursement Form)</i> | | | | | |
| 2 Office/Operating Supplies <i>(Attach Receipts)</i> | | | | | |
| 3 Consultant or Purchased Services <i>(Submit Substantiating Bills)</i> | | | | | |
| 4 Communications <i>(Attach Receipts)</i> | | | | | |
| 5 Travel and Training <i>(Complete a Personnel & Travel Reimbursement Form)</i> | | | | | |
| 6 Other <i>(Detail)</i> | | | | | |
| GRAND TOTAL | | | | | |

I CERTIFY THAT THE ABOVE COSTS IN THE AMOUNT OF \$ _____ *HAVE BEEN INCURRED*

AND PAYMENT HAS BEEN MADE OR IS NOW DUE AND THAT NECESSARY RECEIPTS OR INVOICES ARE ATTACHED. A PROGRESS REPORT IS ALSO ATTACHED.

NOTE: Payments will be processed within thirty (30) days from receipt of approved billing voucher.

Contractor

City of Shoreline

Authorized Signature (set forth in the Contract) date

Approved for payment date

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

| | |
|----------------------|--|
| AGENDA TITLE: | Motion to Authorize the City Manager to Enter into a Contract with AECOM for Construction Administration and Document Control Services in an amount not to exceed \$200,000 |
| DEPARTMENT: | Public Works |
| PRESENTED BY: | Tricia Juhnke, City Engineer |
| ACTION: | <input type="checkbox"/> Ordinance <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Motion <input type="checkbox"/> Discussion <input type="checkbox"/> Public Hearing |

PROBLEM/ISSUE STATEMENT:

Staff is requesting Council to authorize the City Manager to execute a contract with AECOM Technical Services to provide construction administration and document control services in support of the adopted capital program.

RESOURCE/FINANCIAL IMPACT:

Funding for this contract comes from approved projects included in the 2017-2022 Capital Improvement Plan (CIP). These expenditures are already programmed into the approved project budgets.

RECOMMENDATION

Staff recommends that Council move to authorize the City Manager to enter into a contract with AECOM Technical Services for contract administration and document control services in an amount not to exceed \$200,000.

Approved By: City Manager **DT** City Attorney **MK**

BACKGROUND

The adopted CIP has a large number of projects scheduled for construction in 2017, several of which have federal funding. There are not adequate internal resources to provide the construction administration support needed to effectively manage these projects. Projects identified in the CIP that will utilize this support include:

- 2017 Bituminous Surface Treatment Contract
- Meridian and 155th Intersection Improvements (federally funded)
- Interurban Burke Gilman Connectors (federally funded)
- Wayfinding Signage
- Bike Plan Implementation (federally funded)
- Radar Speed Signs (federally funded)
- Echo Lake Safe Routes to School (federally funded)
- Curb, Ramp and Sidewalk replacement
- Twin Ponds Turf and Field Lighting
- Richmond Beach Road Rechannelization
- Stormwater Pipe Replacement

All construction projects require construction administration support to ensure the documentation and administrative requirements of the contracts are met. The current Public Works staffing will not meet the needs of managing these construction projects. Federally funded projects, however, have significantly higher documentation and construction requirements than projects without federal funding. It is imperative that federal projects are closely monitored and managed to ensure grant funds are expended appropriately; construction documentation is developed and managed correctly, the City is eligible for the grants and/or doesn't jeopardize opportunities for future grants.

Consultant Selection

AECOM was selected through a competitive process. A Request for Qualifications (RFQ 8630) was issued and three Statements of Qualifications were received. Two firms were interviewed and AECOM was selected as the best qualified to meet the needs of this contract.

RESOURCE/FINANCIAL IMPACT

Funding for this contract comes from approved projects included in the 2017-2022 Capital Improvement Plan (CIP). These expenditures are already programmed into the approved project budgets.

RECOMMENDATION

Staff recommends that Council move to authorize the City Manager to enter into a contract with AECOM Technical Services for contract administration and document control services in an amount not to exceed \$200,000.

ATTACHMENTS

Attachment A: Scope of Work

Exhibit A-1
SCOPE OF SERVICES
Construction Management Services for the
Construction Administration and Document Control, Contract #xxxx
FED AID#xxxxxx
City of Shoreline

AECOM Technical Services, Inc. (“Consultant”) proposes to provide to the City of Shoreline, Washington (“City”) Construction Administration and Document Control services for the various City of Shoreline projects (hereinafter called “Project”). AECOM will provide assistance to the City by augmenting their staff with personnel with the administration of construction projects.

I. INTRODUCTION

AECOM will provide construction administration and document control services for several projects included in the 2017-2022 Capital Improvement Plan. These projects include, but are not limited to:

- 2017 Bituminous Surface Treatment Contract
- Meridian and 155th Intersection Improvements (federally funded)
- Interurban Burke Gilman Connectors (federally funded)
- Wayfinding Signage
- Bike Plan Implementation (federally funded)
- Radar Speed Signs (federally funded)
- Echo Lake Safe Routes to School (federally funded)
- Curb, Ramp and Sidewalk replacement
- Twin Ponds Turf and Field Lighting
- Richmond Beach Road Rechannelization
- Stormwater Pipe Replacement
- Parks Repair and Replacement

This work is anticipated to be for the duration of 2017 with an option for extension and/or renewal in 2018.

Detailed scope of work and assumptions follow. The following scope of services is based upon the assumptions outlined herein. Associated costs are detailed in EXHIBIT E-1.

I. DETAILED SCOPE OF WORK

Task 100 – Project Management/Quality Control

The Consultant shall provide overall project management and contract administration associated with the service agreement between the Consultant and the City. This effort will include the following elements:

- a) Development and maintenance of a project consultant budget.
- b) Prepare of Consultant invoicing and progress reporting to the City.
- c) Perform internal administration of the Consultant’s Task Order.
- d) Prepare any supplements to the Consultant’s Task Order.
- e) Prepare AECOM project quality and safety plans.
- f) Regular communication with team members.

- g) Identification of project scope/schedule and budget changes and immediate written notification and discussion of them with the City’s project staff

Task 200 – ADMINISTRATION AND DOCUMENT CONTROL SERVICES

This contract will provide for construction and contract administration including document control for a variety of capital construction projects. Specific tasks include, but are not limited to, the following tasks:

- Develop and maintain paper and electronic files using the City’s standardized filing system
- Prepare, manage and maintain documents for regular meetings such as agendas, minutes
- Develop and maintain a variety of documents for tracking items such as Submittal Logs, RAMS, Issues Log, etc.
- Prepare and/or assemble documentation such as change orders, work change directives, Field orders
- Manage Contractor submittals including review for completeness; route for review/approval; return to contractor, and document approval
- Communicate directly with the Contractor to resolve issues or problems particularly on administrative items
- Ensure all documentation for federally funded projects is completed and meets requirements of the LAG manual, including verification of certified payrolls.
- Develop and/or revise current forms or processes to improve current systems and processes
- Route contracts, amendments and change orders in accordance with City procedures
- Prepare and/or support documentation for grant reimbursements
- Communicate with City Staff such as inspectors, administrators, Project Managers, and Purchasing
- Provide a variety of administrative tasks in support of Construction Services within the Engineering Division.
- Research and provide information to support resolution of problems or issues.
- Draft and/or proofread a variety of documentation such as correspondence, handouts or flyers
- Provide leadership and guidance as needed to ensure compliance with document control best management practices and requirements for federal funds.

III. Consultant Deliverables

The City is responsible for all deliverables. Supplemental AECOM staff will track and maintain documentation files as requested by the City, within the allocated budget.

IV. ASSUMPTIONS

The detailed scope of services is based upon the assumptions outlined herein. Associated costs are detailed in EXHIBIT E-1.

1. Responsibilities of the City

- a) The City shall provide office space for AECOM near the City staff.
- b) The City shall provide all materials and equipment required for assigned work.
- c) The City is providing direct supervision of AECOM staff as well as staffing for each project that is being worked on (i.e. – project management, resident engineering, and inspection services).

2. Budget

- a. Consultant Staffing levels are anticipated in accordance with the attached budget estimate and include:
 - i. Project Manager at an average of 2 hours per week.
 - ii. One full time Contract Administrator at an average of 40 hours per week.
 - iii. One half time Contract Administrator for 6 months.

- b. The level of effort will not exceed the approved budget without prior approval by the City. Should further assistance be required, or should service be requested for longer than these time frames, and costs are anticipated to exceed the approved budget, the City will negotiate a supplement to this agreement.
- c. Consultant has the authority to shift budget between work tasks provided the overall project budget remains unchanged.

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

| | |
|----------------------|--|
| AGENDA TITLE: | Adoption of Ordinance No. 767 amending Development Code Sections 20.20, 20.30, 20.40, 20.50, 20.70, 20.100. |
| DEPARTMENT: | Planning & Community Development |
| PRESENTED BY: | Steven Szafran, AICP, Senior Planner Paul Cohen, Planning Manager Rachael Markle, AICP, Director |
| ACTION: | <input checked="" type="checkbox"/> Ordinance <input type="checkbox"/> Resolution <input type="checkbox"/> Motion <input type="checkbox"/> Discussion <input type="checkbox"/> Public Hearing |

PROBLEM/ISSUE STATEMENT:

The City’s Development Code is codified in Title 20 of the Shoreline Municipal Code (SMC). Amendments to Title 20 are used to ensure consistency between the City’s development regulations and the City’s Comprehensive Plan, to reflect amendments to state rules and regulations, or to respond to changing conditions or needs of the City. Throughout the year, Planning Staff identifies various amendments to the development code and process them as “batches.”

The Council studied the proposed amendments at their January 9, 2017 meeting. The Council raised three questions about proposed amendments 13, 24, and 30 which are addressed in the discussion section below.

RESOURCE/FINANCIAL IMPACT:

The proposed amendments have no direct financial impact to the City.

RECOMMENDATION

Staff recommends approval of Ordinance No. 767 with amended language proposed by staff.

Approved By: City Manager **DT** City Attorney **MK**

BACKGROUND

The City's Development Code is codified in Title 20 of the Shoreline Municipal Code (SMC). Amendments to Title 20 are used to ensure consistency between the City's development regulations and the City's Comprehensive Plan, to reflect amendments to state rules and regulations, or to respond to changing conditions or needs of the City.

Pursuant to SMC 20.30.070, amendments to the Development Code are processed as legislative decisions. Legislative decisions are non-project decisions made by the City Council under its authority to establish policies and regulations. The Planning Commission is the review authority for these types of decisions and is responsible for holding an open record Public Hearing on any proposed amendments and making a recommendation to the City Council on each amendment.

For the 2016 batch of Development Code amendments currently before the City Council, the Planning Commission held two study sessions in 2016 - on September 15 and November 17 - and a Public Hearing on the proposed amendments on December 1, 2016.

- The staff report for the September 15th discussion can be found here: <http://www.shorelinewa.gov/home/showdocument?id=27891>
- The staff report for the November 17th discussion can be found here: <http://www.shorelinewa.gov/home/showdocument?id=29497>
- The staff report for December 1st Public Hearing can be found here: <http://www.shorelinewa.gov/home/showdocument?id=29611>

The proposed Development Code amendments include administrative changes (reorganization and minor corrections) and more substantive changes all listed in order of Chapter. At the January 9 Council meeting, staff presented the amendments with more substantive changes. Those amendments are:

- Amendment #5 - 20.20.050 – U Definitions – Adding a definition for Unit Lot Development.
- Amendment #7 - 20.30.160 – Greater Expiration of Vested Status of Land Use Permits and Approvals.
- Amendment #8 - 20.30.280 – Change of Use.
- Amendment #10 - 20.30.330 – Special Use Permit –Increase the vesting period for Special Use Permits.
- Amendment #13 - 20.30.410 – Establishes a procedure for Unit Lot Developments.
- Amendment #16 - 20.40.130 – Remove fuel and service stations as a permitted use in the Town Center 2, 3, and 4 zones.
- Amendment #17 - 20.40.130 – Light manufacturing an approved use in the Mixed-Business (MB) zone.
- Amendment #20 - 20.40.240 – Beekeeping.
- Amendment#24 – 20.50.020 – Establishes a 5-foot minimum setback on each side.

- Amendment #29 – 20.50.090 – Restricts a homeowner from expanding a nonconforming home.
- Amendment #30 - 20.50.110 – Fences and walls - The proposed amendment will delete the suggestion that fences in the front yard be limited to 3.5 feet in height.

The remainder of the amendments are clean-up or amendments that are more procedural in nature. The following amendments correct outdated references, move code provisions from one section to another, and implement State mandates:

- Amendment#1 - 20.20.016 – D Definitions – Combine dwelling types.
- Amendment #2 - 20.20.026 – I Definitions - Add Non-Vegetated Surface to Impervious Surface Definition.
- Amendment #3 - 20.20.040 – P Definitions - Add “Private Stormwater Management Facility” to comply w/ NPDES permit requirements.
- Amendment #4 - 20.20.046 – S Definitions – Update Short Subdivisions and add Stormwater Manual to definition.
- Amendment #6 - 20.30.040 – Ministerial Decisions – Type A - Delete Home Occupation from Type A Table and add Planned Action Determination of Consistency.
- Amendment #8 (first amendment) - 20.30.280 – Nonconformance - Clarify and move MUR 45’ and Nonconformance and Change of Use.
- Amendment #9 - 20.30.290 – Deviation From The Engineering Standards (Type A Action) - Change “Director” to “Director of Public Works”.
- Amendment #11 - 20.30.357 – Planned Action Determination - Add New Section for Planned Action Determination Procedures.
- Amendment #12 - 20.30.380 – Subdivision Categories - Delete Lot Line Adjustments as a category of subdivision.
- Amendment #13 (first amendment) - 20.30.410.D – Preliminary Subdivision Review Procedures and Criteria – Add NPDES and Unit Lot Development Requirements.
- Amendment #14 - 20.30.470 – Further Division – Short Subdivisions - Update Section to Reflect 9 lot Short Plats.
- Amendment #15 - 20.40.120 – Residential Uses - Combine Dwelling Types Based on Revised Definitions.
- Amendment #18 - 20.40.160 – Station Area Uses - Combine Dwelling Types.
- Amendment #19 - 20.40.230 – Affordable Housing - Update Critical Area References.
- Amendment #21 - 20.40.340 – Duplex - Delete Entire Section.
- Amendment #22 - 20.40.510 – Single Family Attached Dwellings - Amend Design Criteria.
- Amendment #23 - 20.40.600 – Wireless Telecommunication Facilities - Delete Notice of Decision for Wireless Facilities.
- Amendment #25 - 20.50.020(2) – Dimensional Requirements in Mixed-Use Residential Zones – Delete “up to” for Front Setbacks in MUR zones.
- Amendment #26 - 20.50.021 – Transition Areas - Add Aurora Square Community Renewal Area (CRA) Standards to the Section.

- Amendment #27 - 20.50.040.I. 4, 5, and 6 – Setbacks - Setbacks for Uncovered Porches and Decks.
- Amendment #28 - 20.50.070 – Site Planning – Front Yard Setback - Move 20-foot Driveway Requirement.
- Amendment #30 - 20.50.240(C)(1)(a) – Site Frontage - Strike “On Private Property”.
- Amendment #32 - 20.50.330 – Project Review and Approval - Add NPDES Language Recommended by Ecology.
- Amendment #33 - 20.50.390(D) – Minimum Off Street Parking Requirements – Revise Self-Storage Facility Parking requirements.
- Amendment #34 - 20.50.540(G) – Sign Design - Add Reference to Aurora Square CRA Sign Code.
- Amendment #35 - 20.70.020 – Engineering Development Manual - Corrects Reference to EDM and Deletes Text.
- Amendment #36 - 20.70.430 – Undergrounding of Electric and Communication Service Connections – Revise/Delete Section and Refer to Title 13 - Need to amend language to be clear about the requirements of undergrounding.
- Amendment #37 - 20.100.020 – Aurora Square Community Renewal Area (CRA) - Add a Reference to Ordinance 705.

The staff report for the January 9, 2017 Council meeting is included as a reference and can be found here:

<http://cosweb.ci.shoreline.wa.us/uploads/attachments/cck/council/staffreports/2017/staffreport010917-9a.pdf>

LIST OF PROPOSED AMENDMENTS

As a reference, the amendments contained in the 2016 Development Code Amendment Batch are listed below in the order of Chapter and Section.

20.20 – Definitions

- 20.20.016 – D Definitions – Combine dwelling types
- 20.20.026 – I Definitions - Add Non-Vegetated Surface to Impervious Surface Definition
- 20.20.040 – P Definitions - Add “Private Stormwater Management Facility” to comply w/ NPDES permit requirements
- 20.20.046 – S Definitions – Update Short Subdivisions and add Stormwater Manual to definition
- 20.20.050 – U Definitions – Add Unit Lot Development definition

20.30 – Procedures and Administration

- 20.30.040 – Ministerial Decisions – Type A - Delete Home Occupation from Type A Table and add Planned Action Determination of Consistency
- 20.30.160 – Expiration of Vested Status of Land Use Permits and Approvals - Vesting Expiration for SUPs Issued to Public Agencies
- 20.30.280 – Nonconformance - Clarify and move MUR 45’ and Nonconformance and Change of Use

- 20.30.290 – Deviation From The Engineering Standards (Type A Action) - Change “Director” to “Director of Public Works”
- 20.30.330 – Special Use Permit –SUP (Type C Action) - Vesting Expiration for SUPs Issued to Public Agencies
- 20.30.357 – Planned Action Determination - Add New Section for Planned Action Determination Procedures
- 20.30.380 – Subdivision Categories - Delete Lot Line Adjustments as a category of subdivision
- 20.30.410.D – Preliminary Subdivision Review Procedures and Criteria - Add NPDES and Unit Lot Development Requirements
- 20.30.470 – Further Division – Short Subdivisions - Update Section to Reflect 9 lot Short Plats

20.40 – Uses

- 20.40.120 – Residential Uses - Combine Dwelling Types Based on Revised Definitions
- 20.40.130 – Nonresidential Uses - Remove Fuel and Service Stations as an Approved Use in the TC-1, 2 & 3 Zones
- 20.40.130 – Nonresidential Uses - Add Light Manufacturing Permitted in MB Zones
- 20.40.160 – Station Area Uses - Combine Dwelling Types
- 20.40.230 – Affordable Housing - Update Critical Area References
- 20.40.240 – Animals - Revised Rules for Beekeeping
- 20.40.340 – Duplex - Delete Entire Section
- 20.40.510 – Single Family Attached Dwellings - Amend Design Criteria
- 20.40.600 – Wireless Telecommunication Facilities - Delete Notice of Decision for Wireless Facilities

20.50 – General Development Standards

- 20.50.020(1) – Dimensional Requirements – Replace Combined Sideyard Setback with 5-foot side yard setback
- 20.50.020(2) – Dimensional Requirements in Mixed-Use Residential Zones – Delete “up to” for Front Setbacks in MUR zones
- 20.50.021 – Transition Areas - Add Aurora Square Community Renewal Area (CRA) Standards to the Section
- 20.50.040.I. 4, 5, and 6 – Setbacks - Setbacks for Uncovered Porches and Decks
- 20.50.070 – Site Planning – Front Yard Setback - Move 20-foot Driveway Requirement
- 20.50.090 – Additions to Existing Single-Family Residence (SFR) - Additions to Existing, Non-Conforming Single Family Residential Structures
- 20.50.110 – Fences and Walls - Delete 3.5 foot Fence Height Limit
- 20.50.240(C)(1)(a) – Site Frontage - Strike “On Private Property”
- 20.50.330 – Project Review and Approval - Add NPDES Language Recommended by Ecology
- 20.50.390(D) – Minimum Off Street Parking Requirements – Revise Self-Storage Facility Parking requirements

- 20.50.540(G) – Sign Design - Add Reference to Aurora Square CRA Sign Code

20.70 – Engineering & Utilities Development Standards

- 20.70.020 – Engineering Development Manual - Corrects Reference to EDM and Deletes Text
- 20.70.430 –Undergrounding of Electric and Communication Service Connections – Revise/Delete Section and Refer to Title 13 - Need to amend language to be clear about the requirements of undergrounding

20.100.020 – Aurora Square Community Renewal Area

- 20.100.020 – Aurora Square Community Renewal Area (CRA) - Add a Reference to Ordinance 705

DISCUSSION

The proposed Development Code amendments in legislative format are included in **Exhibit A to Attachment A**. Exhibit A reflects the Planning Commission recommendation as approved on December 1, 2016.

As previously stated in this staff report, the City Council had questions regarding three of the amendments. The following highlights those amendments and staff's recommendation in response to Council's questions and discussion on January 9, 2017.

Amendment #13

20.30.410 – Preliminary subdivision review procedures and criteria.

There are two proposed amendments to this section. The first amendment establishes a procedure for Unit Lot Developments. This amendment allows a developer to create fee simple lots (each unit located on its own lot) without having to construct the units to Building Code standards for standalone units. The building is considered one unit even though the units are sold individually as smaller lot created from a larger "parent lot". This eliminates the need to construct each unit as if it may someday need to be structurally independent of the other units. Constructing the building as one structure is more cost effective. This process also creates a home ownership opportunity for people to buy a unit and the property on which the unit is located.

Justification – The proposed amendment will allow single family attached-developments to be subdivided for fee simple ownership and to allow application of International Building Code (IBC), National Electrical Code (NEC), and International Fire Code (IFC) to consider the units together as constituting one building, notwithstanding the property lines separating the units.

The second amendment to this section is part of a group of amendments recommended by the Department of Ecology to comply with the City's NPDES Permit. Amendment A.4 below is related to NPDES requirements in Amendments #3 and #4.

Planning Commission Recommendation at Issue (SMC 20.30.410(D)(4)): The Planning Commission recommended language is:

4. Access easements and joint use and maintenance agreements shall be executed for use of a common garage or parking area, common opens space, and other similar features, to be recorded with King County Records and Licensing Services Division.

Council Discussion – The Council was generally supportive of the addition of Unit Lot Developments as a housing option in the City of Shoreline. Some Councilmembers expressed concern about provisions to regulate the maintenance and appearance. The draft code presented to Council on January 9 did not include any provisions for maintenance of individual units. Staff has developed proposed language that speaks to the regulation of use, maintenance, and restrictions on the use of shared spaces.

Recommendation – To address the concerns raised by the Council, staff recommends replacing the Planning Commission’s recommendation for SMC 20.30.410(D)(4) with the following language:

4. Access easements, joint use and maintenance agreements, and covenants, conditions and restrictions identifying the rights and responsibilities of property owners and/or the homeowners association shall be executed for use and maintenance of common garage, parking and vehicle access areas; on-site recreation; landscaping; underground utilities; common open space; exterior building facades and roofs of individual units, and other similar features, and shall be recorded with the King County Recorder’s office.

Amendment #24

20.50.020 – Dimensional requirements.

Amendment #24 deletes the requirement for a combined side setback of 15 feet in the R-6 zone and adds Unit Lot Development to exception #2 of the Tables.

Justification – The City currently requires 15-foot setbacks for two side yards combined with a minimum 5-foot setback in R-4 and R-6 zones. Setbacks are used to create separation between residences. However, since either neighbor on each side of residence can experience a 5-foot setback how does the combined setback benefit each neighbor? The indirect benefit of a greater sideyard setback may be the overall size of the house on the property. Lot coverage maximums are a better regulation to affect the density and open space to surrounding neighbors. This amendment will not increase the allowable building coverage or hardscape maximums in the R-4 or R-6 zones. This amendment complements Amendment #29.

Council Discussion – Some Councilmembers were concerned that this amendment would change the character of Shoreline’s single-family residential neighborhoods. The

amendment will decrease the setback on one side of a single-family home by 5-feet. The proposed setbacks will be a minimum of 5-feet on each side. Currently, the setback is a 5-foot minimum setback with a total of 15-feet on both sides.

Staff does not anticipate a greater impact to an adjacent neighbor by adoption this amendment. For example, a new home may be located 5 feet away from property owner #1. This is true under the current code and the proposed amendment. The setback on the other side of the new home, adjacent to property owner #2, would be 10-feet under the current code. Property owner #1 is not concerned about the setback adjacent to property owner #2 since property owner #1 does not experience that setback. So the cumulative setback standard is irrelevant to one of the adjacent neighbors.

However, the impact to the overall aesthetic of the neighborhood may change slightly. The total side setback is decreasing from 15-feet to 10-feet, potentially making a new home seem closer to the side property lines. Building coverage and hardscape standards are not changing so the open space requirements on a lot zoned R-6 will not change.

Staff wants to be clear that amendment #24 works together with amendment #29. By implementing a 5-foot side setback, and repealing the allowance for additions to nonconforming structures, more homes in Shoreline will be considered conforming to the Shoreline Development Code. Applicants seeking permits to remodel, add-on, or reconstruct portions of their homes will find the Development Code more accommodating and the City will decrease nonconformity throughout the City.

Recommendation – Staff recommends that the Council adopt the Planning Commission recommendation. If Council does not want to adopt the Planning Commission recommendation, then Council should move to remove the Planning Commission recommendation to strike “and 15 ft total sum of two” from Table 20.50.202(1) Min. Side Yard Setback (2)(4)(5) for R-4 and R-6 residential zones.

Amendment #30

20.50.110 – Fences and walls - Standards

The proposed amendment will delete the suggestion that fences in the front yard be limited to 3.5 feet in height.

Justification – This provision is a design standard for appearance or defensible space. It is inconsistent with the allowance for 6-foot fences in all other yards of a residential property. It is also written as a recommendation and not as a requirement. The intent of the existing code can be met with the requirement for sight clearance standards and the preference of the property owner. Staff believes that the fence lower height limit is more a design standard for the purpose of street appeal. It also contradicts the code allowance for arbors in any setback up to 6 feet in height.

Council Discussion – Some Councilmembers expressed concern about the height of fences in the front yard. The current code allows a solid, 6-foot high fence on all property lines. The subject code contains a note about fences in the front yard – the recommended maximum height of fences and walls in the front yard is three feet, six inches high. The Council discussed the merits of limiting the height of front yard fences and the desire to not overly regulate someone’s property.

Staff wants to point out that if it is Council’s desire to **require** fences in the front yard to be limited to three-feet six inches, be aware that this amendment will generate additional work for the City’s Code Enforcement Team. Fences up to 6-feet in height do not need a building permit to construct thus the City will not be involved with the review of said fences. If Code Enforcement sees a new fence in the front yard over 3.5-feet, code enforcement has no choice but to stop the property owner and start enforcement actions.

Options – The Council may choose three options:

1. Adopt the Planning Commission’s recommendation
2. Leave the Development Code unchanged.
3. Amend the proposal. If Council wants to require fences in the front yard limited to 3.5-feet, staff suggests the following language:

- A. The maximum height of fences located along a property line shall be six feet, subject to the sight clearance provisions in the Engineering Development Manual. (Note: The ~~recommended~~ required maximum height of fences and walls located between the front yard building setback line and the front property line is three feet, six inches high.)

Recommendation – Staff recommends that Council adopt the Planning Commission recommendation (strike the whole provision related to fences in the front yard).

RESOURCE/FINANCIAL IMPACT

The proposed amendments have no direct financial impact to the City.

RECOMMENDATION

Staff recommends approval of Ordinance No. 767 with amended language proposed by staff.

ATTACHMENTS

Attachment A – Proposed Ordinance No. 767

Attachment A, Exhibit A – Proposed Development Code Amendments

ORDINANCE NO. 767

AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON AMENDING CERTAIN SECTIONS OF THE SHORELINE MUNICIPAL CODE TITLE 20, THE UNIFIED DEVELOPMENT CODE, REPRESENTING THE 2016 DEVELOPMENT CODE BATCH AMENDMENTS WHICH CLARIFY EXISTING REGULATIONS, REDUCE CONFUSION, CODIFY ADMINISTRATIVE ORDERS, ADDRESS SOUND TRANSIT DEVELOPMENT ACTIVITES, RESPOND TO CHANGES IN STATE LAW, AND REFLECT THE CHANGING NEEDS OF THE CITY.

WHEREAS, the City of Shoreline is a non-charter optional municipal code city as provided in Title 35A RCW, incorporated under the laws of the state of Washington, and planning pursuant to the Growth Management Act, Title 36.70A RCW; and

WHEREAS, in 2000 the City adopted Shoreline Municipal Code Title 20, the Unified Development Code; and

WHEREAS, Title 20 has been amended on several occasions since it original adoption; and

WHEREAS, pursuant to RCW 36.70A.370, the City has utilized the process established by the Washington State Attorney General so as to assure the protection of private property rights; and

WHEREAS, pursuant to RCW 36.70A.106, the City has provided the Washington State Department of Commerce with a 60-day notice of its intent to adopt the amendment(s) to its Unified Development Code; and

WHEREAS, the environmental impacts of the amendments to the Unified Development Code resulted in the issuance of a Determination of Non-Significance (DNS) on October 13, 2016; and

WHEREAS, on September 15, 2016 and on November 3, 2016, the City of Shoreline Planning Commission reviewed the proposed Development Code amendments; and

WHEREAS, on December 1, 2016, the City of Shoreline Planning Commission held a public hearing on the proposed Development Code amendments so as to receive public testimony; and

WHEREAS, at the conclusion of public hearing, the City of Shoreline Planning Commission voted to recommend approval of the Development Code amendments as presented by Staff to the City Council; and

WHEREAS, on January 9, 2017, the City Council held a study session on the proposed Development Code amendments; and

WHEREAS, the City Council has considered the entire public record, public comments, written and oral, and the Planning Commission's recommendation; and

WHEREAS, the City provided public notice of the amendments and the public hearing as provided in SMC 20.30.070; and

WHEREAS, the City Council has determined that the amendments are consistent with and implement the Shoreline Comprehensive Plan and serves the purpose of the Unified Development Code as set forth in SMC 20.10.020;

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

Section 1. Amendment. Title 20 of the Shoreline Municipal Code, Unified Development Code, is amended as set forth in Exhibit A to this Ordinance.

Section 2. Corrections by City Clerk or Code Reviser. Upon approval of the City Attorney, the City Clerk and/or the Code Reviser are authorized to make necessary corrections to this ordinance, including the corrections of scrivener or clerical errors; references to other local, state, or federal laws, codes, rules, or regulations; or ordinance numbering and section/subsection numbering and references.

Section 3. Severability. Should any section, subsection, paragraph, sentence, clause, or phrase of this ordinance or its application to any person or situation be declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of this ordinance or its application to any person or situation.

Section 4. Publication and Effective Date. A summary of this Ordinance consisting of the title shall be published in the official newspaper. This Ordinance shall take effect five days after publication.

PASSED BY THE CITY COUNCIL ON THE 6TH DAY OF FEBRUARY, 2017.

Mayor Christopher Roberts

ATTEST:

APPROVED AS TO FORM:

Jessica Simulcik-Smith
City Clerk

Margaret King
City Attorney

Date of Publication: , 2017
Effective Date: , 2017

ORDINANCE NO. 767
DEVELOPMENT CODE AMENDMENTS

Amendment #1

20.20.016 – D Definitions

| | |
|--|--|
| Dwelling, Apartment | A building containing three or more <u>multiple</u> dwelling units that <u>are usually</u> may be are located above other units in a multi-unit configuration. |
| Dwelling, Duplex | A house containing two individual single-family dwelling units that are separated from each other by one-hour fire wall or floor but not including approved accessory dwelling unit. |
| Dwelling, Live/Work | A structure or portion of a structure: (1) that combines a residential dwelling with a commercial use in a space for an activity that is allowed in the zone; and (2) where the commercial or manufacturing activity conducted takes place subject to a valid business license associated with the premises. (Ord. 706 § 1 (Exh. A), 2015). |
| Dwelling, Multifamily | <u>Multifamily dwellings are separate housing units contained within one building or several buildings within one complex. Multifamily dwellings may have units located above other units. Apartments and mixed-use buildings with apartments are considered multifamily dwellings.</u> include: townhouses, apartments, mixed-use buildings, single-family attached, and more than two duplexes located on a single parcel. (Ord. 631 § 1 (Exh. 1), 2012; Ord. 299 § 1, 2002). |
| Dwelling, Single-Family Attached | A building containing three or more <u>more than one</u> dwelling unit attached by common vertical wall(s), such as townhouse(s), rowhouses, and <u>duplex(s)</u> . Single-family attached dwellings shall not have units located one over another (except duplexes may be one unit over the other). (Ord. 469 § 1, 2007). |
| Dwelling, Single-Family Detached | A house containing one dwelling unit that is not attached to any other dwelling, except approved accessory dwelling unit. |
| Dwelling, Townhouse | A one-family dwelling in a row of at least three such units in which each unit has its own front and rear access to the outside, no unit is located over another unit, and each unit is separated from any other unit by one or more vertical common fire-resistant walls. Townhomes may be located on a separate (fee simple) lot or several units may be located on a common parcel. Townhomes are considered single-family attached dwellings or multifamily dwellings. |

Amendment #2

20.20.026 – I Definitions

Impervious Surface: A hard non-vegetated surface area which either prevents or retards the entry of water into the soil mantle as under natural conditions prior to development. A hard surface area which causes water to run off the surface in greater quantities or at an increased rate of flow from the flow present under natural conditions prior to development. Common impervious surfaces include, but are not limited to, roof tops, walkways, patios, driveways, parking lots or storage areas, concrete or asphalt paving, gravel roads, packed earthen materials, and oiled, macadam or other surfaces which similarly impede the natural infiltration of stormwater.

Amendment #3

20.20.040 – P Definitions

Private Stormwater Management Facility – A surface water control structure installed by a project proponent to retain, detain, infiltrate or otherwise limit runoff from an individual or group of developed sites specifically served by such structure.

Amendment #4

20.20.046 – S Definitions

Stormwater Manual: The most recent version of the Stormwater Management Manual for Western Washington published by Washington Department of Ecology (“Stormwater Manual”).

Amendment #5

20.20.050 – U Definitions

Unit Lot Development (ULD) – A Unit Lot Development (also known as a “Fee Simple lot”) is the subdivision of land for single-family attached dwelling units, such as townhouses, rowhouses, or other single-family attached dwellings, or any combination of the above types of single-family attached dwelling units in all zones in which these uses are permitted.

Amendment #6

Table 20.30.040 – Summary of Type A Actions and Target Time Limits for Decision, and Appeal Authority

| Action Type | Target Time Limits for Decision (Calendar Days) | Section |
|---|---|---|
| Type A: | | |
| 1. Accessory Dwelling Unit | 30 days | 20.40.120, 20.40.210 |
| 2. Lot Line Adjustment including Lot Merger | 30 days | 20.30.400 |
| 3. Building Permit | 120 days | All applicable standards |
| 4. Final Short Plat | 30 days | 20.30.450 |
| 5. Home Occupation , Bed and Breakfast, Boarding House | 120 days | 20.40.120, 20.40.250, 20.40.260, 20.40.400 |
| 6. Interpretation of Development Code | 15 days | 20.10.050, 20.10.060, 20.30.020 |
| 7. Right-of-Way Use | 30 days | 12.15.010 – 12.15.180 |
| 8. Shoreline Exemption Permit | 15 days | Shoreline Master Program |
| 9. Sign Permit | 30 days | 20.50.530 – 20.50.610 |
| 10. Site Development Permit | 60 days | 20.20.046, 20.30.315, 20.30.430 |
| 11. Deviation from Engineering Standards | 30 days | 20.30.290 |
| 12. Temporary Use Permit | 15 days | 20.30.295 |
| 13. Clearing and Grading Permit | 60 days | 20.50.290 – 20.50.370 |
| 14. Administrative Design Review | 28 days | 20.30.297 |
| 15. Floodplain Development Permit | 30 days | 13.12.700 |
| 16. Floodplain Variance | 30 days | 13.12.800 |
| 17. Planned Action Determination | 14 days | 20.30.360 |

Amendment #7

20.30.160 – Expiration of Vested Status of Land Use Permits and Approvals

Except for subdivisions, ~~and~~ master development plans and Special Use Permits for Public Agency uses or where a different duration of approval is indicated in this Code, vested status of an approved land use permit under Type A, B, and C actions shall expire two years from the date of the City’s final decision, unless a complete building permit application is filed before the

end of the two-year term. In the event of an administrative or judicial appeal, the two-year term shall not expire. Continuance of the two-year period may be reinstated upon resolution of the appeal.

If a complete building permit application is filed before the end of the two-year term, the vested status of the permit shall be automatically extended for the time period during which the building permit application is pending prior to issuance; provided, that if the building permit application expires or is canceled, the vested status of the permit or approval under Type A, B, and C actions shall also expire or be canceled. If a building permit is issued and subsequently renewed, the vested status of the subject permit or approval under Type A, B, and C actions shall be automatically extended for the period of the renewal.

Amendment #8

20.30.280 – Nonconformance.

A. Any use, structure, lot or other site improvement (e.g., landscaping or signage), which was legally established prior to the effective date of a land use regulation that rendered it nonconforming, shall be considered nonconforming if:

1. The use is now prohibited or cannot meet use limitations applicable to the zone in which it is located; or
2. The use or structure does not comply with the development standards or other requirements of this code;
3. A change in the required permit review process shall not create a nonconformance.

B. Abatement of Illegal Use, Structure or Development. Any use, structure, lot or other site improvement not established in compliance with use, lot size, building, and development standards in effect at the time of establishment shall be deemed illegal and shall be discontinued or terminated and subject to removal.

C. Continuation and Maintenance of Nonconformance. A nonconformance may be continued or physically maintained as provided by this code.

1. Any nonconformance that is brought into conformance for any period of time shall forfeit status as a nonconformance.

2. Discontinuation of Nonconforming Use. A nonconforming use shall not be resumed when abandonment or discontinuance extends for 12 consecutive months.

3. Repair or Reconstruction of Nonconforming Structure. Any structure nonconforming as to height or setback standards may be repaired or reconstructed; provided, that:

- a. The extent of the previously existing nonconformance is not increased;
- b. The building permit application for repair or reconstruction is submitted within 12 months of the occurrence of damage or destruction; and

- c. The provisions of Chapter 13.12 SMC, Floodplain Management, are met when applicable.
4. Modifications to Nonconforming Structures. Modifications to a nonconforming structure may be permitted; provided, the modification does not increase the area, height or degree of an existing nonconformity. ~~Single-family additions shall be limited to 50 percent of the use area or 1,000 square feet, whichever is lesser (up to R-6 development standards), and shall not require a conditional use permit in the MUR-45' and MUR-70' zones.~~ Modification of structures that are nonconforming with regards to critical areas may only be permitted consistent with SMC 20.80.040.

D. Expansion of Nonconforming Use. A nonconforming use may be expanded subject to approval of a conditional use permit unless the indexed supplemental criteria (SMC 20.40.200) require a special use permit for expansion of the use under the code. A nonconformance with the development standards shall not be created or increased and the total expansion shall not exceed 10 percent of the use area. Single-family additions shall be limited to 50 percent of the use area or 1,000 square feet, whichever is lesser (up to R-6 development standards), and shall not require a conditional use permit in the MUR-45' and MUR-70' zones.

E. Nonconforming Lots. Any permitted use may be established on an undersized lot, which cannot satisfy the lot size or width requirements of this code; provided, that:

1. All other applicable standards of the code are met; or a variance has been granted;
2. The lot was legally created and satisfied the lot size and width requirements applicable at the time of creation;
3. The lot cannot be combined with contiguous undeveloped lots to create a lot of required size;
4. No unsafe condition is created by permitting development on the nonconforming lot; and
5. The lot was not created as a "special tract" to protect critical area, provide open space, or as a public or private access tract.

F. Nonconformance Created by Government Action.

1. Where a lot, tract, or parcel is occupied by a lawful use or structure, and where the acquisition of right-of-way, by eminent domain, dedication or purchase, by the City or a County, State, or Federal agency creates noncompliance of the use or structure regarding any requirement of this code, such use or structure shall be deemed lawful and subject to regulation as a nonconforming use or structure under this section.

2. Existing signs that are nonconforming may be relocated on the same parcel if displaced by government action provided setback standards are met to the extent feasible. If an existing conforming or nonconforming sign would have setbacks reduced below applicable standards as a result of government action, the sign may be relocated on the same parcel to reduce the setback nonconformity to the extent feasible. To be consistent with SMC 20.50.590(A), the signs shall not be altered in size, shape, or height.

3. A nonconforming lot created under this subsection shall qualify as a building site pursuant to RCW 58.17.210, provided the lot cannot be combined with a contiguous lot(s) to create a conforming parcel.

G. Change of Use – Single Tenant.

If any applicant proposes a change of use on a lot used or occupied by a single tenant or use, the applicant shall meet those code provisions determined by the Director to be reasonably

related and applicable to the change in use. These provisions shall apply to the entire lot. If the development is nonconforming due to the number of parking spaces provided for the existing use, any change in use, which requires more parking than the previous use, shall provide additional parking consistent with current code parking requirements.

H. Change of Use – Multi-Tenant.

If any applicant proposes a change of use on a portion of a lot occupied by multiple tenants or uses, the applicant shall meet those code provisions determined by the Director to be reasonably related and applicable to the change in use. These provisions shall apply only to that geographic portion of the lot related to the use or tenant space on which the change is proposed. If the multi-tenant lot is nonconforming due to the number of parking spaces provided for the existing uses, any change in use, which requires more parking than the previous use, shall provide additional parking consistent with current code parking requirements.

Amendment #9

20.30.290 – Deviation from the engineering standards (Type A action).

A. Purpose. Deviation from the engineering standards is a mechanism to allow the City to grant an adjustment in the application of engineering standards where there are unique circumstances relating to the proposal.

B. Decision Criteria. The Director of Public Works shall grant an engineering standards deviation only if the applicant demonstrates all of the following:

Amendment #10

20.30.330 – Special Use Permit – SUP (Type C Action)

A. Purpose. The purpose of a special use permit is to allow a permit granted by the City to locate a regional land use including essential public facilities on unclassified lands, unzoned lands, or when not specifically allowed by the zoning of the location, but that provides a benefit to the community and is compatible with other uses in the zone in which it is proposed. The special use permit may be granted subject to conditions placed on the proposed use to ensure compatibility with adjacent land uses. The special use permit shall not be used to preclude the siting of an essential public facility.

B. Decision Criteria (Applies to All Special Uses). A special use permit shall be granted by the City, only if the applicant demonstrates that:

1. The use will provide a public benefit or satisfy a public need of the neighborhood, district, City or region;
2. The characteristics of the special use will be compatible with the types of uses permitted in surrounding areas;

3. The special use will not materially endanger the health, safety and welfare of the community;
4. The proposed location shall not result in either the detrimental over-concentration of a particular use within the City or within the immediate area of the proposed use, unless the proposed use is deemed a public necessity;
5. The special use is such that pedestrian and vehicular traffic associated with the use will not be hazardous or conflict with existing and anticipated traffic in the neighborhood;
6. The special use will be supported by adequate public facilities or services and will not adversely affect public services to the surrounding area or conditions can be established to mitigate adverse impacts;
7. The location, size and height of buildings, structures, walls and fences, and screening vegetation for the special use shall not hinder or discourage the appropriate development or use of neighboring properties;
8. The special use is not in conflict with the basic purposes of this title; and
9. The special use is not in conflict with the standards of the critical areas regulations, Chapter 20.80 SMC, Critical Areas, or Shoreline Master Plan, SMC Title 20, Division II.

C. Decision Criteria (Light Rail Transit Facility/System Only). In addition to the criteria in subsection B of this section, a special use permit for a light rail transit system/facilities located anywhere in the City may be granted by the City only if the applicant demonstrates the following standards are met:

1. The proposed light rail transit system/facilities uses energy efficient and environmentally sustainable architecture and site design consistent with the City's guiding principles for light rail system/facilities and Sound Transit's design criteria manual used for all light rail transit facilities throughout the system and provides equitable features for all proposed light rail transit system/facilities;
2. The use will not result in, or will appropriately mitigate, adverse impacts on City infrastructure (e.g., roads, sidewalks, bike lanes (as confirmed by the performance of an access assessment report or similar assessment) to ensure that the City's transportation system (motorized and nonmotorized) will be adequate to safely support the light rail transit system/facility development proposed. If capacity or infrastructure must be increased to meet the decision criteria set forth in this subsection C, then the applicant must identify a mitigation plan for funding or constructing its proportionate share of the improvements; and
3. The applicant demonstrates that the design of the proposed light rail transit system/facility is generally consistent with the City's guiding principles for light rail system/facilities.

D. Vesting of Special Use Permits requested by Public Agencies. A public agency may, at the time or application or at any time prior to submittal of the SUP application to the City Hearing Examiner, request a modification in the vesting expiration provisions of SMC 20.30.160, allowing for vesting of the SUP for a period of up to five years from the date of hearing examiner

approval or, if the SUP provides for phased development, for a period of up to ten years from date of hearing examiner approval. If permitted, the expiration date for vesting shall be set forth as a condition in the SUP.

Amendment #11

20.30.357 – Planned Action Determination

Purpose. The purpose of a planned action determination is decide if a project qualifies as a planned action project thereby not requiring additional substantive and procedural review under SEPA .

Decision criteria. For a site-specific project to qualify as a planned action, the applicant shall submit a Planned Action Determination Checklist on a form prescribed and provided by the Department and demonstrate that:

1. The project is located within one of the City's designated Planned Action Areas;
2. The uses and activities of the project are consistent with qualifying land use categories described in the relevant Planned Action EIS;
3. The project is within and does not exceed the planned action thresholds established for the relevant Planned Action Area;
4. The project is consistent with the Shoreline Municipal Code and the Shoreline Comprehensive Plan, including any goals and policies applicable to the Planned Action Area;
5. If applicable, the project's significant adverse environmental impacts have been identified in the relevant Planned Action EIS;
6. If applicable, the project's significant adverse environmental impacts have been mitigated by application of mitigation measures identified for the Planned Action Area and other applicable City regulations, together with any conditions, modifications, variances, or special permits that may be required;
7. The project complies with all applicable local, state, and/or federal laws and regulations and the SEPA Responsible Official determines that these constitute adequate mitigation; and
8. The project is not an essential public facility as defined by RCW 36.70A.200, unless the essential public facility is accessory to or part of a development that is designated as a planned action project.

Amendment #12

20.30.380 – Subdivision Categories

~~A.— Lot Line Adjustment:— A minor reorientation of a lot line between existing lots to correct an encroachment by a structure or improvement to more logically follow topography or other natural features, or for other good cause, which results in no more lots than existed before the lot line adjustment.~~

~~A.-B.~~ Short Subdivision: A subdivision of nine or fewer lots.

~~B.-C.~~ Formal Subdivision: A subdivision of 10 or more lots.

~~C.-D.~~ Binding Site Plan: A land division for commercial, industrial, and mixed use type of developments.

Note: When reference to “subdivision” is made in this Code, it is intended to refer to both “formal subdivision” and “short subdivision” unless one or the other is specified.

Amendment #13

20.30.410 – Preliminary subdivision review procedures and criteria.

The short subdivision may be referred to as a short plat – Type B action.

The formal subdivision may be referred to as long plat – Type C action.

Time limit: A final short plat or final long plat meeting all of the requirements of this chapter and Chapter 58.17 RCW shall be submitted for approval within the time frame specified in RCW 58.17.140.

Review criteria: The following criteria shall be used to review proposed subdivisions:

A. Environmental.

1. Where environmental resources exist, such as trees, streams, geologic hazards, or wildlife habitats, the proposal shall be designed to fully implement the goals, policies, procedures and standards of the critical areas regulations, Chapter 20.80 SMC, Critical Areas, and the tree conservation, land clearing, and site grading standards sections.
2. The proposal shall be designed to minimize grading by using shared driveways and by relating street, house site and lot placement to the existing topography.
3. Where conditions exist which could be hazardous to the future residents of the land to be divided, or to nearby residents or property, such as floodplains, landslide hazards, or unstable soil or geologic conditions, a subdivision of the hazardous land shall be denied unless the condition can be permanently corrected, consistent with subsections (A)(1) and (2) of this section, Chapter 20.80 SMC Critical Areas, and Chapter 13.12 SMC, Floodplain Management.

4. Low Impact Development (LID) techniques shall be applied where feasible to minimize impervious areas, manage storm water, preserve on-site natural features, native vegetation, open space and critical areas.

B. Lot and Street Layout.

1. Lots shall be designed to contain a usable building area. If the building area would be difficult to develop, the lot shall be redesigned or eliminated, unless special conditions can be imposed that will ensure the lot is developed consistent with the standards of this Code and does not create nonconforming structures, uses or lots.
2. Lots shall not front on primary or secondary highways unless there is no other feasible access. Special access provisions, such as, shared driveways, turnarounds or frontage streets may be required to minimize traffic hazards.
3. Each lot shall meet the applicable dimensional requirements of the Code.
4. Pedestrian walks or bicycle paths shall be provided to serve schools, parks, public facilities, shorelines and streams where street access is not adequate.

C. Dedications and Improvements.

1. The City may require dedication of land in the proposed subdivision for public use.
2. Only the City may approve a dedication of park land.
3. In addition, the City may require dedication of land and improvements in the proposed subdivision for public use under the standards of Chapter 20.60 SMC, Adequacy of Public Facilities, and Chapter 20.70 SMC, Engineering and Utilities Development Standards, necessary to mitigate project impacts to utilities, rights-of-way, and stormwater systems.
 - a. Required improvements may include, but are not limited to, streets, curbs, pedestrian walks and bicycle paths, critical area enhancements, sidewalks, street landscaping, water lines, sewage systems, drainage systems and underground utilities.

D. Unit Lot Development.

1. The provisions of this subsection apply exclusively to Unit Lot Developments for single-family attached dwelling units or zero lot line developments in all zones in which these uses are permitted.
2. Unit Lot Developments may be subdivided into individual unit lots. The development as a whole shall meet development standards applicable at the time the permit application is vested.
3. As a result of the subdivision, development on individual unit lots may modify standards in SMC 20.50.020 Exception 2.

4. Access easements and joint use and maintenance agreements shall be executed for use of a common garage or parking area, common open space, and other similar features, to be recorded with King County Records and Licensing Services Division.
5. Within the parent lot or overall site, required parking for a dwelling unit may be provided on a different unit lot than the lot with the dwelling unit, as long as the right to use that parking is formalized by an easement on the plat, to be recorded with King County Records and Licensing Services Division.
6. The unit lot is not a separate buildable lot, and that additional development of the individual unit lots may be limited as a result of the application of development standards to the parent lot and shall be noted on the plat, to be recorded with King County Records and Licensing Services Division.
7. The applicant shall record a covenant on the plat that states, "These units will be considered individual units and part of one structure that cannot be segregated from one another. A unit lot development is defined as one building or one structure in the International Building Code and International Fire Code and National Electrical Code".

Amendment #14

20.30.470 – Further division – Short subdivisions.

A further division of any lot created by a short subdivision shall be reviewed as and meet the requirements of this subchapter for formal subdivision if the further division is proposed within five years from the date the final plat was filed for record; provided, however, that when a short plat contains fewer than nine ~~four~~ parcels, nothing in this subchapter shall be interpreted to prevent the owner who filed the original short plat, from filing a revision thereof within the five-year period in order to create up to a total of nine ~~four~~ lots within the original short subdivision boundaries.

Table 20.40.120 Residential Uses

| NAICS # | SPECIFIC LAND USE | R4- R6 | R8- R12 | R18- R48 | TC-4 | NB | CB | MB | TC-1, 2 & 3 |
|---------------------|------------------------------------|-----------|------------|-------------|------|-----|-----|-----|----------------|
| RESIDENTIAL GENERAL | | | | | | | | | |
| | Accessory Dwelling Unit | P-i | P-i | P-i | P-i | P-i | P-i | P-i | P-i |
| | Affordable Housing | P-i | P-i | P-i | P-i | P-i | P-i | P-i | P-i |
| | Apartment | | C | P | P | P | P | P | P |
| | Duplex <u>Amendment #15</u> | P-i | P-i | P-i | P-i | P-i | - | - | - |

Table 20.40.120 Residential Uses

| NAICS # | SPECIFIC LAND USE | R4- R6 | R8- R12 | R18- R48 | TC-4 | NB | CB | MB | TC-1, 2 & 3 |
|---------|------------------------|-----------|------------|-------------|------|-----|-----|-----|----------------|
| | Home Occupation | P-i | P-i | P-i | P-i | P-i | P-i | P-i | P-i |
| | Manufactured Home | P-i | P-i | P-i | P-i | | | | |
| | Mobile Home Park | P-i | P-i | P-i | P-i | | | | |
| | Single-Family Attached | P-i | P | P | P | P | | | |
| | Single-Family Detached | P | P | P | P | | | | |

P = Permitted Use
C = Conditional Use

S = Special Use
-i = Indexed Supplemental Criteria

20.40.130 Nonresidential uses.

Table 20.40.130 Nonresidential Uses

| NAICS # | SPECIFIC LAND USE | R4- R6 | R8- R12 | R18- R48 | TC-4 | NB | CB | MB | TC-1, 2 & 3 |
|-----------------------|--|-----------|------------|-------------|------|-----|-----|-----|----------------|
| RETAIL/SERVICE | | | | | | | | | |
| 532 | Automotive Rental and Leasing | | | | | | P | P | P only in TC-1 |
| 81111 | Automotive Repair and Service | | | | | P | P | P | P only in TC-1 |
| 451 | Book and Video Stores/Rental (excludes Adult Use Facilities) | | | C | C | P | P | P | P |
| 513 | Broadcasting and Telecommunications | | | | | | | P | P |
| 812220 | Cemetery, Columbarium | C-i | C-i | C-i | C-i | P-i | P-i | P-i | P-i |
| | Houses of Worship | C | C | P | P | P | P | P | P |
| | Construction Retail, Freight, Cargo Service | | | | | | | P | |
| | Daycare I Facilities | P-i | P-i | P | P | P | P | P | P |

Table 20.40.130 Nonresidential Uses

| NAICS # | SPECIFIC LAND USE | R4- R6 | R8- R12 | R18- R48 | TC- 4 | NB | CB | MB | TC-1, 2 & 3 |
|---------|---|-----------|------------|-------------|----------|-----|---------|--------|-------------------|
| | Daycare II Facilities | P-i | P-i | P | P | P | P | P | P |
| 722 | Eating and Drinking Establishments (Excluding Gambling Uses) | C-i | C-i | C-i | C-i | P-i | P-i | P-i | P-i |
| 812210 | Funeral Home/Crematory | C-i | C-i | C-i | C-i | | P-i | P-i | P-i |
| 447 | Fuel and Service Stations <u>Amendment #16</u> | | | | | P | P | P | P |
| | General Retail Trade/Services | | | | | P | P | P | P |
| 811310 | Heavy Equipment and Truck Repair | | | | | | | P | |
| 481 | Helistop | | | S | S | S | S | C | C |
| 485 | Individual Transportation and Taxi | | | | | | C | P | P only in TC-1 |
| 812910 | Kennel or Cattery | | | | | | C- i | P-i | P-i |
| | Library Adaptive Reuse | P-i | P-i | P-i | P-i | P-i | P-i | P-i | P-i |
| 31 | Light Manufacturing <u>Amendment #17</u> | | | | | | | P S | P |
| | Marijuana Operations – Medical Cooperative | P | P | P | P | P | P | P | P |
| | Marijuana Operations – Retail | | | | | P | P | P | P |
| | Marijuana Operations – Processor | | | | | | | S | P |
| | Marijuana Operations – Producer | | | | | | | P | |
| 441 | Motor Vehicle and Boat Sales | | | | | | | P | P only in TC-1 |
| | Professional Office | | | C | C | P | P | P | P |
| 5417 | Research, Development and Testing | | | | | | | P | P |
| 484 | Trucking and Courier Service | | | | | | P-i | P-i | P-i |

Table 20.40.130 Nonresidential Uses

| NAICS # | SPECIFIC LAND USE | R4- R6 | R8- R12 | R18- R48 | TC- 4 | NB | CB | MB | TC-1, 2 & 3 |
|---------------------|-------------------------------------|------------------------------------|------------|-------------|----------|-----|-----|-----|----------------|
| 541940 | Veterinary Clinics and Hospitals | | | C-i | | P-i | P-i | P-i | P-i |
| | Warehousing and Wholesale Trade | | | | | | | P | |
| | Wireless Telecommunication Facility | P-i | P-i | P-i | P-i | P-i | P-i | P-i | P-i |
| P = Permitted Use | | S = Special Use | | | | | | | |
| C = Conditional Use | | -i = Indexed Supplemental Criteria | | | | | | | |

20.40.160 Station Area Uses

| NAICS # | SPECIFIC LAND USE | MUR-35' | MUR-45' | MUR-70' |
|--------------------|---|---------------------------------|---------|---------|
| RESIDENTIAL | | | | |
| | Accessory Dwelling Unit | P-i | P-i | P-i |
| | Affordable Housing | P-i | P-i | P-i |
| | Apartment | P | P | P |
| | Bed and Breakfast | P-i | P-i | P-i |
| | Boarding House | P-i | P-i | P-i |
| | Duplex, Townhouse, Rowhouse Amendment #18 | P-i | P-i | P-i |
| | Home Occupation | P-i | P-i | P-i |
| | Hotel/Motel | | | P |
| | Live/Work | P (Adjacent to Arterial Street) | P | P |
| | Microhousing | | | |
| | Single-Family Attached | P-i | P-i | P-i |
| | Single-Family Detached | P-i | | |

Amendment #19

20.40.230 – Affordable housing

- A. Provisions for density bonuses for the provision of affordable housing apply to all land use applications, except the following which are not eligible for density bonuses: (a) the construction of one single-family dwelling on one lot that can accommodate only one dwelling based upon the underlying zoning designation, (b) and provisions for accessory dwelling units, and (c) ~~projects which are limited by the critical areas regulations, Chapter 20.80 SMC, Critical Areas, or Shoreline Master Program, SMC Title 20, Division II.~~
5. All land use applications for which the applicant is seeking to include the area designated as a critical area ~~overlay district~~ in the density calculation shall satisfy the requirements of this Code. The applicant shall enter into a third party contract with a qualified ~~consultant~~ professional and the City to address the requirements of the critical area ~~overlay district chapter regulations, Chapter 20.80 SMC, Critical Areas, or Shoreline Master Program, SMC Title 20, Division II.~~

Amendment #20

20.40.240 – Animals – Keeping of

- F. Beekeeping is limited as follows:
1. Beehives are limited to no more than four hives, each with only one swarm, on sites less than 20,000 square feet.
 2. ~~Hives must be at least 25 feet from any property line; if the lot width or depth does not allow for 25 feet per side, then the hive may be placed in the center of the widest point of the lot on a lot, so long as it is at least 50 feet wide.~~
 2. Hives shall not be located within 25 feet of any lot line except when situated 8 feet or more above the grade immediately adjacent to the grade of the lot on which the hives are located or when situated less than 8 feet above the adjacent existing lot grade and behind a solid fence or hedge six (6) feet high parallel to any lot line within 25 feet of a hive and extending at least 20 feet beyond the hive in both directions.
 3. Must register with the Washington State Department of Agriculture.
 4. Must be maintained to avoid overpopulation and swarming.

Amendment #21

20.40.340 – Duplex.

~~Duplex may be permitted in R-4 and R-6 zones subject to compliance with dimensional and density standards for applicable R-4 or R-6 zone and subject to single-family residential design standards.~~

~~More than two duplexes on a single parcel are subject to multifamily and single-family attached residential design standards.~~

Amendment #22

20.40.510 – Single-family attached dwellings.

~~A. Single-family attached dwellings include triplexes and townhouses.~~

~~B. Single-family attached dwellings in R-4 and R-6 zones shall comply with applicable R-4 and R-6 dimensional and density standards, and multifamily single-family residential design standards.~~

~~C. Single-family attached dwellings shall comply with one or more of the following:~~

- ~~1. The development of the attached dwelling units enable protection and retention of windfirm trees; or~~
- ~~2. The development of the attached dwelling units enable preservation of scenic vistas; or~~
- ~~3. The development of the attached dwelling units enable creation of buffers along fish and wildlife habitat conservation areas and wetlands; or~~
- ~~4. The development of the attached dwelling units enable creation of buffers among incompatible uses; or~~
- ~~5. The development of the attached dwelling units protects slopes steeper than 15 percent; or~~
- ~~6. The development of the attached dwelling units would allow for retention of natural or historic features.~~

~~B. D. The single-family attached dwelling development shall not result in greater density than would otherwise be permitted on site. (Ord. 238 Ch. IV § 3(B), 2000).~~

Amendment #23

20.40.600 – Wireless Telecommunications Facilities/ Satellite Dish and Antennas

4. Wireless telecommunication facilities located on structures within the City of Shoreline rights-of-way shall satisfy the following requirements and procedures:

- a. Only wireless telecommunication providers holding a valid franchise in accordance with SMC 12.25.030 shall be eligible to apply for a right-of-way permit, which shall be required prior to installation in addition to other permits specified in this chapter. Obtaining a right-of-way site permit in accordance with this title may be an alternative to obtaining both a franchise and a right-of-way permit for a single facility at a specific location.
- b. All supporting ground equipment located within a public right-of-way shall be placed underground or, if located on private property, shall comply with all development standards of the applicable zone.
- c. To determine allowed height under subsection (F)(2) of this section, the zoning height of the zone adjacent to the right-of-way shall extend to the centerline except where the right-of-way is classified by the zoning map. An applicant shall have no right to appeal an administrative decision denying a variance from height limitations for wireless facilities to be located within the right-of-way.
- d. ~~A notice of decision issued for a right-of-way permit shall be distributed using procedures for an application. Parties of record may appeal the approval to the Hearing Examiner but not the denial of a permit.~~

Amendment #24 and #25

20.50.020 – Dimensional requirements.

A. Table 20.50.020(1) – Densities and Dimensions in Residential Zones.

Note: Exceptions to the numerical standards in this table are noted in parentheses and described below.

| Residential Zones | | | | | | | | |
|-----------------------------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|----------------------------|
| STANDARDS | R-4 | R-6 | R-8 | R-12 | R-18 | R-24 | R-48 | TC-4 |
| Base Density: Dwelling Units/Acre | 4 du/ac | 6 du/ac (7) | 8 du/ac | 12 du/ac | 18 du/ac | 24 du/ac | 48 du/ac | Based on bldg. bulk limits |
| Min. Density | 4 du/ac | 4 du/ac | 4 du/ac | 6 du/ac | 8 du/ac | 10 du/ac | 12 du/ac | Based on bldg. bulk limits |
| Min. Lot Width (2) | 50 ft | 50 ft | 50 ft | 30 ft | 30 ft | 30 ft | 30 ft | N/A |
| Min. Lot Area (2) (13) | 7,200 sq ft | 7,200 sq ft | 5,000 sq ft | 2,500 sq ft | 2,500 sq ft | 2,500 sq ft | 2,500 sq ft | N/A |
| Min. Front Yard Setback (2) (3) | 20 ft | 20 ft | 10 ft | 10 ft | 10 ft | 10 ft | 10 ft | 10 ft |
| Min. Rear Yard Setback (2) (4) | 15 ft | 15 ft | 5 ft | 5 ft | 5 ft | 5 ft | 5 ft | 5 ft |

| Residential Zones | | | | | | | | |
|------------------------------------|--------------------------------------|--------------------------------------|-------|-------|---------------------------------|---------------------------------|-------------------------------------|-------|
| STANDARDS | R-4 | R-6 | R-8 | R-12 | R-18 | R-24 | R-48 | TC-4 |
| (5) | | | | | | | | |
| Min. Side Yard Setback (2) (4) (5) | 5 ft min. and 15 ft total sum of two | 5 ft min. and 15 ft total sum of two | 5 ft | 5 ft | 5 ft | 5 ft | 5 ft | 5 ft |
| Base Height (9) | 30 ft (35 ft with pitched roof) | 30 ft (35 ft with pitched roof) | 35 ft | 35 ft | 35 ft (40 ft with pitched roof) | 35 ft (40 ft with pitched roof) | 35 ft (40 ft with pitched roof) (8) | 35 ft |
| Max. Building Coverage (2) (6) | 35% | 35% | 45% | 55% | 60% | 70% | 70% | N/A |
| Max. Hardscape (2) (6) | 45% | 50% | 65% | 75% | 85% | 85% | 90% | 90% |

Table 20.50.020(2) – Densities and Dimensions in Mixed-Use Residential Zones.
 Note: Exceptions to the numerical standards in this table are noted in parentheses and described below.

Table 20.50.020(2) Dimensional Standards for MUR Zones

| STANDARDS | MUR-35' | MUR-45' | MUR-70' (10) |
|-----------------------------------|---|--|--|
| Base Density: Dwelling Units/Acre | N/A | N/A | N/A |
| Min. Density | 12 du/ac(16) | 18 du/ac | 48 du/ac |
| Min. Lot Width (2) | N/A | N/A | N/A |
| Min. Lot Area (2) | N/A | N/A | N/A |
| Min. Front Yard Setback (2) (3) | 0 ft if located on an arterial street 10 ft on nonarterial street Up to 20 ft if located on 145 th Street (14) | 15 ft if located on 185 th Street (14) 0 ft if located on an arterial street 10 ft on nonarterial street Up to 20 ft if located on 145 th Street (14) | Up to 15 ft if located on 185 th Street (14) Up to 20 ft if located on 145 th Street (14) 0 ft if located on an arterial street 10 ft on nonarterial street |

Attachment A - Exhibit A

| STANDARDS | MUR-35' | MUR-45' | MUR-70' (10) |
|------------------------------------|------------|------------|---------------------|
| Min. Rear Yard Setback (2) (4) (5) | 5 ft | 5 ft | 5 ft |
| Min. Side Yard Setback (2) (4) (5) | 5 ft | 5 ft | 5 ft |
| Base Height (9) | 35 ft (15) | 45 ft (15) | 70 ft (11) (12)(15) |
| Max. Building Coverage (2) (6) | N/A | N/A | N/A |
| Max. Hardscape (2) (6) | 85% | 90% | 90% |

Exceptions to Table 20.50.020(1) and Table 20.50.020(2):

(1) *Repealed by Ord. 462.*

(2) *These standards may be modified to allow zero lot line and Unit Lot developments. Setback variations apply to internal lot lines only. Overall site must comply with setbacks, building coverage and hardscape limitations; limitations for individual lots may be modified.*

(3) *For single-family detached development exceptions to front yard setback requirements, please see SMC 20.50.070.*

(4) *For single-family detached development exceptions to rear and side yard setbacks, please see SMC 20.50.080.*

(5) *For developments consisting of three or more dwellings located on a single parcel, the building setback shall be 15 feet along any property line abutting R-4 or R-6 zones. Please see SMC 20.50.130.*

(6) *The maximum building coverage shall be 35 percent and the maximum hardscape area shall be 50 percent for single-family detached development located in the R-12 zone.*

(7) *The base density for single-family detached dwellings on a single lot that is less than 14,400 square feet shall be calculated using a whole number, without rounding up.*

(8) *For development on R-48 lots abutting R-12, R-18, R-24, R-48, NB, CB, MB, CZ and TC-1, 2 and 3 zoned lots the maximum height allowed is 50 feet and may be increased to a maximum of 60 feet with the approval of a conditional use permit.*

(9) *Base height for high schools in all zoning districts except R-4 is 50 feet. Base height may be exceeded by gymnasiums to 55 feet and by theater fly spaces to 72 feet.*

(10) *Dimensional standards in the MUR-70' zone may be modified with an approved development agreement.*

(11) *The maximum allowable height in the MUR-70' zone is 140 feet with an approved development agreement.*

(12) All building facades in the MUR-70' zone fronting on any street shall be stepped back a minimum of 10 feet for that portion of the building above 45 feet in height. Alternatively, a building in the MUR-70' zone may be set back 10 feet at ground level instead of providing a 10-foot step-back at 45 feet in height. MUR-70' fronting on 185th Street shall be set back an additional 10 feet to use this alternative because the current 15-foot setback is planned for street dedication and widening of 185th Street.

(13) The minimum lot area may be reduced proportional to the amount of land needed for dedication of facilities to the City as defined in Chapter 20.70 SMC.

(14) The exact setback along 145th Street and 185th Street, up to the maximum described in Table 20.50.020(2), will be determined by the Public Works Department through a development application.

(15) Base height may be exceeded by 15 feet for rooftop structures such as arbors, shelters, barbeque enclosures and other structures that provide open space amenities.

(16) Single-family detached dwellings that do not meet the minimum density are permitted in the MUR-35' zone subject to the R-6 development standards.

Amendment #26

20.50.021 – Transition Areas

Development in commercial zones: NB, CB, MB and TC-1, 2 and 3, abutting or directly across street rights-of-way from R-4, R-6, or R-8 zones shall minimally meet the following transition area requirements:

A. From abutting property, a 35-foot maximum building height for 25 feet horizontally from the required setback, then an additional 10 feet in height for the next 10 feet horizontally, and an additional 10 feet in height for each additional 10 horizontal feet up to the maximum height of the zone. From across street rights-of-way, a 35-foot maximum building height for 10 feet horizontally from the required building setback, then an additional 10 feet of height for the next 10 feet horizontally, and an additional 10 feet in height for each additional 10 horizontal feet, up to the maximum height allowed in the zone.

B. Type I landscaping (SMC 20.50.460), significant tree preservation, and a solid, eight-foot, property line fence shall be required for transition area setbacks abutting R-4, R-6, or R-8 zones. Twenty percent of significant trees that are healthy without increasing the building setback shall be protected per SMC 20.50.370. The landscape area shall be a recorded easement that requires plant replacement as needed to meet Type I landscaping and required significant trees. Utility easements parallel to the required landscape area shall not encroach into the landscape area. Type II landscaping shall be required for transition area setbacks abutting rights-of-way directly across from R-4, R-6 or R-8 zones. Required tree species shall be selected to grow a minimum height of 50 feet.

C. All vehicular access to proposed development in nonresidential zones shall be from arterial classified streets, unless determined by the Director to be technically not feasible or in conflict

with state law addressing access to state highways. All developments in commercial zones shall conduct a transportation impact analysis per the Engineering Development Manual. Developments that create additional traffic that is projected to use nonarterial streets may be required to install appropriate traffic-calming measures. These additional measures will be identified and approved by the City's Traffic Engineer.

D. For development within the Aurora Square Community Renewal Area; maximum building height of 35 feet within the first 10 feet horizontally from the front yard setback line. No additional upper-story setback required.

Amendment #27

20.50.040.I 4, 5, and 6 – Setbacks – Designation and measurements

4. Uncovered porches and decks not exceeding 18 inches above the finished grade may project to the front, rear, and side property lines.
 5. Uncovered porches and decks, which exceed 18 inches above the finished grade, may project 5 feet into the required front, rear and side yard setbacks but not within 5 feet of a property line:
 - a. ~~Eighteen inches into a side yard setback which is greater than six feet, six inches; and~~
 - b. ~~Five feet into the required front and rear yard setback.~~
 6. Entrances with covered but unenclosed porches may project up to 60 square feet into the front and rear yard setback. ~~that are at least 60 square feet in footprint area may project up to five feet into the front yard setback.~~
 7. For the purpose of retrofitting an existing residence, uncovered building stairs or ramps no more than than 30 inches from grade to stair tread and 44 inches wide may project to the property line subject to right-of-way sight distance requirements.
-

Amendment #28

20.50.070 – Site planning – Front yard setback – Standards.

The front yard setback requirements are specified in Subchapter 1 of this chapter, Dimensional and Density Standards for Residential Development, except as provided for below.

For individual garage or carport units, at least 20 linear feet of driveway shall be provided between any garage, carport entrance and the property line abutting the street, measured along the centerline of the driveway.

Exception 20.50.070(1): The front yard setback may be reduced to the average front setback of the two adjacent lots; provided the applicant demonstrates by survey that the average setback

of adjacent houses is less than 20 feet. However, in no case shall an averaged setback of less than 15 feet be allowed. If the subject lot is a corner lot, the setback may be reduced to the average setback of the lot abutting the proposed house on the same street and the 20 feet required setback. (This provision shall not be construed as requiring a greater front yard setback than 20 feet.)

~~For individual garage or carport units, at least 20 linear feet of driveway shall be provided between any garage, carport entrance and the property line abutting the street, measured along the centerline of the driveway.~~

Amendment #29

20.50.090 – Additions to existing single-family house - Standards

~~SMC 20.50.090 Additions to existing single-family house—Standards.~~

~~A.— Additions to existing single-family house and related accessory structures may extend into a required yard when the house is already nonconforming with respect to that yard. The length of the existing nonconforming facade must be at least 60 percent of the total length of the respective facade of the existing house (prior to the addition). The line formed by the nonconforming facade of the house shall be the limit to which any additions may be built as described below, except that roof elements, i.e., eaves and beams, may be extended to the limits of existing roof elements. The additions may include basement additions. New additions to the nonconforming wall or walls shall comply with the following yard requirements:~~

- ~~1.— Side Yard. When the addition is to the side of the existing house, the existing side facade line may be continued by the addition, except that in no case shall the addition be closer than three feet to the side yard line;~~
- ~~2.— Rear Yard. When the addition is to the rear facade of the existing house, the existing facade line may be continued by the addition, except that in no case shall the addition be closer than three feet to the rear yard line;~~
- ~~3.— Front Yard. When the addition is to the front facade of the existing house, the existing facade line may be continued by the addition, except that in no case shall the addition be closer than 10 feet to the front lot line;~~
- ~~4.— Height. Any part of the addition going above the height of the existing roof must meet standard yard setbacks; and~~
- ~~5.— This provision applies only to additions, not to rebuilds. When the nonconforming facade of the house is not parallel or is otherwise irregular relative to the lot line, then the Director shall determine the limit of the facade extensions on case by case basis.~~

Amendment #30

20.50.110 – Fences and walls - Standards

- A. The maximum height of fences located along a property line shall be six feet, subject to the sight clearance provisions in the Engineering Development Manual. ~~(Note: The recommended maximum height of fences and walls located between the front yard building setback line and the front property line is three feet, six inches high.)~~
- B. All electric, razor wire, and barbed wire fences are prohibited.
- C. The height of a fence located on a retaining wall shall be measured from the finished grade at the top of the wall to the top of the fence. The overall height of the fence located on the wall shall be a maximum of six feet.
-

Amendment #31

20.50.240 – Site Design

C. Site Frontage.

1. Development in NB, CB, MB, TC-1, 2 and 3, the MUR-45', and MUR-70' zones and the MUR-35' zone when located on an arterial street shall meet the following standards:
 - a. Buildings and parking structures shall be placed at the property line or abutting public sidewalks ~~if on private property~~. However, buildings may be set back farther if public places, landscaping and vehicle display areas are included or future right-of-way widening or a utility easement is required between the sidewalk and the building;
-

Amendment #32

20.50.330 – Project review and approval

A. Review Criteria. The Director shall review the application and approve the permit, or approve the permit with conditions; provided that the application demonstrates compliance with the criteria below.

1. The proposal complies with SMC 20.50.340 through 20.50.370, or has been granted a deviation from the Engineering Development Manual.
2. The proposal complies with all standards and requirements for the underlying permit.
3. If the project is located in a critical area or buffer, or has the potential to impact a critical area, the project must comply with the critical areas standards.
4. The project complies with all requirements of the City's Stormwater Management Manual as set for the in SMC 13.10.200 and applicable provisions of SMC 13.10, Engineering Development Manual and SMC 13.10, Surface Water Management Code and adopted standards.

5. All required financial guarantees or other assurance devices are posted with the City.

Amendment #33

20.50.390 – Minimum off-street parking requirements – Standards

Table 20.50.390D – Special Nonresidential Standards

| NONRESIDENTIAL USE | MINIMUM SPACES REQUIRED |
|--|--|
| Bowling center: | 2 per lane |
| Houses of worship | 1 per 5 fixed seats, plus 1 per 50 square feet of gross floor area without fixed seats used for assembly purposes |
| Conference center: | 1 per 3 fixed seats, plus 1 per 50 square feet used for assembly purposes without fixed seats, or 1 per bedroom, whichever results in the greater number of spaces |
| Construction and trade: | 1 per 300 square feet of office, plus 1 per 3,000 square feet of storage area |
| Courts: | 3 per courtroom, plus 1 per 50 square feet of fixed-seat or assembly area |
| Daycare I: | 2 per facility, above those required for the baseline of that residential area |
| Daycare II: | 2 per facility, plus 1 for each 20 clients |
| Elementary schools: | 1.5 per classroom |
| Fire facility: | (Director) |
| Food stores less than 15,000 square feet: | 1 per 350 square feet |
| Funeral home/crematory: | 1 per 50 square feet of chapel area |
| Fuel service stations with grocery, no service bays: | 1 per facility, plus 1 per 300 square feet of store |

| NONRESIDENTIAL USE | MINIMUM SPACES REQUIRED |
|---|---|
| Fuel service stations without grocery: | 3 per facility, plus 1 per service bay |
| Golf course: | 3 per hole, plus 1 per 300 square feet of clubhouse facilities |
| Golf driving range: | 1 per tee |
| Heavy equipment repair: | 1 per 300 square feet of office, plus 0.9 per 1,000 square feet of indoor repair area |
| High schools with stadium: | Greater of 1 per classroom plus 1 per 10 students, or 1 per 3 fixed seats in stadium |
| High schools without stadium: | 1 per classroom, plus 1 per 10 students |
| Home occupation: | In addition to required parking for the dwelling unit, 1 for any nonresident employed by the home occupation and 1 for patrons when services are rendered on site |
| Hospital: | 1 per bed |
| Middle/junior high schools: | 1 per classroom, plus 1 per 50 students |
| Nursing and personal care facilities: | 1 per 4 beds |
| Outdoor advertising services: | 1 per 300 square feet of office, plus 0.9 per 1,000 square feet of storage area |
| Outpatient and veterinary clinic offices: | 1 per 300 square feet of office, labs, and examination rooms |
| Park/playfield: | (Director) |
| Police facility: | (Director) |
| Public agency archives: | 0.9 per 1,000 square feet of storage area, plus 1 per 50 square feet of waiting/reviewing area |
| Public agency yard: | 1 per 300 square feet of offices, plus 0.9 per 1,000 square feet of indoor storage or repair area |
| Restaurants: | 1 per 75 square feet in dining or lounge area |

| NONRESIDENTIAL USE | MINIMUM SPACES REQUIRED |
|----------------------------------|---|
| Self-storage facilities: | <u>1 per .000130 square feet of storage area, plus 2 for any resident director's unit</u> |
| Specialized instruction schools: | 1 per classroom, plus 1 per 2 students |
| Theater: | 1 per 3 fixed seats |
| Vocational schools: | 1 per classroom, plus 1 per 5 students |
| Warehousing and storage: | 1 per 300 square feet of office, plus 0.5 per 1,000 square feet of storage area |
| Wholesale trade uses: | 0.9 per 1,000 square feet |
| Winery/brewery: | 0.9 per 1,000 square feet, plus 1 per 50 square feet of tasting area |

Amendment #34
20.50.540(G) – Sign design

G. Table 20.50.540(G) – Sign Dimensions.

A property may use a combination of the four types of signs listed below.

Refer to SMC 20.50.620 for the Aurora Square Community Renewal Area sign regulations.

Amendment #35
20.70.020 – Engineering Development Manual.

The Engineering Development Manual adopted pursuant to SMC 12.10.400.015 includes processes, design and construction criteria, inspection requirements, standard plans, and technical standards for engineering design related to the development of all streets and utilities and/or improved within the City. ~~The specifications shall include, but are not limited to:~~

A. ~~Street widths, curve radii, alignments, street layout, street grades;~~

B. ~~Intersection design, sight distance and clearance, driveway location;~~

~~C. Block size, sidewalk placement and standards, length of cul-de-sacs, usage of hammerhead turnarounds;~~

~~D. Streetscape specifications (trees, landscaping, benches, other amenities);~~

~~E. Surface water and stormwater specifications;~~

~~F. Traffic control and safety markings, signs, signals, street lights, turn lanes and other devices be installed or funded; and~~

~~G. Other improvements within rights-of-way.~~

Amendment #36

20.70.430 – Undergrounding of electric and communication service connections.

A. ~~Undergrounding required under this subchapter shall be limited to the service connection and new facilities located within and directly serving the development from on private property the public right-of-way, excluding existing or relocated street crossings. Undergrounding of service connections and new electrical and telecommunication facilities on private property shall be required with new development as follows:~~

~~B. Undergrounding of service connections and new electrical and telecommunication facilities defined in Chapter 13.20. SMC shall be required with new development as follows:~~

- ~~1. All new nonresidential construction, including remodels and additions where the total value of the project exceeds 50 percent of the assessed valuation of the property and improvements and involves the relocation of service.~~
- ~~2. All new residential construction and new accessory structures or the creation of new residential lots.~~
- ~~3. Residential remodels and additions where the total value of the project exceeds 50 percent of the assessed valuation of the property and improvements and involves the relocation of the service connection to the structure.~~

~~B. C. Conversion of a service connection from aboveground to underground shall not be required under this subchapter for:~~

- ~~1. The upgrade or change of location of electrical panel, service, or meter for existing structures not associated with a development application; and~~
- ~~2. New or replacement phone lines, cable lines, or any communication lines for existing structures not associated with a development application.~~

~~C. B. — Undergrounding of service connections and new electrical and telecommunication facilities in the public right-of-way shall be required as defined in SMC Chapter 13.20 SMC shall be required with new development as follows:~~

Amendment #37

20.100.020 – Aurora Square Community Renewal Area (CRA).

~~All development proposed within the Aurora Square Community Renewal Area shall comply with provisions of Ordinance 705 – Aurora Square Community Renewal Area Planned Action.~~

~~A. — This chapter establishes the development regulations specific to the CRA.~~

~~1. — Transition Standards. Maximum building height of 35 feet within the first 10 feet horizontally from the front yard setback line. No additional upper-story setback required.~~

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

| | |
|----------------------|--|
| AGENDA TITLE: | Discussion of Resolution No.404 approving a Public Art Plan for 2017 - 2022 |
| DEPARTMENT: | Parks, Recreation and Cultural Services |
| PRESENTED BY: | Eric Friedli, PRCS Director David Francis, Public Art Coordinator |
| 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: On August 26, 2002, the City Council adopted Ordinance No. 312, establishing a Municipal Art Fund and codifying regulations to implement the fund at Shoreline Municipal Code (SMC) 3.35.150. As provided in SMC 3.35.150(A), all expenditures from the Municipal Art Fund are restricted to those approved through a Public Art Policy that was approved by the City Council.

The City's Public Art Policy, adopted by Resolution No. 405, recognizes the development of a City Council-approved Public Art Plan so as to outline the direction for the City of Shoreline's public art program, including a work plan directing expenditures of the Municipal Art Fund. The Public Art Policy requires the Public Art Plan to be approved by the City Council.

Through 2016, the Parks, Recreation and Cultural Services (PRCS) Department worked with the community, the PRCS Board and its Public Art Sub-Committee to develop a Public Art Plan so as to create a vision for implementing the City's goals for public art.

At its January 26, 2017 meeting the PRCS/Tree Board voted unanimously to endorse the proposed Public Art Plan. Implementation of the Public Art Plan calls for transitioning an extra help position into a 0.5 FTE regular staff position; the cost of which would be split between the Municipal Art Fund and the General Fund.

RESOURCE/FINANCIAL IMPACT:

In 2017 the extra help position is budgeted at \$21,398 with 54% (\$11,629) coming from the General Fund and 46% (\$9,769) coming from the Municipal Art Fund. If Council is supportive of Resolution No. 404, as part of the April Budget Amendment staff will propose that the 0.5 FTE Public Art Coordinator position be funded 50/50 between the General Fund and the Municipal Art Fund. The additional cost in 2017 would be \$8,049 for the General Fund and \$9,337 for the Municipal Art Fund.

RECOMMENDATION

No action is required by the City Council. This item is for discussion purposes only. Proposed Resolution No. 404 (Attachment A) is scheduled to return to the City Council for adoption on March 6, 2017.

Approved By: City Manager **DT** City Attorney **MK**

ATTACHMENTS

Attachment A: Resolution No.404 Approving a Public Art Plan for 2017 - 2022

INTRODUCTION

The proposed Public Art Plan 2017-2022 presents a comprehensive vision for greater diversity of programs and forms of public art over the next six years. It results from a year of public process, Art Committee and PRCS Board involvement, and staff planning. The Plan is intended to be an aspirational yet realistic plan for the future of Public Art in Shoreline.

BACKGROUND

There have been two previous Public Art Plans developed by the PRCS Department, neither of which have been reviewed or approved by the City Council. The City Council adopted Ordinance No. 312, establishing a Municipal Art Fund and codifying regulations to implement the fund in 2002. As provided in SMC 3.35.150(A), all expenditures from the Municipal Art Fund are restricted to those approved through a Public Art Policy that was approved by the City Council.

The City's Public Art Policy, adopted by Resolution No. 405, recognizes the development of a City Council-approved Public Art Plan so as to outline the direction for the City of Shoreline's public art program, including a work plan directing expenditures of the Municipal Art Fund. The Public Art Policy requires the Public Art Plan to be approved by the City Council.

In 2007 the City created a .35 FTE Extra Help Public Art Coordinator position reporting to the PRCS Director to manage the Municipal Art Fund. Funding for this position is divided between the General Fund and the Municipal Art Fund. The approval of the 2006 Parks Bond and major development along Aurora Avenue generated revenue for multiple public art projects. The Public Art Coordinator has continued in that extra help capacity for a decade managing the public art program which has evolved from coordinating art projects associated with specific capital projects to developing community-based temporary art such as the popular "Piano Time" and "Artscape" (Temporary sculptures at City Hall and the Park at Town Center).

In 2011 the PRCS Department developed a Public Art Plan 2011-2016 to "create a vision for implementing the long-range goal of infusing art in all aspects of the community as well as creating a plan for the short term." The Public Art Plan 2011-2016 was presented to the PRCS Board on September 22, 2011 and approved by the Board on October 27, 2011. It was not reviewed or approved by the City Council.

In 2016 PRCS Staff, as part of its process to update the City's Parks, Recreation and Open Space Plan (PROS Plan), began a process to update the Public Art Plan as well. The community outreach and participation for the PROS Plan incorporated gathering input for the Public Art Plan.

DISCUSSION

Major Plan Components

The Plan outlines a Mission, Vision and five key goals for public art in Shoreline.

PUBLIC ART MISSION

The City of Shoreline believes in the value of a culturally-rich community that embraces all the arts, infuses artistic creativity into all aspects of civic life (including the built and natural environments) and celebrates and preserves our local history and diverse heritage in meaningful ways.

PUBLIC ART VISION

The City of Shoreline believes in the power of art in public places to draw people together, create vibrant neighborhoods where people desire to live, work and visit, and stimulate thought and discourse by enhancing visual interest in the built and natural environment. Art is part of the cultural thread that ties generations and civilizations together; creating opportunities for expression, reflection, participation and a landscape that is uniquely Shoreline.

GOALS

- Goal 1: The Public Art Program Will Be a Leader in the City's Placemaking Effort
 - The Public Art Plan supports Shoreline City Council Goal #1: "Initiate innovative, community-supported placemaking efforts that encourage people to spend time in Shoreline."
- Goal 2: Support the City's Commitment to Equity and Inclusion through the Arts
 - The Public Art Plan supports City Council Goal #2: "Expand the City's focus on equity and inclusion to enhance opportunities for community engagement."
- Goal 3: Achieve Greater Financial Sustainability for the Public Art Program
 - Council Goal #1 strives to "Strengthen Shoreline's economic base to maintain the public services that the community expects." CIP revenues alone are not enough to build and sustain the robust Public Art program the City has begun. The success of the program will depend upon the implementation of other funding sources with sustainable strategies.
- Goal 4: Engage the Community through Public / Private Partnerships
 - The City Council desires Shoreline to be perceived "...as a progressive and desirable community to new residents, investors, and businesses" (Goal #5). Public/private partnerships provide an efficient and effective way to maximize resources, increase productivity, and support investment in Shoreline.
- Goal 5: Integrate Public Art within Parks, Recreation and Cultural Services and the City
 - PRCS Department touches on many aspects of life in Shoreline. Incorporating art into its many programs and facilities provides an opportunity to have people engage with art in unique and meaningful ways. Incorporating art programs into special events and programs and Public Art into the city's parks will expand the reach of the city's Public Art

program beyond what is possible if just relying on the Public Art Coordinator.

The Next Six Years

The Public Art Plan includes a work plan for the next six years identifying specific strategies for goal implementation in three phases. In addition to specific strategies there are numerous activities that will be ongoing across each of the three phases described below. The continuous and central component of the Public Art Plan included in each phase ensures that the residents and visitors of Shoreline have access to a variety of art experiences. Providing indoor art exhibits, temporary sculptures, interactive art, nature-focused art, and support for neighborhood arts are included in each of the phases. The ideas listed in each phase describe special projects that depend on adequate financial and staff resources.

Phase 1: 2017 – 2018: Commission a Major New Permanent Commission (national search) & Neighborhood Art.

- Commission a major piece of iconic, distinctive, exciting artwork that would draw people to Shoreline and provide a sense of pride for years to come. Budget: \$100,000 - \$150,000. The call would involve a national search.
- Collaborate with the City's Neighborhoods Coordinator to activate Shoreline neighborhoods with art such as street furniture painting (either by paid artists or by volunteers), banners, utility box wraps, sculpture projects (temporary and/or permanent), and performance art funded by neighborhood mini-grants. Part of the neighborhoods emphasis would involve equity outreach.

Phase 2: 2019 – 2020: Identify sustainable funding strategies and commission a major installation by a local artist.

- Identify and implement alternate or additional funding sources.
- Commission an additional piece of iconic, distinctive, exciting artwork that would draw people to Shoreline and provide a sense of pride for years to come. Budget: \$40,000. The call would involve a national search but focus on the region. Budget would be dependent on grants and philanthropy.

Phase 3: 2021- 2022: Activate permanent community cultural space in a new community/aquatics center.

- Plan for art space in a new community center (aquatics, recreation, arts & culture). A major focus would be on outreach to artists of color.
- Create a portable works collection (focuses on unique element and avoid duplication with Arts Council collection. Example: Shoreline print collection; Shoreline video art program with flat panel monitors on pedestals for loaning).

- Integrate art into Street Corridor Improvement Projects along 145th, 175th, and 185th Streets.

Ongoing Programs: 2017- 2022:

- Production of an Art Guide / Brochure
- Temporary Sculpture Program (*Artscape* at Town Center Park): pursue new art infrastructure for larger sculptures with electrical power.
- Neighborhood Arts (includes a variety of murals and signal box art as well as equity arts outreach) / Community involvement program (*Piano Time*) (every other year; a Biennale)
- Establish a Shoreline Arts Symposium – 1x/year in partnership with the Arts Council and local arts groups.
- Provide City Staff presence and art expertise as a liaison to Sound Transit subarea planning efforts.
- Nature Art Program (*Groundswell*; temporary work in urban forest parks)
- Indoor Exhibitions at City Hall (includes equity arts component)
- Institute a PRCS Teen Program Youth Arts Exhibition
- Maintain and repair the outdoor art collection
- Work with 4culture to maintain its artworks in Shoreline’s collection.

Staffing Needs

The Plan intends to be aspirational yet achievable. Since 2007 the public art program has been staffed by a .35 FTE Extra Help Public Art Coordinator. This Art Plan sets the stage to recognize the permanent nature of the public art program and transition the position to a regular city of Shoreline employee. Pending approval of the Public Art Plan, staff will propose as part of the April Budget Amendment to convert the extra help position to a 0.5 FTE Public Art Coordinator position.

Given that this position has been an on-going need, staff believes that it should be converted to a regular position. The City Manager did not propose this during the 2017 budget process, as staff was still working through the update of the Art Plan and the renewal of the City’s property tax levy lid lift was undecided at the time the budget recommendation was formulated.

This position would continue the same responsibilities of the current Extra Help Public Art Coordinator. There would be an increase availability of 6 hours per week or 312 hours per year. This proposal will also afford the position access to city benefits such as vacation and sick leave, health insurance and retirement.

In 2017 the extra help position is budgeted at \$21,398 with 54% (\$11,629) coming from the General Fund and 46% (\$9,769) coming from the Municipal Art Fund. Staff proposes that the new position be split 50/50 between the General Fund and the Municipal Art Fund. The additional cost for the proposed position is shown in Table 1. With City Council’s approval in April, Staff anticipates filing the position by May 1st. Table 1 indicates that the additional cost in 2017 would be \$8,049 for the General Fund and \$9,337 for the Municipal Art Fund.

Table 1: Cost of new Public Art Coordinator position

| | <u>2017</u> | | <u>2018 Est</u> |
|---|-------------|-----------|-----------------|
| | Jan - April | May - Dec | Jan - Dec |
| Public Art Coordinator (0.50FTE) | \$0 | \$31,651 | \$49,206 |
| | | | |
| General Fund - 50% of Proposed 0.50FTE | | \$15,826 | \$24,603 |
| Current 2017 Extra Help Budget | \$3,852 | \$7,777 | \$11,629 |
| Public Art Coordinator Additional Cost | | \$8,049 | \$12,974 |
| | | | |
| Municipal Art Fund - 50% of Proposed 0.50FTE | | \$15,826 | \$24,603 |
| Current 2017 Extra Help Budget | \$3,280 | \$6,489 | \$9,769 |
| Public Art Coordinator Additional Cost | | \$9,337 | \$14,834 |
| | | | |
| Total Additional Cost (both funds) | | \$17,386 | \$27,808 |

Budget Implications

Historic Funding

Since 2003 the City has spent over \$1.5 M supporting public art programs in Shoreline (Table 2). Funding provided from the General Fund for the Shoreline-Lake Forest Park Arts Council contract accounts for the majority of those expenditures (\$902,417). Funding for the public art program from the Municipal Art Fund started slowly between 2003 and 2007, peaked in 2008-2012, and has slowed since 2013. The funding from the Municipal Art Fund went to projects at Echo Lake, Saltwater, Cromwell, Hamlin and Town Center Parks and the Interurban Bridges and along the Interurban Trail.

Table 2: Historic funding for public art program.

| | 2003-2007 | 2008--2012 | 2013-2016 | TOTAL |
|---------------------------|------------------|-------------------|------------------|--------------------|
| | | | | |
| Public Art Program | | | | |
| Art Fund | \$99,315 | \$293,075 | \$164,970 | \$557,360 |
| General Fund | \$342,950 | \$365,469 | \$276,515 | \$984,934 |
| Grants/Other | \$0 | \$0 | \$9,000 | \$9,000 |
| Total Budget | \$442,265 | \$658,544 | \$450,485 | \$1,551,294 |
| | | | | |
| Municipal Art Fund | | | | |
| Beginning Balance | \$0 | \$242,813 | \$273,106 | |
| Revenue | \$342,128 | \$323,368 | \$250,122 | \$915,618 |
| Expenditures | \$99,315 | \$293,075 | \$164,970 | \$557,360 |
| Ending Balance | \$242,813 | \$273,106 | \$358,258 | |

Future Funding

A revenue and expense model has been developed for the six-year implementation period for the Plan (Table 3).

Municipal Art Fund:

The Municipal Art Fund is codified in SMC 3.35.150. As directed by the SMC, 1% of specified capital improvement projects are deposited into the fund. Table 3 shows that the beginning Municipal Art Fund balance for 2017 is \$358,258. Table 3 shows the annual beginning and ending balance based on contributions to the fund each year from CIP projects and withdrawals from the fund that are used to support the public art program. The ending fund balance in 2022 would be \$92,319.

Art Program Revenues:

Art program revenues come from the Municipal Art Fund, General Fund, private/public grants, and philanthropy. The General Fund contribution is based on the cost of the contract with the Shoreline Lake Forest Park Arts Council, ½ the cost of the 0.5 FTE Public Art Coordinator position, and the cost of routine maintenance of city-owned art. Revenues from grants and philanthropy are dependent on the success of the City in securing funds from those sources. The revenues to the art program from the Municipal Art Fund are set at an amount to cover the remaining expenses.

Art Program Expenses:

Future expenditures for each component of the art program have been projected over the course of the Plan. The largest expenses are for the major commissions and the support for the Arts Council. The remainder of the components of the art program is focused on smaller, community based projects. These program areas are outlined in the proposed Public Art Plan.

Table 3: Public Art Program 6-Year Budget – To be reviewed and formally adopted annually

| | 2017 | 2018 | 2019 | 2020 | 2021 | 2022 |
|--|------------------|------------------|------------------|------------------|------------------|------------------|
| Municipal Art Fund (MAF) | | | | | | |
| MAF Beginning Balance | \$358,258 | \$418,568 | \$279,076 | \$252,479 | \$193,748 | \$154,894 |
| MAF Revenues (1% CIP Contribution) | \$99,635 | \$27,111 | \$17,697 | \$13,240 | \$13,428 | \$15,590 |
| Other MAF Revenue (Grants/Philanthropy) | \$5,000 | \$15,000 | \$5,000 | \$15,000 | \$5,000 | \$15,000 |
| MAF Expenditures | (\$44,326) | (\$181,603) | (\$49,294) | (\$86,972) | (\$57,282) | (\$93,166) |
| MAF End Fund Balance | \$418,568 | \$279,076 | \$252,479 | \$193,748 | \$154,894 | \$92,319 |
| Public Art Program RESOURCES | | | | | | |
| Use of MAF Fund Balance | \$44,326 | \$181,603 | \$49,294 | \$86,972 | \$57,282 | \$93,166 |
| General Fund Contribution | \$80,826 | \$89,853 | \$91,306 | \$92,760 | \$94,359 | \$96,047 |
| TOTAL REVENUE | \$125,151 | \$271,456 | \$140,600 | \$179,731 | \$151,641 | \$189,212 |
| Public Art Program EXPENDITURES | | | | | | |
| Major Commission | \$10,000 | \$140,000 | | \$40,000 | | \$40,000 |
| Temporary Sculpture | \$3,000 | \$3,000 | \$3,000 | \$3,000 | \$5,000 | \$4,000 |
| Nature Art Program | \$3,500 | \$3,500 | \$3,500 | \$3,500 | \$5,000 | \$4,000 |
| Neighborhood Arts (Murals/ Wraps) | \$2,500 | \$2,500 | \$2,500 | \$2,500 | \$2,500 | \$2,500 |
| Community involvement (Piano Time) | \$2,500 | \$0 | \$3,500 | \$0 | \$4,000 | \$0 |
| Equity Arts (project; grants) | \$3,000 | \$2,500 | \$3,000 | \$3,000 | \$5,000 | \$5,000 |
| Indoor art exhibitions | \$2,500 | \$1,000 | \$3,000 | \$3,000 | \$3,000 | \$3,000 |
| Outreach and awareness | \$1,500 | \$1,500 | \$1,500 | \$1,500 | \$1,500 | \$1,500 |
| Grants to Artists | | \$3,000 | \$3,500 | \$3,500 | \$3,000 | \$3,500 |
| Shoreline LFP Arts Council | \$60,000 | \$60,000 | \$60,000 | \$60,000 | \$60,000 | \$60,000 |
| Maintenance (GF/CIP) | \$5,000 | \$5,250 | \$5,513 | \$5,788 | \$6,078 | \$6,381 |
| <i>Total Non-staff Expenditures</i> | <i>\$93,500</i> | <i>\$222,250</i> | <i>\$89,013</i> | <i>\$125,788</i> | <i>\$95,078</i> | <i>\$129,881</i> |
| Public Art Coordinator | \$31,651 | \$49,206 | \$51,587 | \$53,943 | \$56,563 | \$59,331 |
| TOTAL EXPENDITURES | \$125,151 | \$271,456 | \$140,600 | \$179,731 | \$151,641 | \$189,212 |

STAKEHOLDER OUTREACH

The proposed Public Art Plan was reviewed by the Public Art Subcommittee through a series of meetings in 2016, culminating in a final discussion on January 19, 2017. It was reviewed by the PRCS/Tree Board on December 1, 2016 and again on January 26, 2017. The PRCS/Tree voted unanimously to support the proposed Public Art Plan 2017-2022.

Updating the Public Art Plan coincides with the update of the City's Parks, Recreation, and Open Space Plan (PROS Plan), which outlines the City's goals for parks and recreation facilities, programs, and cultural services. The Public Art Plan integrates with the PROS Plan as a key component of Cultural Services which encapsulate the rationale for prioritizing arts and heritage as integral components of the Shoreline community. The PROS Plan describes how Cultural Services are shared between the City and other agencies such as the Shoreline Lake Forest Park Arts Council, Shoreline Historical Museum, and the City's own Special Events program housed in the Parks, Recreation, and Cultural Services Department.

The update to the Public Art Plan solicited public feedback over several months by joining PROS Plan neighborhood meetings, public art stakeholder meetings, intercept events, two public art forums, two 'pop-up' surveys at public art events, and conversations with Shoreline Lake Forest Park Arts Council leadership. During PROS Plan public meetings, questions were asked about the challenges to public art, as well as what public art means to Shoreline residents -- among a host of other questions focusing on parks and recreation. (See Appendix C to the Public Art Plan for Public Involvement details) A PROS Plan online survey gathered results from April through the end of June and included several questions specific to public art. Public meeting and survey results appear in detail on the PROS Plan web pages at shorelinewa.gov/prosplan

RESOURCE/FINANCIAL IMPACT

In 2017 the extras help position is budgeted at \$21,398 with 54% (\$11,629) coming from the General Fund and 46% (\$9,769) coming from the Municipal Art Fund. As part of the April Budget Amendment Staff will propose that the 0.5 FTE Public Art Coordinator position be split 50/50 between the General Fund and the Municipal Art Fund. With City Council's approval, Staff anticipates filing the position by May 1st. The additional cost in 2017 would be \$8,049 for the General Fund and \$9,337 for the Municipal Art Fund.

RECOMMENDATION

No action is required by the City Council. This item is for discussion purposes only. Proposed Resolution No. 404 (Attachment A) is scheduled to return to the City Council for adoption on March 6, 2017.

ATTACHMENTS

Attachment A: Resolution No.404 Approving a Public Art Plan for 2017 Through 2022

RESOLUTION NO. 404

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHORELINE, WASHINGTON, APPROVING A PUBLIC ART PLAN FOR 2017 THROUGH 2022

WHEREAS, on August 26, 2002, the City Council adopted Ordinance 312, establishing a Municipal Art Fund and codifying regulations to implement the fund at Shoreline Municipal Code (SMC) 3.35.150; and

WHEREAS, as provided in SMC 3.35.150(A), all expenditures from the Municipal Art Fund are restricted to those approved through a Public Art Policy that was approved by the City Council; and

WHEREAS, the City's current Public Art Policy, adopted by Ordinance 770, recognizes the development of a City Council-approved Public Art Plan so as to outline the direction for the City of Shoreline's public art program, including a work plan directing the expenditures of the Municipal Art Fund; and

WHEREAS, the Parks, Recreation and Cultural Services Department worked with the community, the Parks, Recreation, and Cultural Services Board and its Public Art Sub-Committee to develop a Public Art Plan to create a vision for implementing the City's goals for public art; and

WHEREAS, on February 13, 2017, the City Council held a study session on the proposed 2017-2022 Public Art Plan; and

WHEREAS, the City Council has considered all relevant information in the public record and all public comments, written and oral;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SHORELINE, WASHINGTON, HEREBY RESOLVES AS FOLLOWS:

Section 1. Repeal of Previous Public Art Plans. All prior Public Art Plans are repealed in their entirety.

Section 2. Approval of the City of Shoreline's 2017-2022 Public Art Plan. The City Council hereby approves the City of Shoreline's Public Art Plan 2017-2022 attached hereto as Exhibit A.

ADOPTED BY THE CITY COUNCIL ON March 6, 2017.

Christopher Roberts, Mayor

ATTEST:

Jessica Simulcik Smith, City Clerk

Public Art Plan 2017-2022

Attachment A
Exhibit A
Public Art Plan 2017-2022



Public Art Plan 2017-2022

DRAFT

Table of Contents

| | |
|---|----|
| EXECUTIVE SUMMARY..... | 2 |
| INTRODUCTION..... | 3 |
| CHAPTER 1 Public Art in Shoreline, Then and Now | 6 |
| CHAPTER 2 Defining Public Art | 12 |
| CHAPTER 3 2017 - 2022 Art Plan Public Process..... | 16 |
| CHAPTER 4 Public Art Mission and Vision..... | 17 |
| CHAPTER 5 Goals and Implementation Strategies..... | 18 |
| CHAPTER 6 The Next Six Years | 25 |
| APPENDIX A: The Collection..... | 27 |
| APPENDIX B: The 2016 Assessment..... | 38 |
| APPENDIX C: Public Involvement Process..... | 44 |
| APPENDIX D: Comparative Municipal Public Art Funds..... | 50 |

EXECUTIVE SUMMARY

Shoreline's third Public Art Plan presents a comprehensive vision for a greater diversity of programs and forms of public art over the next six years, 2017 – 2022. It represents a year of public process, Art Committee and PRCS Board involvement, and Staff planning resulting in an aspirational yet realistic plan for the future of Public Art in Shoreline.

In 2002, the City passed Ordinance 312 establishing a 1% Municipal Art Fund (Art Fund) and adopting Shoreline's first Public Art Policy. The Art Fund is based on 1% of the cost of major capital projects such as the improvements to Aurora Ave. N. and the addition of the police station to City Hall. A Public Art Sub-Committee was appointed by the Parks, Recreation, and Cultural Services Board to advise on Art Fund expenditures.

In 2007 the City created a .35 FTE Extra Help Public Art Coordinator position reporting to the PRCS Director to manage the Art Fund. Funding for this position is divided equally between the General Fund and the Art Fund. The approval of the 2006 Parks Bond and major development along Aurora Avenue generated revenue for multiple public art projects. The 1% funding model has proven to be sustainable in periods of large construction projects, but struggles to fund ongoing programming during leaner years.

The Public Art program has evolved to include neighborhood-based projects, placemaking efforts, coordination with Sound Transit to integrate art into light rail station subareas, Piano Time, sculptures in the Park at Town Center, indoor exhibits at the City Hall Gallery, and much more. Shoreline's Public Art program works with the Shoreline Lake Forest Park Arts Council to avoid duplication of programs by focusing on permanent additions to the City's collection, temporary eco-art projects, sculpture loans, gallery exhibits, and non-visual art forms such as sound art, music and literature.

This Plan outlines goals and action steps that reflect public input from Shoreline residents, artists, and arts advocates who attended meetings or took online public art surveys. The public process dovetails with the update to the City's Parks, Recreation & Open Space Plan. Results of multiple outreach efforts are available in detail online at shorelinewa.gov/prosplan.

Five goals and their strategies for implementation are defined in the Plan:

- Goal 1: The Public Art Program Will Be a Leader in the City's Placemaking Effort
- Goal 2: Support the City's Commitment to Equity and Inclusion through the Arts
- Goal 3: Achieve Greater Financial Sustainability for the Public Art Program
- Goal 4: Engage the Community through Public / Private Partnerships
- Goal 5: Integrate Public Art within Parks, Recreation and Cultural Services and the City

A six-year implementation strategy based on the five major goals are prioritized over three phases. In addition to ongoing public art programs there are several priority tasks associated with each phase :

- Phase 1 (2017-2018) focuses on placemaking through the commissioning of a major art installation, neighborhood art projects, and individual artist grants.
- Phase 2 (2019-2020) identifies sustainable funding strategies.
- Phase 3 (2021-2022) works with the Parks Department to activate permanent community cultural space in a new community/aquatics center.

A series of appendices provide details about the City's current public art permanent collection, the extensive public involvement process leading to the Plan, the 2016 condition assessment of the collection, and additional reference materials.

INTRODUCTION

Incorporated in 1995 and just nine miles north of downtown Seattle, Shoreline remains a young city entering its third decade during a time of unprecedented growth and change. As the City's *Vision 2029* statement recognized in 2009, "(p)eople are first drawn here by the city's...trees [and the] value placed on arts, culture, and history." The Public Art Program supports the Shoreline City Council's 2016 – 2018 goal of strengthening the City's economic base by creating exciting cultural programs that draw people from the surrounding region and contributing to placemaking and community engagement, especially through programs and initiatives at the neighborhood level. For more on the City's public art program visit shorelinewa.gov/art.

This Public Art Plan creates a vision for a sustainable public art program in Shoreline. It replaces the previous six-year Plan (2011- 2016), acknowledges its strong foundation, and shapes its future by providing a blueprint for public art projects in the City.

Part 1 (Chapter 1) of the Plan tells the story of how the foundation of Public Art in the Shoreline area was laid, beginning with the impact of the Shoreline Lake Forest Park Arts Council's legacy that began nearly thirty years ago, to the institution of Shoreline's own municipal arts program in 2002, and where the program finds itself nearly fifteen years later. The ways the City's public art program interfaces with the Shoreline Lake Forest Park Arts Council are described, as are the basic administrative structures of the City's Program: The Public Art Sub-Committee, the Public Art Coordinator, and municipal funding mechanisms.

Part 2 (beginning with Chapter 2) of the Plan offers a strategy to shape the future of Public Art in Shoreline. It begins by attempting to capture the elusive idea of what public art is. What was at one time a fairly concretely defined concept has over time broadened to include more comprehensive and expressive elements so that a redefinition of terms is required. This Plan lists elements of both Visual and Non-Visual Art that fall into the broad category of "public art."

Public process plays a vital role in the definition of arts and culture in Shoreline, which has identified citizen input and open government as a priority. Chapter 3 reviews the year-long effort to reach out to stakeholders in the arts as well as residents who encounter public art in their everyday lives, on their way to work, or in parks a few blocks from their house.

Chapter 4 outlines the Mission and Vision statements. These statements guide five major goals and possible implementation strategies listed in Chapter 5.

The sixth chapter builds on the goals section by detailing a six-year plan to grow the art program and solidify its important role in making Shoreline a desirable place to live. Here three phases for Public Art are described that bring major permanent artworks to our streets, followed by a temporary community arts center that can grow into a permanent home for the arts community. This chapter also addresses the role of public art in other civic sectors like Neighborhoods (Community Services), Economic Development, and Parks, Recreation, and Cultural Services (PRCS). A series of Appendices at the end provide supporting documentation as referenced throughout the Plan.

As a visionary and aspirational document, the Plan recognizes funding constraints, but simultaneously seeks to inspire the community by imagining the potential of a strong, fully supported program that would profoundly enhance the City's cultural landscape to mirror its stunning natural setting on the shores of the Salish Sea.

PART 1 – SECURING OUR FOUNDATION

CHAPTER 1

Public Art in Shoreline, Then and Now

Then...

Prior to 1995, when the City was incorporated, arts programming in the area was managed by the Shoreline Lake Forest Park Arts Council. Founded in 1989 as a 501c3 non-profit, with a mandate that spanned from the shores of Puget Sound to the shores of Lake Washington, the Arts Council infused arts into the community with concerts in the park, an Arts in Culture performance series, a dynamic arts festival featuring a variety of media and cultural groups, a major artists-in-the-schools program, and gallery exhibitions.

As the City of Shoreline was being created from unincorporated King County, King County Arts and Heritage Organization 4Culture (under the name of King County Arts Commission at the time) provided grant funding for the concerts and performances and created an Arts Plan to guide the future. Once incorporated, the City's investment in the Arts Council through an annual contract increased and enhanced the area's arts programming.

In 2002, responding to a 2001 suggestion from the Arts Council and local arts advocates that the new City consider a 1% for the arts funding program, the Parks, Recreation and Cultural Services (PRCS) Board appointed an Art Subcommittee comprised of PRCS Board members, the Shoreline-Lake Forest Park Arts Council Executive Director and Arts Council Board members. City staff worked with the Subcommittee to recommend the creation of a Municipal Art Fund (Art Fund) by allocating 1% of the construction costs from qualifying City capital improvement projects to the Art Fund. The City Council adopted the proposal in 2002 as Ordinance 312. That same year Shoreline's first Public Art Policy was adopted "to implement the purpose of the Municipal Art Fund ... by providing a plan and procedure by which the City will accept works of art as part of its permanent and temporary collection."

In April 2007, the City created a .35 FTE Extra-Help Public Art Coordinator position reporting to the PRCS Director to manage the Art Fund. Shoreline's first Public Art Coordinator, Rosaline Bird, had served for 11 years as Executive Director of the Arts Council following six years as Board President, a relationship that facilitated the City's ongoing arts-programming contract with the Arts Council. The Arts Council continued to offer a variety of programs, and the Public Art Coordinator primarily managed and coordinated large public art commissions including artist selection processes, contract management, grant writing, and overseeing installations and budget from 2007 – 2011.

During this time, the major re-development of Aurora Avenue and the North City business district generated revenue for the Art Fund. The successful passing of a Parks Bond in 2006 paid for the acquisition of property and re-development of many of Shoreline's parks which also generated revenue to the Art Fund. The first project to make use of the Art Fund created the two Interurban trail bridges, by nationally recognized artist Vicki Scuri, over North 155th Street, adjacent to Aurora Avenue N. and over



Aurora at N 160th Street, completed in 2007.
Aurora Avenue Bridge, Vicki Scuri artist, 2007

New capital improvement projects, such as the second mile of Aurora, initiated a second wave of artworks and planning, with much attention focused on the area between 175th and 185th as a future Town Center area. In the absence of a single 'downtown' urban core, and because of the City's efforts to develop focal point places, this area was studied for placement of a significant art installation, including a landscaped area with a possible water feature or fountain. The Art Subcommittee spent several years working with consultants to develop a master plan for the Park at Town Center, preserving a 200-foot section of brick road as a remnant of the trunk road and Interurban trolley line, which extended from the City's southern border at 145th, northward to Echo Lake.

To activate this space, the Public Art Program rolled out a series of temporary public art programs funded by the Art Fund, including "Sculpture Stroll," an annual sculpture loan program featuring previously made sculpture mounted on concrete pads, "Piano Time," a month long display of artist-decorated pianos donated by the public, and "From the Ground Up," a series of temporary eco-art projects. These temporary projects introduced new kinds of Public Art to Shoreline, with an emphasis on community-based projects that enhance public spaces for shorter amounts of time, exhibit an adventuresome spirit, and bring attention to the City from regional artists.



Artscape Sculpture "Clang", Matthew Dockrey, artist

By 2014 it was apparent that the cumulative financial impact of these temporary projects on the Art Fund over a five-year period (2011 – 2015) had drawn down overall funds and that, without a major CIP project in the future, the program would require substantial changes in staffing and level of service. Recognizing that the 2002 Ordinance anticipated the installation of major permanent work of art, a reserve of \$100,000 was set aside in the Art Fund to maintain the ability to fund major permanent works. Diminished revenue meant the Art Program in 2014 and 2015 was limited to smaller expenditures per year for temporary projects. Expenditures for permanent art in 2014 and 2015 were allocated to acquiring smaller sculptures including *S. Cargo* by Karien Balluff on the Interurban Trail and *Sunset* by Bruce and Shannon Andersen at Sunset School Park.

Now...

The City of Shoreline Public Art Program is now over 10 years old. As part of the Parks, Recreation, and Cultural Services Department (PRCS), it functions within the department's mission of "provid(ing) life-enhancing experiences [that] bring our culture to life and transfer it to the next generation." With 410 acres of parks and open space, including 20 developed park sites, as well as recreation and community centers designed "to recreate the mind and the body," PRCS provides a strong base of support for public art, with many shared goals and broadly similar services all designed to give residents an abundance of opportunities to enrich their lives.

Two major contracts and internally-managed special events and public art programs form the backbone of Cultural Services in the City. Both the Shoreline Lake Forest Park Arts Council and the Shoreline Historical Museum contract with the City under a \$60,000 annual services contract to provide arts and cultural services and programs.

SHORELINE LAKE FOREST PARK ARTS COUNCIL

The Arts Council has grown to include a full-time executive director and eight part-time employees who manage various aspects of the organization from publicity to the small gallery maintained in the Town Center in Lake Forest Park. In 2015, the Arts Council initiated a membership program and currently has about 100 dues-paying members with plans to increase them substantially in the future.

The Arts Council's core purpose is to "cultivate creativity and inspire our community through the arts" (mission statement), through goals that "promote public awareness of the arts," "coordinate and sponsor" various arts programs (especially educational programs), "advocate for support for the arts," and "provide financial and other support for arts organizations, artists, arts activities and projects."

Recent Arts Council programming has focused on adult, family, and youth-centered workshops and performances that are typically short, a few hours to a day or two. The Arts Council concentrates on Artists in the Schools, placing 20-30 artists per year in Pre-K-12 settings in the City. This program is regarded countywide as a model for artists in schools. In the same way that the Public Art Plan reinforces Shoreline City Council goals of "placemaking" and fostering a vibrant City culture, the Arts Council emphasizes the importance of the arts in building successful communities through "creative connections" that support the City's culture.

In addition to education, the Arts Council provides entertainment-oriented arts programming through Summer Concerts in the Park - up to eight performances per year. The Arts Council's contracted programs extend to the

Shoreline Arts Festival, the City's largest arts event, held over two days, as well as collaboration on indoor group exhibitions, co-curated with the City's Public Art Coordinator. Finally, the Arts Council's scope includes providing selections from their Portable Works collection to interior public spaces in the City and a series of mini-grants for community groups. Beyond the City contract, the Arts Council operates a 200-sq. ft. gallery in Lake Forest Park and manages many other programs, supported by funding from membership, an



annual arts gala fundraiser event, grants from 4Culture, and donations from individuals, Cleanscapes Recology, and other businesses. The City of Shoreline provides approximately 16% of the Arts Council annual budget.

PUBLIC ART COMMUNITY INVOLVEMENT

The original 2002 Public Art Policy called for a Public Art Sub-Committee (Committee) of the PRCS Board to be comprised of at least one member of the PRCS Board, one PRCS Department staff, one Arts Council representative, and one City Finance Department staff. The 2009 update to the Public Art Policy established a separate Art Committee. Over time the Committee has evolved to include two members from the PRCS Board and three from the community with active leadership by the Art Coordinator. The Committee is an advisory body to the PRCS Board and staff. The Committee and the PRCS Board have been closely involved in development of this Public Art Plan.

Jurying art, or selection of proposals, has been an important Committee responsibility. Open calls for art are written by the Public Art Coordinator and circulated regionally on art portals; these may be Requests for Qualifications for larger art commissions, direct Calls for Art, Invitational Calls, or combinations of Open and Invitational. Invitational Calls seek submissions from artists who have expertise in particular areas and are nominated by jurists with advanced knowledge of local and regional artists. An art panel consisting of members of the Art Committee, an artist, arts professional and other site-specific stakeholders review applications, invite finalists for interviews and make recommendations to the full PRCS Board. As the project progresses, concept designs are reviewed by the panel and recommended to the PRCS Board for approval. The process is facilitated by the City's Public Art Coordinator and is more stringent for Requests for Qualifications.



Shoreline Pool Mural, Sara Snedeker and Artquake Collective volunteers, artists

PUBLIC ART COORDINATOR

Historically, when a capital improvement project generated a significant level of contributions to the Art Fund, the Public Art Coordinator worked with the Committee to commission major works of public art. The Coordinator conducts searches to bring artists with national reputations to Shoreline.

In addition to facilitating the creation of permanent artworks, the Public Art Coordinator supervises temporary outdoor art projects (*Artscape, Piano Time, and Groundswell*). Working closely with the Art Committee and the Arts Council, the Public Art Coordinator collaborates with the City's Neighborhoods Coordinator on neighborhood-based projects, Economic Development Director on placemaking efforts, and Kruckeberg Botanic Garden staff on site-specific programs. As the primary staff representing the City's Public Art Program, the Coordinator serves as the first point of contact for outside agencies seeking to engage public art projects in the City.

The City's Public Art Program is designed to complement the strengths of the Arts Council through programs that the Arts Council has not focused as intensively on. One such program administered by the Public Art Coordinator is the series of exhibitions at City Hall and Spartan Recreation Center (up to six curated exhibitions a year with a total of almost 50 artists chosen from local and regional open-calls) and the accompanying artist panels and symposia related to exhibitions.

Shoreline's 14 different neighborhoods each have a unique identity and interest in placemaking which seeks opportunities for the arts to define Shoreline as a desirable place to live. The Neighborhood mini-grant program offers annual community grants up to \$5,000 for various improvement projects, some of which concern neighborhood public art facilitated by the Public Art Coordinator. Recent examples include a mural painted by Michiko Tanaka on a restroom facility at Twin Ponds Park, a project initiated by the Parkwood Neighborhood Association and an Orca whale sculpture project initiated by the Richmond Beach Community Association.

PUBLIC ART PROGRAM FUNDING

Ordinance 312 instituted a funding mechanism sufficient to begin a collection of permanent outdoor artwork that is sustainable in periods of large construction projects but struggles when there are fewer qualifying CIP projects. The public's enthusiastic response to temporary projects leads to the question of how to balance major permanent commissions with short-term public art.

The public art program has three primary funding sources, the largest of which is the Art Fund. The General Fund is the second largest source funding one half of the Public Art Coordinator's salary and the contract with the Arts Council. The PRCS Repair and Replacement budget funds public art maintenance.

Grants provide some level of funding each year. The City functions as the first point of contact for government arts organizations at the state, county, and national level, such as Humanities Washington, the Washington State Arts Commission, King County Arts and Heritage Organization 4Culture, Western States Arts Federation, Americans for the Arts, and the National Endowment for the Arts.

PART 2 - SHAPING OUR FUTURE

CHAPTER 2 Defining Public Art

The terminology for what constitutes public art evolves and changes as cultural values shift and grow. The term was originally used to refer exclusively to permanent, commissioned artworks pejoratively referred to as object-based “plop art.” It was broadened by Suzanne Lacy (*Mapping the Terrain*, 1995) and others in the 1990s to include “new genre public art,” which incorporated a much broader understanding in terms of different media and social intervention. This resulted in what Lacy called a shared sense of “engagement.”¹ A recent focal point for public art programs across the country has been on diversification through the participation of underrepresented populations, including people of color, LGBT, and immigrant



¹ The Public Art Plan is not intended as an art-historical or academic research document but is rather an arts-administrative policy guide for the next six year period. That said, it touches on (and is informed by) many issues of current interest to contemporary art in general. There are numerous books about the topic of public art, but in addition to Lacy’s work, the following texts have been of particular help: Erika Doss, *Spirit Poles and Flying Pigs: Public Art and Cultural Democracy in American Communities*, Smithsonian, 1995; Barbara Goldstein, *Public Art by the Book*, U Washington P, 2005; Robert Klanten and Matthias Hubner, *Urban Interventions*, Gestalten, Berlin, 2010; Miwon Kwon, *One Place After Another: Site Specific Art and Locational Identity*, MIT, 2002; Annie Lai, *Public Art Now*, Sandu Publishing, 2016; W.J.T. Mitchell, *Art and the Public Sphere*, U Chicago P, 1992; Twylene Moyer and Glenn Harper, eds. *The New Earthwork*, isc, 2011; Erika Suderburg, ed. *Space, Site, Intervention*, U Minnesota P, 2000; Linda Weintraub, ed. *To Life: Eco Art in Pursuit of a Sustainable Planet*, U California P, 2012.

populations who may be marginalized by mainstream Western art.

"Nature Song," Briar Bates, artist 2014

Public art is not necessarily beautiful (a subjective value), but seeks to foster dialogue, debate, and discourse about the ways in which we view ourselves and our environment. Rather than assuming that the function of public art is to cosmetically enhance the infrastructure of the City or simply entertain, public art is a thought-provoking, socially engaged form of communication capable of providing the deepest insight into the human experience. Public art elicits an active response from fully-participating audiences.

To make public art, the artist must "take into account the ethos of the region, history of site, sustainable practices, and social engagement" (Buster Simpson, Sound Transit Lynnwood Link Application). A public artist does not rule out any aspect of a City's culture in making decisions about artwork that can provide a lasting value: "all aspects of the public realm potentially...become part of the palette; the landscape, the infrastructure, the built environment, and the social and economic engagement" (ibid.).

Art can be temporary or permanent. Appendix A catalogues Shoreline's current permanent collection. For this Plan's purposes, public art can be both. A healthy program will include a balance between permanent commissions of small and large-scale artworks as well as an array of temporary artworks that may be on display from as little as a single day or even a few hours (for a performance piece or theater play, for example), to a period of several months or a year or more. In some cases, works are designed to erode into the soil, leaving little or no apparent trace.



Groundswell Program at Paramount Open Space "Out of One, Many; Out of Many, One (E Pluribus Unum)," Sara Kavage, artist

The 2011-2016 Art Plan strove to be broadly inclusive, mentioning music and dance. This Plan also defines public art in broad, culturally inclusive ways that are meant to continue exploring a sense of engagement, including social justice. A public art program should encourage new works in experimental settings, and where appropriate and safe, even accept a certain level of risk. The previous Plan specifically mentioned that design components incorporated into capital projects (concrete pavers, for example, with leaf designs) *do not* qualify as public art; that distinction is also retained here. However,

13

these kinds of decorative components of public works projects are often assumed to be public art by residents, who may not be aware that they are commercial products rather than the work of individual artists. Nevertheless, opportunities for decorative embellishment should be welcomed and expanded, especially since they dovetail closely with officially-recognized forms of public art and also (most important of all) because they do not drain the public art fund and help create the impression of a City filled with art.

Shoreline's Public Art Policy defines public art broadly as "all forms of original creations of visual and tactile art that are accessible to the public in City-owned facilities, including parks." It identified 14 types of public art and cautioned that the list "is not limited to" those forms. This plan expands public art to include the forms listed below:

Forms of Public Art

- Dance, Theater, and Performance
- Painting, photography, drawing, collage, book arts, mixed media, encaustic, prints, and the myriad other forms of both two- and three-dimensional artworks, mostly portable, but also in large scale format.
- Sculptural objects (includes a variety of scale, from large earthworks and landscape art, to monuments and statues, to smaller pieces displayed in vitrines; of any material and inclusive of kinetic, functional, interactive, and/or multimedia components; inclusive too of traditionally-regarded crafts such as wood carvings, glass and ceramics, textiles and fabric, and the like.)
- Murals, Vinyl Wraps, Banners (murals can be applied to walls by a variety of means, inside or outside; wraps and banners refer to decorative embellishments of the built environment and urban furniture and can include painted fire hydrants, sidewalk chalk art, etc.)
- Art exhibitions (by definition, these public and accessible displays of both two and three-dimensional artworks – often comprised of a group of artists organized around a curatorial theme -- collectively form an important category of temporary public art, especially in Shoreline where there are as yet no commercial art galleries and no venues for the display of curated exhibitions.)
- Community-based art (a wide variety of artistic practice that involves embedding in community groups, often with an explicit social message, with the visual art often serving a subsidiary function.)
- Signage, calligraphy, text (does not include advertising or billboards as such but conveys an easily observable artistic component that is not specifically designed to sell a product.)

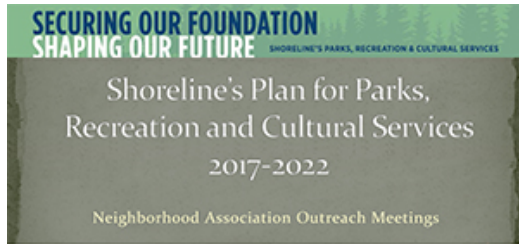
- Experimental geography, mapping, walking (relatively recent art forms that combine a multidisciplinary approach to visual art making that borrows from geography, mapping, GIS, orienteering, wayfinding, and navigating urban space.)
- Conceptual, installation, time-based, emerging, new media (new forms of art are constantly developing as technology and culture foster experimentation. Augmented reality is a good example.)
- Sound art (examples might include ambient noise that an artist manipulates or curates for audiences to listen to; experiments with sonic waves, and other forms of auditory stimulus).
- Music
- Literary arts, spoken word
- Community-based art (as above, though without the production of visual objects; thus, a song or narrative developed by an artist or artist group with direct engagement with a social group)
- Art exhibitions (see above, but with an emphasis on non-visual art forms, such as a sound-art group show)



Piano Time 2016 along the Interurban Trail, "Lounge Lizard," Carol Meckling, artist

CHAPTER 3

2017 - 2022 Art Plan Public Process



Shoreline's Plan for Parks, Recreation, and Cultural Services 2017-2022



Updating the Art Plan coincides with the update of the City's Parks, Recreation, and Open Space Plan (PROS Plan), which outlines the City's goals for parks and recreation facilities, programs, and cultural services. The Art Plan integrates with the PROS Plan as a key component of Cultural Services which encapsulate the rationale for prioritizing arts and heritage as integral components of the Shoreline community. The PROS Plan describes how Cultural Services are shared between the City and other

agencies such as the Shoreline Lake Forest Park Arts Council, Shoreline Historical Museum, and the City's own Special Events program housed in the Parks, Recreation, and Cultural Services Department.

Appendix B contains a comprehensive asset inventory of Parks' infrastructure, including public art as physical assets was completed in 2016. The resulting assessment of condition and future maintenance is included as a review of the City's permanent outdoor collection.

The PROS Plan includes specific information regarding the public art plan public involvement process, which accumulated an abundance of commentary and data. The update to the Art Plan solicited public feedback over several months by joining PROS Plan neighborhood meetings, public art stakeholder meetings, intercept events, two public art forums, two 'pop-up' surveys at public art events, and conversations with Shoreline Lake Forest Park Arts Council leadership. During PROS Plan public meetings, questions were asked about the challenges to public art, as well as what public art means to Shoreline residents -- among a host of other questions focusing on parks and recreation. (See Appendix C for Public Involvement details) A PROS Plan online survey gathered results from April through the end of June and included several questions specific to public art. Public meeting and survey results appear in detail on the PROS Plan web pages at shorelinewa.gov/prosplan.

This information was organized by the Public Art Coordinator, reviewed by the Art Committee, and recommended for approval by the PRCS Board at the December, 2016 regular meeting. It shaped the goals outlined in Chapter 5 and is prioritized in three work plan phases over six-years as: beginning years, middle years, and end years (Chapter 6).



CHAPTER 4

Public Art Mission and Vision

PUBLIC ART MISSION

The City of Shoreline believes in the value of a culturally-rich community that embraces all the arts, infuses artistic creativity into all aspects of civic life (including the built and natural environments) and celebrates and preserves our local history and diverse heritage in meaningful ways.

PUBLIC ART VISION

The City of Shoreline believes in the power of art in public places to draw people together, create vibrant neighborhoods where people desire to live, work and visit, and stimulate thought and discourse by enhancing visual interest in the built and natural environment. Art is part of the cultural thread that ties generations and civilizations together; creating opportunities for expression, reflection, participation and a landscape that is uniquely Shoreline.

Public Art does more than provide aesthetic beauty to an urban area otherwise dominated by infrastructure and the built environment. It provides a sense of imagination and basis for engagement with the City. Earlier City of Shoreline studies (*Vision 2029* Statement; *Park at Town Center Visioning*, 2010, etc.) as well as the longstanding presence of the Shoreline Historical Museum and the Shoreline-Lake Forest Park Arts Council, testify to the City's passion for history, heritage, and creativity. As the goals and implementation strategies imply, the City will be among the leaders for Public Art in the region.

Shoreline's vision is that public art will:

- provide new perspectives and grounds for open interpretation
- lead diversity and inclusion efforts
- explore the human experience
- define public space in artistic terms
- inspire the community to invest in public art



Aurora Theater Company "Into the Woods" at City Hall 2015

CHAPTER 5

Goals and Implementation Strategies

The goals and possible implementation strategies in this Plan reflect public input from Shoreline residents, artists and other advocates who attended meetings or took online public art surveys. The possible implementation strategies present a brainstorm of ideas of ways to achieve each Goal. As opportunities present themselves we will pursue the strategies outlined here. However, recognizing limited resources are available, the highest priority implementation strategies are described in more detail in the next Chapter.

- Goal 1: The Public Art Program Will Be a Leader in the City’s Placemaking Effort
- Goal 2: Support the City’s Commitment to Equity and Inclusion through the Arts
- Goal 3: Achieve Greater Financial Sustainability for the Public Art Program
- Goal 4: Engage the Community through Public / Private Partnerships
- Goal 5: Integrate Public Art within Parks, Recreation and Cultural Services and the City

Goal 1: The Public Art Program will be a leader in the City’s Placemaking Effort

GOAL OVERVIEW:

The Public Art Plan supports Shoreline City Council Goal #1: “Initiate innovative, community-supported placemaking efforts that encourage people to spend time in Shoreline.”



The Interurban Trail along Aurora Avenue North at 155th Street

POSSIBLE IMPLEMENTATION STRATEGIES:

1. Commission a major piece of iconic, distinctive, exciting artwork that would draw people to Shoreline and provide a sense of pride for years to come. Budget: \$100,000 - \$150,000. The call would involve a national search. (Phase 1)
2. Commission a significant piece of art in the \$30,000 - \$50,000 range every two to three years to activate the community and grow the City's collection. (Phases 1 -2)
3. Provide a multi-use arts and cultural center (e.g. "maker spaces") for the people of Shoreline. This was a priority in the past two Public Art Plans and remains so. (Phase 3 and beyond).
4. Institute a Shoreline Art Grants Program that would encourage local artists, as well as nearby artists interested in siting projects in Shoreline, to apply on an annual basis for project-related grants from \$500 to \$3,000. (Phase 2)
5. Develop and encourage temporary, community-based art opportunities by providing maker spaces at the neighborhood level. (Phases 2 -3)
6. Support theatre through the creation of a naturally sloping outdoor amphitheater to serve as a performing arts venue. Partner with the Aurora Theater Company to provide community-based arts programming. Shoreline's Aurora Theater Company desires a better solution for outdoor theater and has suggested a major placemaking effort at Shoreview Park. (Phases 2-3)
7. Feature niche art markets that dovetail with the City's emphasis on green technology, the solar festival at Shoreline Community College, the Shoreline Film Office, and an abundance of urban forests as partners in the Arts. (Phase 1 -2)
8. Integrate arts programming and environmental education by populating Shoreline's urban forests with various forms of eco-art, and hosting educational symposiums (Phase 3).
9. Install more visible art in highly visible places such as Richmond Beach Saltwater Park and Aurora Avenue. A drivable corridor of up to 30 temporary and permanent sculptures would distinguish Shoreline and bring visitors from far and wide. (Phase 1)

Goal 2: Support the City’s Commitment to Equity and Inclusion through the Arts

GOAL OVERVIEW:

The Public Art Plan supports City Council Goal #2: “Expand the City’s focus on equity and inclusion to enhance opportunities for community engagement.”



Nightingale Dance Troupe performing at the “Pacifying the Dragon” event, December 2016

POSSIBLE IMPLEMENTATION STRATEGIES:

1. Empower and incentivize diverse artists’ groups to create their own programming through individual artist grants and multi-use spaces. (Phases 2-3)
2. Bring alternative art histories (i.e., non-Western) into the public sphere such as the Asian-inspired community art project, “Feeding the Hungry Ghosts,” that reached a diverse audience at Celebrate Shoreline 2016. Include outreach to underrepresented groups, including ethnically diverse music acts. (all phases)
3. Provide a focus at City Hall exhibitions on local artists of color. (all phases)
4. Advertise calls for art in ethnic-specific media.
5. Develop a Youth Arts program in conjunction with the City’s Youth and Teen Development Program.

Goal 3: Achieve Greater Financial Sustainability for the Public Art Program

GOAL OVERVIEW:

Council Goal #1 strives to “Strengthen Shoreline’s economic base to maintain the public services that the community expects.” CIP revenues alone are not enough to build and sustain the robust Public Art program the City has begun. The success of the program will depend upon the implementation of other funding sources with sustainable strategies.

POSSIBLE IMPLEMENTATION STRATEGIES: (PHASES 2-3)

Identify and implement alternate or additional funding sources such as:

1. Additional tax revenue such as \$1 - \$2 per resident tax support through Levy or a portion of a Business and Occupation tax.
2. Allocate staff retirement and replacement savings to the Public Art fund.
3. PTE (Property Tax Exemption) for businesses that includes a concession for public art improvements such as gallery or other exhibition/artist spaces.
4. Expand CIP eligible projects to include projects of a smaller scale.
5. Raise the percent for arts from 1% CIP to 2% CIP.
6. Increase marijuana tax in the City by .25% to support the arts.
7. Institute surcharges such as an admissions surcharge or hotel, motel, or car rental surcharge to benefit the arts.
8. Create a mechanism for public / private partnerships (see below).
9. Increase General Fund expenditure to more fully fund the Public Art program.
10. Add public art as a component to a renewal of the Park Bond.

Goal 4: Engage the Community through Public/Private Partnerships

GOAL OVERVIEW:

The City Council desires Shoreline to be perceived “...as a progressive and desirable community to new residents, investors, and businesses” (Goal #5). Public/private partnerships provide an efficient and effective way to maximize resources, increase productivity, and support investment in Shoreline.

POSSIBLE IMPLEMENTATION STRATEGIES: (PHASES 2-3)

1. Continue the City’s partnership with the Shoreline Lake Forest Park Arts Council.
2. Explore cost-share public art projects such as murals and logo-related sculptural objects with the Shoreline Chamber of Commerce, Rain City Rotary, Aurora Improvement Council, Chinese Vietnamese Buddhist Association, Gasha for Ethiopians, Jain Society of Seattle, and JHP Cultural and Diversity Legacy.
3. Collaborate with Shoreline’s Economic Development Department to procure space for artists, both privately owned and City-owned; Fund one public art project per year through Economic Development.
4. Seek engagement with Business Volunteers for the Arts.
5. Create sponsorship programs for exhibitions that target a business sector (example: car-related art at Doug’s Cadillac).
6. Waive the Transportation Impact Fee for arts-related businesses.
7. Facilitate relationships between artists and businesses interested in displaying local artwork.
8. Create exhibitions featuring local collectors clubs and collections such as Arcane Comics of Shoreline, Edmonds Doll Hobby Club, and Sno-King Stamp Club.



Goal 5: Integrate Public Art within Parks, Recreation and Cultural Services and the City

GOAL OVERVIEW:

PRCS Department touches on many aspects of life in Shoreline. Incorporating art into its many programs and facilities provides an opportunity to have people engage with art in unique and meaningful ways. Incorporating art programs into special events and programs and Public Art into the city’s Parks will expand the reach of the city’s Public Art program beyond what is possible if just relying on the Public Art Coordinator.



Permanent Collection “Raven” at 145th Street on the Interurban Trail, Tony Angell artist

POSSIBLE IMPLEMENTATION STRATEGIES:

1. Evaluate City-owned parcels along Aurora Avenue for possible “pocket-park” locations for permanent or temporary artwork placement.
2. Master Plan parks to include Public Art components.
3. Turn obsolete caretaker cottages into active artist residency spaces.
4. Include walking and driving tours of Public Art in Shoreline and elsewhere as part of recreation programming.
5. Use temporary eco-art projects to activate underused parks.

CHAPTER 6

The Next Six Years

The Public Art Work Plan for the next six years includes specific strategies for goal implementation in three phases. In addition to specific strategies there are numerous activities that will be ongoing across each of the three phases described below. The continuous and central component of the Art Plan included in each phase ensures that the residents and visitors of Shoreline have access to a variety of art experiences. Providing indoor art exhibits, temporary sculptures, interactive art, nature-focused art, and support for neighborhood arts are included in each of the phases. The ideas listed in each phase describe special projects that depend on adequate financial and staff resources.

- Phase 1 (2017-2018) focuses on placemaking through the commissioning of a major art installation and neighborhood art projects that include murals, signal box art, and equity outreach to artists of color
- Phase 2 (2019-2020) commissions a smaller art installation and identifies sustainable funding strategies.
- Phase 3 (2021-2022) works with the PRCS Department to activate permanent community cultural space in a new community/aquatics center.

Phase 1: 2017 – 2018: Commission a Major New Permanent Commission (national search) & Neighborhood Art.

- Commission a major piece of iconic, distinctive, exciting artwork that would draw people to Shoreline and provide a sense of pride for years to come. Budget: \$100,000 - \$150,000. The call would involve a national search.
- Collaborate with the City's Neighborhoods Coordinator to activate Shoreline neighborhoods with art such as street furniture painting (either by paid artists or by volunteers), banners, utility box wraps, sculpture projects (temporary and/or permanent), and performance art funded by neighborhood mini-grants. Part of the neighborhoods emphasis would involve equity outreach.

Phase 2: 2019 – 2020: Identify sustainable funding strategies and commission a major installation by a local artist.

- Identify and implement alternate or additional funding sources.
- Commission an additional piece of iconic, distinctive, exciting artwork that would draw people to Shoreline and provide a sense of pride for years to come. Budget: \$40,000. The call would involve a national search but focus on the region. Budget would be dependent on grants and philanthropy.

Phase 3: 2021- 2022: Activate permanent community cultural space in a new community/aquatics center.

- Plan for art space in a new community center (aquatics, recreation, arts & culture). A major focus would be on outreach to artists of color.
- Create a portable works collection (focuses on unique element and avoid duplication with Arts Council collection. Example: Shoreline print collection; Shoreline video art program with flat panel monitors on pedestals for loaning).
- Integrate art into Street Corridor Improvement Projects along 145th, 175th, and 185th Streets.

Ongoing Programs: 2017- 2022:

- Production of an Art Guide / Brochure
- Temporary Sculpture Program (*Artscape* at Town Center Park): pursue new art infrastructure for larger sculptures with electrical power.
- Neighborhood Arts (includes a variety of murals and signal box art as well as equity arts outreach) / Community involvement program (*Piano Time*) (every other year; a Biennale)
- Establish a Shoreline Arts Symposium – 1x/year in partnership with the Arts Council and local arts groups.
- Provide City Staff presence and art expertise as a liaison to Sound Transit subarea planning efforts.
- Nature Art Program (*Groundswell*; temporary work in urban forest parks)
- Indoor Exhibitions at City Hall (includes equity arts component)
- Institute a PRCS Teen Program Youth Arts Exhibition
- Maintain and repair the outdoor art collection
- Work with 4culture to maintain its artworks in Shoreline’s collection, some of which are in need of maintenance or are tagged (*Welcoming Figure*, Steve Brown, Andy Wilbur, Joe Gobin; *Gnomon*, Richard Goss; *The Kiss*, Michael Sweeney, among others).




APPENDIX A: The Collection

An interactive map illustrating locations of each piece of art in the City's collection, as well as artwork in public places but owned by others, can be seen on the City's website at shorelinewa.gov/art.

Public Art Assets

As of August 2015 the City of Shoreline Public Art Collection includes 25 artworks, funded by the Public Art Fund unless otherwise noted:

| | |
|---|---|
|  | <p>Reflex Solaris, Laura Haddad and Tom Drugan, artists <i>concrete, steel, and sun</i> Richmond Beach Saltwater Park 2021 NW 190th St. City of Shoreline 1% for Art Program 2009</p> |
|  | <p>Contemplating the Arc Stuart Nakamura, artist <i>concrete, stone, and steel</i> Echo Lake Park on Ashworth Ave N/Interurban Trail at N 199th St.</p> |
|  | <p>Parade Route, Chris Bennett, artist <i>cast bronze</i> North City neighborhood on 15th Ave NE at NE177th St, NE corner City of Shoreline 1% for Art Program 2007</p> |



[Dew Beads](#), Kristin Tollefson, artist
colored concrete with aggregate, concrete, glass and stones
Hamlin Park 16006 – 15th Ave NE
City of Shoreline 1% for Art Program 2010



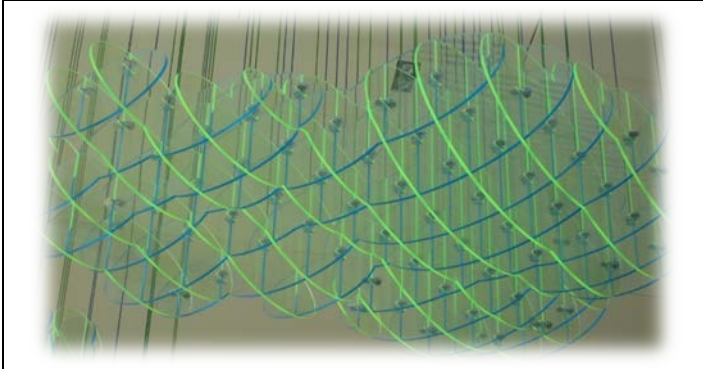
[Ridgecrest Banners](#), Adam Yaw, artist
digital printed fabric
Multiple locations on 5th Ave. between 150th and 165th, and at Ridgecrest School parking lot on 10th Ave NE just north of 165th St.
City of Shoreline Neighborhood Mini-Grant 2008



[Ponies](#), artist unknown
cast bronze
Ronald Bog Park 2301 N 175th St.
Anonymous Donation 1998



[Limelight](#), Linda Beaumont, artist
paint on aluminum
Shoreline City Hall 17500 Midvale Ave N



[Cloud Bank](#), Leo Saul Berk, artist
acrylic and vinyl coated steel
 Shoreline City Hall lobby 17500 Midvale Ave N
 OPUS Northwest LLC design-build 1% construction funds 2009.



[Totem Pole](#), Dudley Carter, artist
carved wood and paint
 Shoreline City Hall lobby 17500 Midvale Ave N
 Anonymous Donation 1998



[Aurora Banners](#), Amanda Drewniak, Susan Lally-Chiu,
 72 poles on Aurora Ave between N145th St & N 205th St
 City of Shoreline 1% for Art Program 2016



[Interurban Trail Bridges](#), Vicki Scuri, artist
concrete, steel, glass, light and greening
 155th Ave N at Aurora Ave N and Aurora Ave N at 160th
 City of Shoreline 1% for Art Program 2007



[Emissary Raven](#), Tony Angell, artist
cast bronze
Interurban Trailhead, N 145th St & Linden Ave N
Donation by Rotary of Shoreline, Shoreline Rotary Foundation and individual Rotary members 2005



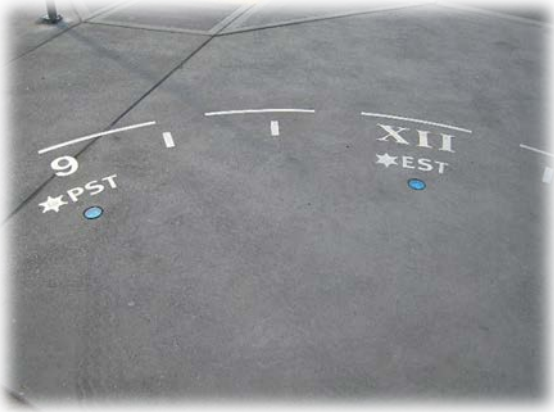


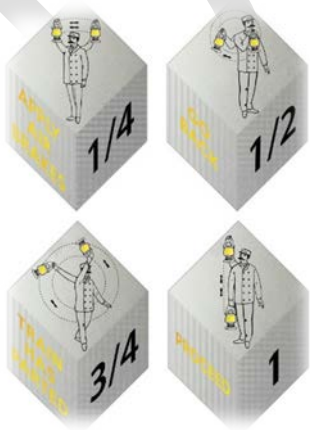
[Raintree](#), Kristin Tollefson, artist
aluminum, glass & concrete
Photo by Kristin Tollefson
Cromwell Park, 18030 Meridian Ave N
City of Shoreline 1% for Art Program 2010





[Traveling Traditions on the Salish](#), David Franklin, artist
steel, stone and paint.
Photo by David Franklin
Kayu Kayu Ac Park, 19911 Richmond Beach Drive NW





[Salmon Hunt](#), James Madison, artist
aluminum
Kayu Kayu Ac Park, 19911 Richmond Beach Drive NW
King County Brightwater Mitigation Program and the City of Shoreline 2010

| | |
|---|--|
|  | <p>Portrait of Shoreline in Time and Space, Ellen Sollod, artist <i>Stainless steel and fused glass sidewalk inlays</i> Aurora Avenue North between 175th and 185th 1% for Art Program and Aurora Avenue project funds 2011</p> |
|  | <p>Area & Zip Codes, Ellen Sollod, artist Aurora Avenue and 185th Street</p> |
|  | <p>Twirl Spin Jump, Virginia Paquette, artist <i>Painted steel</i> Spartan Recreation Center, 202 NE 185th St 1% for Art Program 2011</p> |
|  | <p>Lantern Man Mile Markers, Unearth Collective, artists <i>Steel and paint</i> Interurban Trail in ¼ mile increments starting at N 145th St CleanScapes award & City of Shoreline Parks Department 2012</p> |



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|---|---|
|  | <p>Echo in Time, Andy Eccleshall, The Mural Works <i>Acrylic paint and sealant on concrete</i> 1st Avenue NE and NE 205th St. City of Shoreline Neighborhood Mini-grant and 1% for Public Art Program 2013</p> |
|  | <p>Wood Wave, Bruce Johnson, artist <i>redwood and copper</i> Kruckeberg Botanic Garden, 20312 15th Ave NE Donation to the City by Dr. Bruce and JoAnn Amundson 2013</p> |
|  | <p>The Skater, Kevin Au, artist <i>Painted Steel</i> Kruckeberg Botanic Garden, 20312 15th Ave NE City of Shoreline Purchase, 1% for Public Art Program 2014</p> |
|  | <p>Redwood Lantern, Bruce Johnson, artist <i>Redwood, copper, stained glass</i> Shoreline City Hall courtyard 17500 Midvale Ave N Donation to the City by Dr. Bruce and JoAnn Amundson & an anonymous donor 2014</p> |

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|---|--|
|  | <p>Sunset, Bruce & Shannon Andersen, artists <i>Stainless & cor-ten steel</i> Sunset School Park entryway, 17800 10th Ave NW Funded by a City of Shoreline Neighborhood Mini-grant, The Friends of Sunset Park & the Richmond Highlands Neighborhood Association 2014</p> |
|  | <p>S. Cargo, Karien Balluff, artist <i>Styrofoam, glass, grout</i> 1% for Art Program, 2014-2015 People's Choice Award.</p> |

Art in Shoreline's Public Places
Owned by Other Entities

| | |
|---|--|
| <p>Neighborhoods:</p> | |
|  | <p>Salmon, Victoria Gilleland, artist, and students <i>mixed media on fiberglass</i> Einstein Middle School 19343 – 3rd Ave NW Shoreline-LFP Arts Council Artist in Residence Program</p> |
|  | <p>Edwin Pratt Memorial, Stuart Nakamura, Margarita Hagan and Marsha Lippert, artists <i>mixed media three part installation: stepping stones, plaque and kiosk murals</i> Shoreline Center Soccer Fields 1st Ave NE at 188th Shoreline-LFP Arts Council Artist in Residence Program 1996, 1998, 2000</p> |

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|---|--|
|  | <p>Ridgecrest School Mural</p> |
|  | <p>Ridgecrest Neighborhood Mural Bev Laird & the Community, artists</p> |
| <p>King County Library System:</p> | |
|  | <p>Stoneman Family, Barry Namm, artist stone fountain Richmond Beach Library 19601 21st Ave NW King County Library System Foundation & Friends of the Richmond Beach Library</p> |
|  | <p>Woman Sitting, Sandra Zeiset Richarson, artist cut steel Richmond Beach Library 19601 21st Ave NW King County Library System Foundation & Friends of the Richmond Beach Library</p> |

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|---|---|
|  | <p>The Sea Beside Us., Deborah Mersky, artist <i>laser-cut steel panels</i> Shoreline Library 345 NE 175th King County Library System 2007</p> |
|  | <p>Tailwind by Troy Pillow, artist <i>kinetic artwork</i> Richmond Beach Library (paid for by the Friends of the Richmond Beach Library) 19601 21st Avenue NW King County Library System 2014</p> |
| <p>Shoreline Fire District:</p> | |
|  | <p>Shoreline Fire Dept. Training Center, window and interior pieces, Stuart Nakamura, artist <i>Etched glass window painted wood reception desk treatment - Hand-cut aluminum skylight</i> 17525 Aurora Ave N Shoreline Fire Department Collection 2002</p> |

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|---|--|
| <p>King County Public Art Collection, managed by 4Culture:</p> | |
|  | <p><u>Welcoming Figure</u>, Steve Brown, Andy Wilbur, Joe Gobin, artists <i>cast bronze</i> Richmond Beach Saltwater Park 2021 NW 190th St King County Public Art Collection, managed by 4Culture 1998</p> |
|  | <p><u>Raven and Pheasant: Reflections of Echo Lake</u> by Stuart Nakamura, artist <i>steel and paint: bus shelters, railings and structure exterior works</i> Aurora Village Transit Center N 200th at Ashworth Ave N King County Public Art Collection, managed by 4Culture 2002</p> |
|  | <p><u>Gnomon</u>, Richard Goss, artist <i>cast bronze.</i> Shoreline Pool, 19030 1st Ave NE King County Public Art Collection, managed by 4Culture 1976</p> |

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|---|---|
|  | <p>The Jury, Lynn DiNino, artist <i>painted aluminum</i> King County Court House 18050 Meridian Ave N (Shoreline District Court) King County Public Art Collection, managed by 4Culture 1992</p> |
|  | <p>The Kiss, Michael Sweeney, artist <i>cor-ten steel</i> 2301 NE 175th St, Ronald Bog Park, King County Public Art Collection, managed by 4Culture 1978</p> |
|  | <p>Re-Tire, Carolyn dePelecyn, artist <i>re-cycled tires and Dale Stammen, sound</i></p> |
|  | <p>Cheetah, Lynn Turnblom, artist with Meridian Park Elementary students <i>paint on wood panels</i> Bus shelters: Ballinger Way NE just east of 15th Ave NE /Shoreline-LFP Arts Council Artist in Residence Program King County Public Art Collection, managed by 4Culture 2001</p> |

Not Pictured:

City Hall Diversity Quilt by Marita Dingus

Parkwood Elementary School 1815 N 155th St, Mauricio Robalino, artist & students 1992 *paint on wood*

APPENDIX B: The 2016 Assessment

The 2016 inventory of the collection that ArtSite performed for the City as part of the PROS Plan asset inventory created a priority scale of 1-5, with 5 representing artworks of low priority (that is, work in stable condition) and 1 signifying high priority work (in need of attention for various reasons). ArtSite inventoried 43 artworks, of which 24 are owned by the City (these appear in bold titles in the chart below). In 2014 – 2015, Karien Balluff's *S. Cargo* was purchased by the City and brings the collection to 25 pieces. It should also be noted that the banners along Aurora Avenue, which ArtSite indicated was a top priority due to wear and tear (reaching the end of their 5-year lifespan) are scheduled to be replaced by new work by Susan Lally-Chiu and Amanda Drewniak, in late 2016 / early 2017.

| Artist. Last/first | Title | Medium | Park | Address | Priority Level | Notes |
|--------------------------------------|--------------------------------|--------------------------------------|-------------------------------------|-----------------------------------|-------------------|--|
| Adkison, Drex | Water, Light and Shade | Bronze fountain | Shoreline CC | 16001 Greenwood Ave N | 1 | Nice work of art and should be prioritized. |
| Amoateng, Jessica | Aurora Banners (32) | Silk screen print on fabric | Aurora Ave | N 145th St - N 165th St | 5 | de- accession or replace |
| Anderson, Bruce and Shannon | Sunset | Stainless and corten steel | Sunset School Park entryway | 17800 10th Ave NW | 5 | |
| Angell, Tony | Emissary Raven | Cast bronze | Interurban Trail Head | N 145th St and Linden Ave N | 4 | |
| Au, Kevin | The Skater | Painted steel | | | 3 | |
| Beaumont, Linda | Limelight | Paint on aluminum | Shoreline City Hall | 17500 Midvale Ave N | 1 | Faded. |
| Bennet, Chris | Parade Route | Cast bronze | North City Neighborhood | 15th Ave NE at NE 177th St | 4 | |
| Berk, Leo Saul | Cloud Bank | Acrylic and vinyl coated steel | Shoreline City Hall lobby | 17500 Midvale Ave N | 3 | |
| Brown, Steve; Wilbur, Andy; | Welcoming Figure | Cast bronze | Richmond Beach Saltwater Park | 2021 NW 190th | 1 | Nice work of art and should be prioritized. |

| | | | | | | |
|------------------------------|---|---------------------------------------|---|-------------------------------|---|----------------------|
| Gobin, Joe | | | | | | |
| Carter, Dudley | Totem Pole | Carved red cedar wood, paint | Shoreline City Hall lobby | 17500 Midvale Ave N | 3 | |
| dePelecyn, Carolyn | Re-Tire | Recycled tires | Shoreline Transfer Station | 2300 N 165th St | 5 | |
| dePelecyn, Carolyn | Terra Firma | photograph | Shoreline Transfer Station | 2300 N 165th St | 5 | |
| DiNino, Lynn | The Jury | Painted aluminum | King County Court House | 18050 Meridian Ave N | 1 | Repaint. |
| Eccleshall, Andy | Echo in Time | Acrylic paint and sealant on concrete | Interurban Trail in 1/4 mile increments | 1st Ave NE and Ne 205th St | 5 | |
| Franklin, David | Traveling Traditions on the Salish | Steel, stone and paint | Kayu Kayu Ac Park | 19911 Richmond Beach Drive NW | 5 | |
| Fruge-Brown, Kathleen | Liveable City Banners (45) | Digital printed fabric | Aurora Ave | 175th - 185th | 1 | Needs to be removed. |
| Gilleland, Victoria | Salmon | Mixed media on fiberglass | Einstein Middle School | 19343 3rd Ave NW | 1 | Repair needed. |
| Goss, Richard | Gnomon | Cast bronze | Shoreline Pool | 19030 1st Ave NE | 1 | |
| Haddad-Drugan, Laura and Tom | Reflex Solaris | Concrete, steel and sun | Richmond Beach Saltwater Park | 2021 NW 190th | 3 | |
| Johnson, Bruce | Wood Wave | Redwood and copper | Kruckeberg Botanic Garden | 20312 15th Ave NE | 5 | |
| Johnson, Bruce | Redwood Lantern | Redwood, copper, stained glass | Shoreline City Hall courtyard | 17500 Midvale Ave N | 4 | |
| Madison, James | Salmon Hunt | Aluminum | Kayu Kayu Ac Park | 19911 Richmond | 5 | |

| | | | | | | |
|--------------------|--|--|--------------------------------|---|---|--|
| | | | | Beach Drive NW | | |
| Mandeberg, Jean | Back and Forth | aluminum | WA State Public Health Lab | 1610 N 155th St | 4 | |
| Mersky, Deborah | The Sea Beside Us | Laser cut panels | KCLS/Shoreline | 345 NE 175th St | 5 | |
| Mersky, Deborah | Out of Nature | Bronze wall mural | Shoreline CC | 16001 Greenwood Ave N | 3 | |
| Nakamura, Stuart | Contemplating the Arc | Concrete, stone and steel | Echo Lake Park | Ashworth Ave N/Interurban Trail at N 199th. | 5 | |
| Nakamura, Stuart | Edwin Pratt Memorial | Mixed media on fiberglass | Shoreline Center Soccer Fields | 1st Ave NE at 188th | 1 | Needs to be removed. |
| Nakamura, Stuart | Raven and Pheasant: Reflections of Echo Lake | Steel and paint | Aurora Village Transit Center | N. 200th at Ashworth Ave N | 1 | |
| Nakamura, Stuart | Untitled | Handcut aluminum skylight | Shoreline Fire Dept | 17525 Aurora Ave N | 1 | improperly installed. Needs to be leveled. |
| Namm, Barry | Stoneman Family | Stone | KCLS/Richmond Beach | 19601 21st Ave NW | 5 | |
| Paquette, Virginia | Twirl Spin Jump | Painted steel | Spartan Recreation Center | 202 NE 185th St | 5 | |
| Richardson, Sandra | Woman Sitting | Cut steel | KCLS/Richmond Beach | 19601 21st Ave NW | 2 | |
| Robalino, Mauricio | Mural | Paint on wood | Parkwood Elementary School | 1815 N 155th St | 5 | |
| Scuri, Vicki | Interurban Trial Bridges | Concrete, steel, glass, light and greening | | 155th Ave N and Aurora Ave N at 160th | 4 | |

| | | | | | | |
|--------------------|--|---|---------------------------|--|-------------|---|
| Sollod, Ellen | Portrait of Shoreline in a Time and Space | Stainless steel and fused glass sidewalk inlays | Aurora Ave | 175th - 185th | 5 | only found 1 |
| Sweeney, Michael | The Kiss | Corten steel | Ronald Bog Park | 2301 NE 175th St | 2 | Graffiti tag. |
| Tollefson, Kristin | Dew Beads | Colored concrete with aggregate, concrete, glass and stones | Hamlin Park | 16006 15th Ave NE | 2 | Dirty. Needs to be cleaned. |
| Tollefson, Kristin | Raintree | Aluminum, glass & concrete | Cromwell Park | 18030 Meridian Ave N | 4 | |
| Turnblom, Lynn | Cheetah | Paint on wood panels | Bus shelters | Ballinger Way NE, just east of 15th Ave NE | not located | |
| Unearth collective | Lantern Man Mile Markers | Steel and paint | Spartan Recreation Center | 202 NE 185th St | 5 | |
| Unknown | Ponies | Cast bronze | Ronald Bog Park | 2301 N 175th St | 4 | Needs signage to not use as a billboard with adhesive tape. |
| Yaw, Adam | Ridgecrest Banners | Digital printed fabric | Ridgecrest School | 10th Ave NE just north of 165th St | 5 | |

Strengths of Collection; Areas to Improve

Shoreline's Collection exists in part due to its commitment to the arts and its 1% funding program. It includes works of large scale and small, amounting to about half of the work that is accessible to the public (other entities own the other 50% and while technically part of the collection, these works are not discussed below). Since monetary value is important in

establishing relative worth and investment (see the stated \$5 million value of Shoreline's trees in the 2014 Urban Forestry Plan, for example), it should be clarified that the city's 25 artworks are worth a rough estimate of about \$2.5 million, although it will require professional assessment to confirm or revise that figure. (Estimated contract for assessing value of the collection is \$20,000.)

Overall diversity of style and media are a strength of the collection, as well as a solid representation of regionally and nationally recognized artists like Leo Berk, Dudley Carter, Tony Angell, Ellen Sollod, Vicki Scurri, Haddad—Drugan (team), David Franklin, Stuart Nakamura, and Kristin Tollefson. Despite some nods toward Coast Salish art in the work of Euro-American artists (Dudley Carter, David Franklin) Coast Salish artwork is in general underrepresented, although Andy Wilbur, one of the carvers for *Welcoming Figure* at Saltwater Park (managed by 4Culture), identifies as Skokomish. .Broadly speaking, the work is often figurative and representational (with notable exceptions in more abstract work by Vicki Scurri, Haddad-Drugan; Ellen Sollod; Bruce and Shannon Anderson; and Virginia Paquette). Kinetic work, or work that incorporates LED lighting technology and/or solar-power, is also noticeably absent in a city that prides itself on its green, low-carbon footprint. Light, sound, and space are less typical forms of permanent public art and projects that explore alternatives to large 'plop art' objects would help distinguish the city and present a level of sophistication that many associate with Edmonds or Seattle.

Shoreline's strong interest in local history (Shoreline Historical Museum) also offers an excellent resource for history-based projects that bring the past to life in the present. Northwest Art is nationally recognized for an attention to traditionally craft-based materials that are recontextualized as fine art, especially glass (Pilchuck Glass School, one of the leading glass centers in the world, is only 40 miles north of Shoreline) but also wood and ceramics. Artistic practice in the Northwest is frequently process-based, with an interest in research, science-as-art, and themes of nature (Northwest Mystics).

The City has the potential to create an equally important collection of portable work for display in city-owned properties. The Arts Council has a portable works collection that was expanded in the 1990s and is a resource designed to offer the City a collection of indoor art.

It is recommended that the City create a Portable Works Collection for City Hall as well as other city owned properties, possibly with a special focus to help differentiate its indoor collection from the Arts Council's collection as well as other cities'. For instance, this could be a unique collection of works on paper, prints; or a video art collection that would loan out flat panel monitors. Current visitation of rotating exhibitions in City Hall is about 10 per week with up to 100 Shorewood High School students every three months in the spring.

Future locations

During the early phase of 1% expenditures, a lot of energy was devoted to studying the Town Center Park between Midvale Ave and Aurora Ave (north of 175th, south of 182nd), including original architectural drawings of landscaping and a major artists-commissioned water feature. Development has lagged however, and today the space is a basically a transportation corridor awaiting further land ownership changes.

Light rail stations at 145th and 185th (2018) will both have significant public art installations (Buster Simpson and Mary Lucking); the Shoreline Center is owned by Shoreline Schools and will likely be developed by them as thousands of residents move in to take advantage of the light rail service and livability associated with it.

Revisions to the Public Art Policy in 2013 also began to dilute the earlier interpretation of the 2002 1% Policy as requiring major commissions to be placed within the immediate locale of the project. For perhaps a decade, it was assumed that 1% funds would be directed at the immediate vicinity for the projects that initiated them. However, this creates an unequal distribution of public art dollars across the city, leaving farther-flung neighborhoods without the benefit of public art projects.

The city's marine frontage is a tempting location for public art, although the environmental requirements for placement in the intertidal zone may be daunting. Even so, a tidally-powered artwork would be unique in the region and would help give Shoreline and international reputation for bold and exciting 21st century public art. As an aid for future planning, the Public Art Archive maintained by the Western States Art Federation provides an excellent resource: <http://www.publicartarchive.org/>.

APPENDIX C: Public Involvement Process

April 30th Stakeholders' Meeting

At this early meeting, about 15 participants emphasized three broad areas of concern for public art: Understanding the scope of cultural services in a broad sense; the need for a space or multi-use cultural center; and the precarious nature of a funding mechanism overly reliant on a sporadic CIP supported Art Fund. A representative from the Aurora Theater Company presented a specific proposal for an outdoor theater venue at Shoreview Park.

PROS Plan Meetings and Survey, April – June 2016

In these meetings, the public was asked to reflect on challenges to public art, as well as what public art meant to them as residents -- among a host of other questions focusing on parks and recreation. A PROS Plan online survey gathered results from April through the end of June and included several questions specific to public art. While only about 2% of respondents mentioned viewing public art or attending and outdoor performance, almost half (45%) participated in recreation/cultural programs, a more broadly defined range of activity that nevertheless includes cultural services in terms of special events and musical performances. 16% had taken art classes or been to an event or festival.

Interestingly, 40% had attended a civic event, festival, parade, or presentation in Shoreline (Question 10). While only 15% had visited art museums, galleries, exhibits or festivals in Shoreline, 42% had visited these cultural venues outside of the city (ibid.). The comparison between what is available in the city and what is available on a larger scale beyond its boundaries implicitly points to larger patterns and areas for the Art Plan to address, particularly the fact that most respondents attended arts exhibitions outside the city, and may not be aware that a civic event represents a certain level of cultural service. As a reflection of advocacy, 30% said they belonged to or supported an arts organization, with about 10% in Shoreline and 20% outside. A generally similar breakdown (8%, 19%) reflected answers to the question of whether respondents had “watched artists make art or rehearse performances.” Overall, many respondents seek arts and culture programming beyond the city, a trend we would like to see shift so that more people can take advantage of local resources.

Arts and culture events (30%, n=170) were almost equally valued as “integrating artwork in parks and public spaces” (28%; 158) in response to a question about weighing the relative importance of various aspects of art in public spaces (question #13). Almost 70% of respondents (67%) replied that they would “really like” (36%, 144) or “consider” permanent art works, while nearly 60% (57%) replied that “temporarily [sic] elements” (i.e., temporary artwork) would be worthwhile, with 23% (90) ranking it as something they would “really like” and 34% deeming temporary art worthy of consideration (question #s 22, 23). An outdoor performance space produced the highest values of all at a combined 70% (33% ‘really likes’ and 37% ‘consider’).

It's worth remarking that *events* are of particular interest to Shoreline residents and may have greater visibility as cultural service in action, whereas art exhibition openings, for example, are much less familiar (not to mention far less visible in terms of publicity). In other words, "events" (rather than exhibitions, workshops, museums, or as static sculptures in parks) are likely where most residents self-realize that they are experiencing arts and cultural services.

Public Art Forums

Just as the previous six-year plan included two 'creative conversations,' the current plan held two public art forums to help shape ideas and priorities. The first, held on May 10, attended by about 15 people, laid the groundwork for the subsequent forum on September 29 by generating ideas to respond to the April 30 meeting 'findings,' that primary challenges clustered in three categories: 1) the scope of cultural services in a broad sense; 2) the need for a space or multi-use cultural center; and 3) the precarious nature of a funding mechanism overly reliant on a sporadic CIP supported Art Fund. The May 10 Art Forum established three critical areas to develop: community-based, neighborhood programming; public-private partnerships; and opportunities for individual artists.



May 10 Public Art Forum

Public Art Forum 1, May 10

The first forum was primarily a visioning session to gauge interests in stakeholders, art patrons, artists, and the general public.

Participants had the choice of joining one of three breakout groups with the following results:

1. Community-based Arts

- Easy access to small grant funds (\$100+, 1-page online app.)
- Maker space
- Workshops, classes for artists / adults (wood carving, pottery, short video & film, etc.)
- Artists networking opportunities
- Blueprint for neighborhood arts activation
- Shoreline artist studio tour
- Pop up events, performances, exhibitions
- City art event / neighbors making art together / trade bazaar

2. Permanent Commissions / Public + Private Partnerships

- Partnership grants
- Leverage existing public assets (parks, infrastructure)
- Continue expanding permanent art along Aurora corridor
- Promote city industries (media, solar, film)
- Create private investment opportunities (naming rights, logo placement, expanding customer base)
- Energize new 501c3s and non-profits
- Expand public investment

3. Artists

- Studio space / gallery space / exhibitions / arts hub
- Art walks / night market
- Maker space with STEAM curriculum
- Awareness, newsletter
- Affordable housing
- Networking / finding other artists
- Grant workshops, prof. development seminars from city

Much of the input spoke to the great strides Shoreline has made with its public art program since incorporation. The public seems pleased with the quality and diversity of the collection. However, there was a strong desire for more public art as well as more opportunities for performances and participation in all the arts, creating general arts vibrancy in Shoreline.

Based on public input, areas that can be strengthened include venues for visual art exhibitions and small performances, venues for artists to create art and for public participation in creating art, opportunities for artist to gather for conversations, additions to the public art program both in terms of funding sources and the locations/neighborhoods served by public art installations. Neighborhoods currently underserved by public art include Hillwood, Ballinger, Innis Arden, and

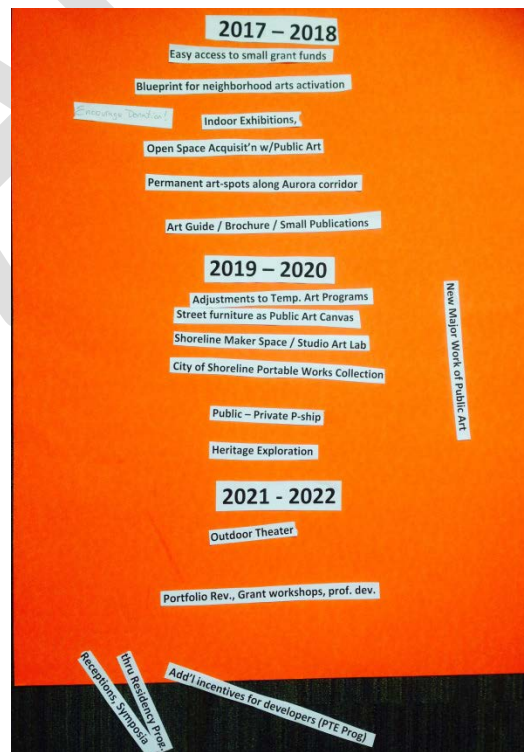
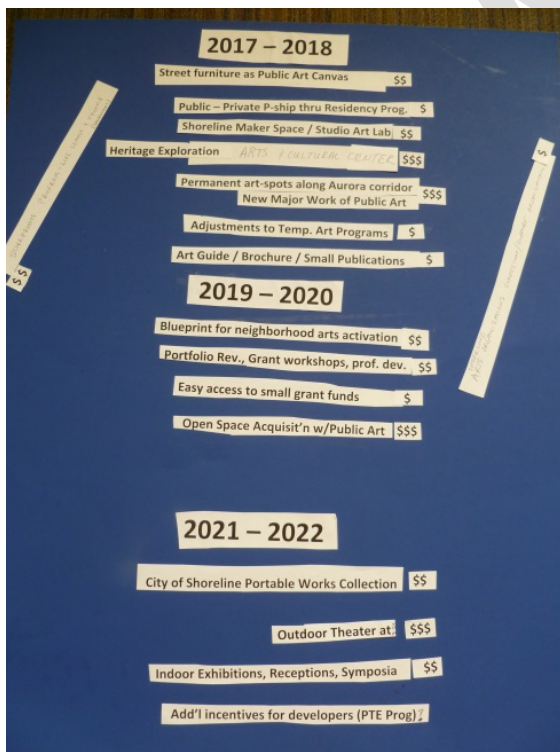
North City. There was strong support for an “arts-filled” city with an initial focus in the Town Center area with both temporary and permanent work.



July 13 PROS Intercept



September 29 Public Art Forum



Posters from September 29 Art Forum

Public Art Forum 2, September 29

Five teams (4-5 people each) of local arts and culture advocates and stakeholders (including 12 local artists, almost half of the audience) were asked to prioritize a complex group of 16 program descriptions developed from the earlier May 10 Art Forum. Program descriptions varied from smaller scale (neighborhood art, street furniture, brochure, temporary art, indoor exhibitions); to programs for artists (small grants, studio space, theater space, professional development); to administrative / curatorial (arts diversity or heritage exploration, public-private partnerships, Open Space acquisition; Developer incentives add-ons to Property Tax Exemption program); and larger scale (major artwork commission, permanent art along Aurora). New ideas continued to be generated, as artists introduced the storefronts model, a maker space, and partnerships with businesses wanting local artwork, a donation system, and a citywide arts organization yearly symposium.

By placing the many programs into three slots of early (2017-2018), middle (2018-2019), and late (2020-2022), participants also began to formulate an integrated plan where smaller, perhaps more affordable programs are quickly implemented, followed by perhaps more expensive, time consuming projects that require longer periods of time to foster. Figure 7 below represents one of the sequenced lists of programs that participants worked to paste down on poster boards. A passion vote could be placed to one side where consensus had been difficult; groups could also invent their own programs. Important as the results of the two forums and the public feedback is, we should keep in mind that the desired outcome is not necessarily to prioritize programs that happened to get the most votes by consensus (who showed up that night) but to take this into context along with goals from others who could not attend but sent comments, or did not attend because they lacked cultural access for a variety of reasons. Participants also had the option of submitting hard copies of their rankings of programs; (the City received 14 of these completed forms and the analysis is also based on this data.

A basic pattern of placing almost half of the total programs in the first few years, and comparatively few in the final stage, also emerged. Participants trended toward the following five programs as immediate priorities to begin work on in 2017-2018:

- Neighborhoods Arts activation
- Open Space Acquisition with a public art component
- Art Guide / Brochure to Public Art Program
- Small grants for Shoreline artists, musicians, performers
- Permanent art along Aurora Avenue

Almost making the list but not quite as popular as these first five, arts diversity or heritage exploration received a substantial amount of interest, reflecting a similar goal as expressed in the city's *Vision 2029* Statement.

The pattern of prioritizing second-phase programs (2019-2020) was more diffuse, without the clear clustering that defined phase 1. Three programs emerged as consensus phase 2 priorities, with the category of "space" lumping together four other programs:

- Street-furniture program (utility boxes; fire hydrants; bike racks, etc.)
- Business development for artists (portfolio review, artist statement, public art)
- Space (Maker-space; cultural space; indoor exhibitions; outdoor theater)

Rankings were similarly disparate for the third phase (2021-2022), with clusters in the following program choices:

- Adjustments to temporary art
- Portable works collection

Overall, it is instructive that what we do NOT see as a clear consensus priority is a major commission, although groups had a preference for a series of permanent work along Aurora Avenue. (The distinction between a single major piece and a series of smaller permanent pieces, their placements, and frequency over time, and other details would likely be worked out by the Park Board Art Subcommittee). As previously noted, consensus is useful in determining broad areas of agreement, but does not capture the complete dynamics of informed choice. While the Park Board Art Committee voted on September 15 to make a major permanent artwork commission a priority, the overall reflection from Art Forum 2 is less enthusiastic about spending a large portion of the Art Fund on a single object. Perhaps even more evident is the general agreement that neighborhood and community-based arts, including small grants for artists, remain paramount in the minds of participants. Temporary art projects, which supporting documents explained as popular programs like Piano Time, were not as important to the participants despite robust feedback from the community at large that these programs are valued and enjoyed.

'Pop-up' Surveys at Public Art Events (January 30, July 30)

These informal surveys at city-sponsored public arts events (opening receptions and a poetry reading / performance) similarly asked participants to respond to a series of prompts on a hand out with rankings. Goals for these surveys addressed convenience of scheduled events; gauged interest level in panels and asked for feedback on the quality of exhibitions. Responses were overall very positive, encouraging of similar group exhibitions with Thursday night receptions configured as short panels.

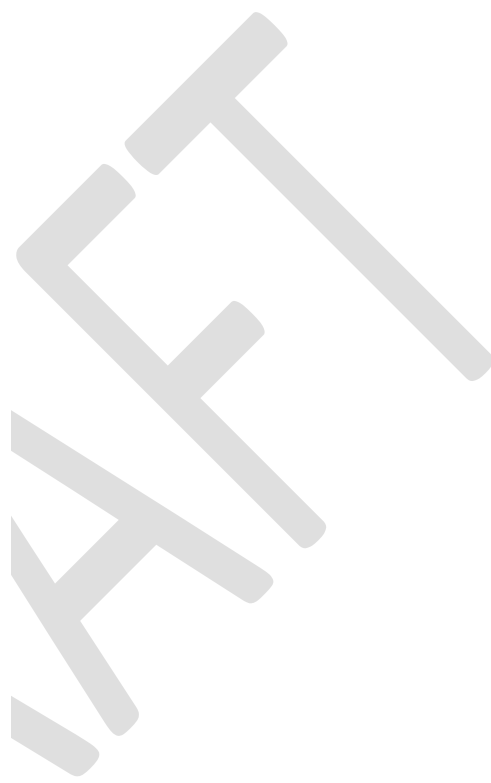
Attendance for the "Mid-Summer Arts Eve" poetry reading by Shin Yu Pai, estimated at 30, also resulted in 11 hard copy responses to a query about ranking seven different programs, from permanent art to temporary, grants, literary readings, indoor exhibitions, performances, and murals. Interestingly, participants had learned of the event from half a dozen sources, from word of mouth to city e-news, city website, Shoreline Public Art Facebook, Shoreline Living Facebook, and Shoreline Area News. Among the replies, literary art, performances, indoor exhibitions, and grants for artists were preferred over Temporary art and permanent art, perhaps reflecting the focus of the event itself on poetry and exhibitions.

APPENDIX D: Comparative Municipal Public Art Funds

| Comparative Municipal Public Art Funds | | | |
|--|--|---|--|
| CITY | FUNDING SYSTEM | QUALIFYING CAPITAL PROJECTS | EXEMPTED |
| Auburn | 1% of project construction budget and Straight allocation from CIP Fixed annual amt: \$30K | New buildings | Public infrastructure improvements (street right-of-way, storm, water, sewer projects) |
| Bellevue | Straight allocation from CIP Fixed annual amt: \$350K | No % formula | N/A |
| Burien | 1% of project construction | Construction or renovation Buildings Parks Transit centers | Decorative structures, streets, sidewalks, parking facilities |
| Des Moines | No program. | | |
| Federal Way | 2% of project construction | Construction or substantial renovation ("substantial" means in excess of \$25,000) Buildings Decorative/commemorative structures Parks | Streets, sidewalks, plg. facilities, utilities |
| Kent | \$2 per budget year for each city resident | No % formula | N/A |
| Kirkland | 1% of project construction | CIP projects budgeted at \$500,000 or more | Motorized transportation, utilities, land acquisition, projects w/only planning dollars, and those where 100% of all funding sources prohibits public art as eligible expense. |

| | | | |
|--------------|--|---|--|
| Maple Valley | .25 per each budget year for each city resident and up to 1% of project construction | Construction or substantial renovation Buildings Structures Park Trail Street Sidewalk Parking facility | Streets, sidewalks, pkg facilities, utilities. |
| Redmond | 1% | CIP projects budgeted at \$100,000 or more Construction or remodel Buildings Decorative/commemorative structures Parks | |
| Renton | 1% | Construction or renovation Buildings Decorative/commemorative structures Parks Streets Sidewalks Parking facility | Water and sewer utility projects |
| Seatac | No ordinance, but practice of setting aside 1% and/or using general fund money | Large park construction projects | Streets, sidewalks, pkg facilities |
| Shoreline | 1% | Construction Buildings Decorative/commemorative structures Parks Streets Sidewalks Parking facility Renovation Where cost exceeds 50% existing value of structure | |

| | | |
|----------------------------|-------|---|
| Seattle | 1% | Construction, renovation, or increased capacity Seattle City Light & Public Utilities Dept of Administrative Services Seattle Center Seattle Parks and Recreation Dept of Transportation |
| 4 Culture (King County) | 1% | "Pretty much all capital construction" |
| ArtsWA (State of Wash) | 0.50% | New buildings |



CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

| | |
|----------------------|--|
| AGENDA TITLE: | Discussion of Resolution No.405 adopting a new Public Art Policy pursuant to SMC 3.35.150 |
| DEPARTMENT: | Parks, Recreation and Cultural Services |
| PRESENTED BY: | Eric Friedli, PRCS Director David Francis, Public Art Coordinator |
| 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: On August 26, 2002, the City Council adopted Ordinance No. 312, establishing a Municipal Art Fund and codifying regulations to implement the fund at Shoreline Municipal Code (SMC) 3.35.150. As provided in SMC 3.35.150(A), all expenditures from the Municipal Art Fund are restricted to those approved through a Public Art Policy that was approved by the City Council.

The City’s Public Art Policy needs to be updated to better reflect the actual processes currently involved in bringing public art to Shoreline. Resolution No. 405 will adopt a revised Public Art Policy meeting the requirements of SMC 3.35.150(A). If approved by Council, Ordinance No. 770 will repeal all previous Public Art Policies.

PRCS staff has worked with the PRCS/Tree Board and the Public Art Subcommittee to develop this recommended Policy. At its January 26, 2017 meeting the PRCS/Tree Board voted unanimously to endorse the proposed Public Art Policy as reflected in Resolution No. 405.

RESOURCE/FINANCIAL IMPACT:

There is no financial impact associated with this action.

RECOMMENDATION

No action is required by the City Council. This item is for discussion purposes only. Proposed Resolution No. 405 (Attachment A) is scheduled to return to the City Council for adoption on March 6, 2017.

Approved By: City Manager **DT** City Attorney **MK**

ATTACHMENTS

- Attachment A: Resolution No.405 adopting a Public Art Policy pursuant to SMC 3.35.150
- Attachment B: 2009 adopted Public Art Policy comparison with proposed 2017 revisions to the Public Art Policy

INTRODUCTION

Shoreline Municipal Code (SMC) 3.35.150 requires all expenditures from the Municipal Art Fund be approved through a Public Art Policy approved by the City Council. The City's Public Art Policy needs to be updated to better reflect the actual processes involved in bringing public art to Shoreline.

If approved by the City Council, Resolution No. 405 will adopt a revised Public Art Policy, meeting the requirements of SMC 3.35.150(A). If approved by the City Council, Ordinance No. 770 will repeal all previous Public Art Policies. PRCS staff has worked with the PRCS/Tree Board and the Public Art Subcommittee to develop this recommended Public Art Policy. At its January 26, 2017 meeting the PRCS/Tree Board voted unanimously to endorse the proposed Public Art Policy.

BACKGROUND

On August 26, 2002, the City Council adopted Ordinance No. 312, establishing a Municipal Art Fund and codifying regulations to implement the fund in SMC 3.35.150. Ordinance No. 312 specified that expenditures from the Municipal Art Fund are restricted to those approved through a Public Art Policy that was approved by the City Council. Ordinance No. 312 also adopted the City's Public Art Policy, which was filed under City Clerk's Receiving No. 1883 (2002 Public Art Policy). On July 27, 2009, the City Council, by motion, adopted an updated Public Art Policy (2009 Public Art Policy).

In 2012 the PRCS Board reviewed the Public Art Policy and on January 24, 2013, the Director of Parks, Recreation, and Cultural Services Department amended the 2009 Public Art Policy (2013 Public Art Policy), which was filed under City Clerk's Receiving No. 7364, but was not submitted to the City Council for approval. Recognizing that SMC 3.35.150(A) requires the Public Art Policy to be approved by the City-Council, Parks staff utilized the 2009 Public Art Policy as the basis for proposing amendments. If approved by the City Council, Ordinance No. 770 will repeal all previous Public Art Policies.

In 2016 PRCS staff, as part of its process to update the City's Parks, Recreation and Open Space Plan (PROS Plan), began a process to update the Public Art Plan as well. The community outreach and participation for the PROS Plan incorporated gathering input for the Public Art Plan, a plan required by the Public Art Policy and provides for annual and six-year financing. Through the PROS Plan and Public Art Plan process, the need to update the Public Art Policy was identified. The Public Art Plan update is being forwarded to the City Council as Resolution 404 simultaneous with this proposal for an updated Public Art Policy.

DISCUSSION

The proposed revisions to the 2009 Public Art Policy are shown in redline version in Attachment B. The proposed revisions were unanimously supported by the PRCS/Tree Board at its January 26, 2017 meeting.

Minor grammar and spelling changes were made throughout the proposed Policy.

Substantial changes are presented by section below.

DEFINITIONS (Section 2.0):

Expanded definition of Public Art (Section 2(A)). The definitions were expanded with examples and some were added to give a more complete understanding of what types of public art have been considered by the public art program in recent years.

Deleted definition of Art Committee (Section 2(C)). The proposed Policy deletes reference to the Public Art Committee throughout the document. This proposed change is paired with the addition in the Policy Section 3.0 of a new policy statement (M) which states that the “PRCS/Tree Board serves in an advisory capacity on Public Art within Shoreline.” The intent behind this change is to be clear that the PRCS/Tree Board is charged with providing advice on public art. This does not preclude the PRCS/Tree Board from establishing a subcommittee on public art within the authority of its own by-laws. This step will help clarify the responsibility of the PRCS/Tree Board and elevate the consideration of issues around public art to the same level as other parks and recreation issues. .

In addition to clarifying the role of the PRCS/Tree Board the proposed policy also clarifies the role of Art Selection Panels in renumbered section 5.0. One of the important roles of the Art Committee was to select art for permanent and temporary displays. For example the Art Committee recently reviewed artists for the banners along Aurora. The renumbered section 5.0 clarifies the establishment of Art Selection Panels and their role in reviewing proposals and advising the PRCS/Tree Board on selections.

Added definitions for Emerging Artist (F), General Capital Fund (H), and Public Art Coordinator (L), Significant Public Art (M).

POLICY (Section 3.0):

Siting of public art (A). This policy states that Public Art will be located in places easily accessible to the public. The proposed revisions adds an exception that would allow for special kinds of art such as eco-art or art that may intentionally be hidden - making art a part of a discovery process. The exceptions would require the approval of the PRCS Director.

New Policy statement - Role of the PRCS/Tree Board (M). This new policy statement clarifies that the “PRCS/Tree Board serves in an advisory capacity on Public Art within Shoreline.”

ANNUAL ART PLAN ADMINISTRATION (Section 5.0):

Section 5.0 Annual Art Plan Administration is deleted entirely. This section charged the Art Committee with developing an annual Art Plan, presenting it to the PRCS/Tree Board who then makes a recommendation to the City Manager. The City Manager was directed to include the Art Plan recommendations in the annual budget presented to the City Council. The City Council is called on to consider the Art Plan as part of the Council’s budget review.

This process is cumbersome and inefficient and has not been adhered to. The development of the annual art program work plan is typically done in the fall along with work planning for the other PRCS programs.

As indicated earlier a six-year Public Art Plan is proposed to be adopted simultaneously with this Policy that includes a work plan for the public art program. That Plan, if adopted by the Council, will provide guidance for the art program. The PRCS/Tree Board will review its implementation over time.

PUBLIC ART ACQUISITION PROCEDURE (Renumbered Section 5.0):

Numerous changes through this section clarify the role of the Public Art Coordinator and the Art Selection Panel. When there is an opportunity to select an artist or piece of art the Public Art Coordinator advises the PRCS/Tree Board who then decides on the selection process and criteria and the structure of the Art Selection Panel. The Public Art Coordinator then works with the Panel to review and select the artist(s) or art to recommend to the PRCS/Tree Board for final selection. The process does not change from the existing policy but the responsibilities are clarified.

STAKEHOLDER OUTREACH

The proposed Public Art Policy was reviewed by the Public Art Subcommittee on January 19, 2017 and the PRCS/Tree Board on January 26, 2017.

The Art subcommittee was generally supportive of the proposed changes to the Public Art Policy but would like to see a higher level Art Commission established by the City Council and would like to see funds from the Municipal Art Fund restricted to just major pieces of art. They suggest that the General Fund ought to be used to fund staff and temporary art programs.

The PRCS/Tree Board voted to unanimously support the Public Art Policy as proposed. The Board recognized the process involved in developing the policy changes and were pleased with the compromises and outcome. The Board believes the Municipal Art Fund is appropriately used for supporting temporary art programs that typically supports neighborhood desires and needs.

RESOURCE/FINANCIAL IMPACT

There is no financial impact associated with this action.

RECOMMENDATION

No action is required by the City Council. This item is for discussion purposes only. Proposed Resolution No. 405 (Attachment A) is scheduled to return to the City Council for adoption on March 6, 2017.

ATTACHMENTS

- Attachment A: Resolution No.405 adopting a Public Art Policy as provided SMC 3.35.150
- Attachment B: 2009 adopted Public Art Policy comparison with proposed 2017 revisions to the Public Art Policy

RESOLUTION NO. 405

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHORELINE, WASHINGTON, APPROVING A PUBLIC ART POLICY AS PROVIDED IN SMC 3.35.150.

WHEREAS, on August 26, 2002, the City Council adopted Ordinance 312, establishing a Municipal Art Fund and codifying regulations to implement the fund at Shoreline Municipal Code (SMC) 3.35.150; and

WHEREAS, as provided in SMC 3.35.150(A), all expenditures from the Municipal Art Fund are restricted to those approved through a Public Art Policy approved by the City Council; and

WHEREAS, the City's Public Art Policy needs to be updated to better reflect the actual processes involved in bringing public art to Shoreline;

WHEREAS, the Parks, Recreation and Cultural Services Department worked with the community, the Parks, Recreation, and Cultural Services Board and its Public Art Sub-Committee to develop a Public Art Policy so as to create a vision for implementing the City's goals for public art; and

WHEREAS, on February 13, 2017, the City Council held a study session on the proposed Public Art Policy; and

WHEREAS, the City Council has considered all relevant information in the public record and all public comments, written and oral; and

WHEREAS, Ordinance No. 770 has repealed all prior public art policies;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SHORELINE, WASHINGTON, HEREBY RESOLVES AS FOLLOWS:

Section 1. Public Art Policy. The City of Shoreline Public Art Policy as set forth in Exhibit A to this Resolution is approved as the City's Public Art Policy. As required by SMC 3.35.150(A), all expenditures from the Municipal Art Fund shall be restricted to those approved through this policy.

Section 2. Corrections by City Clerk or Code Reviser. Upon approval of the City Attorney, the City Clerk and/or the Code Reviser are authorized to make necessary corrections to this resolution, including the corrections of scrivener or clerical errors; references to other local, state, or federal laws, codes, rules, or regulations; or resolution numbering and section/subsection numbering and references.

ADOPTED BY THE CITY COUNCIL ON March 6, 2017.

Christopher Roberts, Mayor

ATTEST:

Jessica Simulcik Smith, City Clerk

Shoreline Policy and Procedure
Public Art Policy and Procedures

| | |
|--------------------------------------|--|
| Category and Number: | Receiving Number: Resolution 405 |
| Code and statutory authority: | Authorized: |
| Supersedes: | Effective Date: Month Day, Year By: Name , Title Name , Title |

VISION:

The City of Shoreline believes in the power of art in public places to draw people together, create vibrant neighborhoods where people desire to live, work and visit, and stimulate thought and discourse by enhancing visual interest in the built and natural environment. Art is part of the cultural thread that ties generations and civilizations together, creating opportunities for expression, reflection, participation and a landscape that is uniquely Shoreline. To this end our vision is that:

- art will integrate into all aspects of community life
- art will enhance public spaces, both municipally and privately owned
- public art will reflect the diversity of the community
- public art will meet high artistic standards
- public art will engender thought, conversation and enjoyment

1.0 PURPOSE:

To implement the purpose of the Municipal Art Fund to expand awareness and appreciation of art and cultural heritage, and enhance the enjoyment of public places throughout the City of Shoreline by providing a plan and procedure by which the City will acquire, accept and advocate for works of art as part of its permanent and temporary collection, and encourage, facilitate and support privately owned art in public places.

2.0 DEFINITIONS:

A “Public Art”: All forms of original creations of art in locations that are accessible to the public in City or privately-owned facilities, including parks. Public Art includes, but is not limited to:

Visual Art

- Dance, Theater, and Performance
- Painting, photography, drawing, collage, mixed media, encaustic, prints, and the myriad other forms of both two and three-dimensional artworks, mostly portable, but also in large scale format.

- Sculptural objects (includes a variety of scale, from large earthworks and landscape art, to monuments and statues, to water features, to smaller pieces displayed in vitrines; of any material and inclusive of kinetic, functional, interactive, and/or multimedia components; inclusive too of traditionally-regarded crafts such as wood carvings, glass and ceramics, textiles and fabric, and the like).
- Murals, Vinyl Wraps, Banners (murals can be applied to walls by a variety of means, inside or outside; wraps and banners refer to decorative embellishments of the built environment and urban furniture and can include painted fire hydrants, sidewalk chalk art, etc.).
- Art exhibitions (by definition, these public and accessible displays of both two and three-dimensional artworks – often comprised of a group of artists organized around a curatorial theme -- collectively form an important category of temporary public art, especially in Shoreline where there are as yet no commercial art galleries and no venues for the display of curated exhibitions).
- Community-based art (a wide variety of artistic practices that involve embedding in community groups, often with an explicit social message, with the visual art often serving a subsidiary function).
- Signage, calligraphy, text (does not include advertising or billboards as such, but conveys an easily observable artistic component that is not specifically designed to sell a product).
- Experimental geography, mapping, walking (relatively recent art forms that combine a multidisciplinary approach to visual art making that borrows from geography, mapping, GIS, orienteering, wayfinding, and navigating urban space).
- Conceptual, installation, time-based, emerging, new media (new forms of art are constantly developing as technology and culture foster experimentation. Augmented reality is a good example).

Non-Visual Art

- Sound art (examples might include ambient noise that an artist manipulates or curates for audiences to listen to; experiments with sonic waves, and other forms of auditory stimulus).
- Music
- Literature
- Community-based art (as above, though without the production of visual objects; thus, a song or narrative developed by an artist or artist group with direct engagement with a social group).

- Art exhibitions (see above, but with an emphasis on non-visual art forms, such as a sound-art group show).
- B. Significant Public Art: A piece of Public Art that is funded by the Municipal Art Fund and that is anticipated to cost \$20,000 or more.
- C. Acquisition: Procurement of works of Public Art for the City of Shoreline’s permanent and temporary collections. This includes commission through open competition, limited competition, invitation, donation, direct purchase or any other means.
- D. Art Selection Panel: A Panel of arts professionals, artists and community representatives appointed by the PRCS/Tree Board who participate in the selection process of artists and artwork for significant Public Art projects.
- E. Artist: A recognized professional who produces quality artwork on a regular basis.
- F. Emerging Artist: An artist may be “emerging,” if she or he does not yet have a significant body of work, or is not well established.
- G. Public Art Plan: A plan approved by the City Council outlining the direction for the City of Shoreline’s public art program including a work plan for the expenditures of the Municipal Art Fund.
- H. General Capital Fund: the City’s pooled source of funding generated by taxes.
- I. Project Architect: The person or firm (architect, landscape architect, interior designer, or other design professional) designing the project to which the 1% for Art provision applies.
- J. Municipal Art Fund: A special fund Created by Ordinance No. 312 for appropriations and donations of funds for Public Art.
- K. De-accessioning: A procedure for removing and disposing of artwork from the City’s permanent collection.
- L. Public Art Coordinator: The City of Shoreline employee designated by the PRCS Director to oversee and coordinate the City’s public art program.

3.0 POLICY:

- A. The public art program will be guided by the city’s Public Art Plan.
- B. Public Art will be placed in areas that are easily accessible to the public with frequent viewing opportunities. Exceptions may occur, with the approval of the PRCS Director, for special kinds of art such as eco-art or deliberately “hidden” artwork.
- C. The City will acquire and display Public Art for the benefit, enjoyment and education of all of its citizens.

- D. Public Art should speak, in a significant way, to a large portion of the population. Public Art should bring meaning to public spaces and make them more engaging.
- E. Public Art that reflects the rich diversity of the community should be encouraged.
- E. Public Art acquired by the City will be of high quality.
- G. The selection and acquisition process will encourage the creation of many types of art works.
- H. The selection procedure for Significant Public Art will consider input from stakeholders including the City through the PRCS Board, the Shoreline-Lake Forest Park Arts Council, the arts community, the general public, and the business community.
- I. Whenever appropriate, the selection process will encourage collaboration between artists and design professionals, including architects, landscape architects, project managers and engineers.
- J. Selection procedures will establish specific criteria for the acceptance of gifts or the long-term loan of Public Art to the City.
- K. Public Art acquired under this policy will become a part of the City collection as an asset of the City that will be thoughtfully sited or displayed, properly maintained, and insured as appropriate.
- L. The City will establish and maintain complete records that include documents transferring title, artists' contracts, reports, invoices, and other pertinent material.
- M. Works of art will be acquired or accepted without legal restrictions about use and disposition, except with respect to copyrights, or other specifically defined rights as part of the contract negotiated with the artist.
- N. As part of its duties to provide input to staff and the City Council on parks maintenance and operations, design matters, programs and services in sports, leisure and cultural activities the PRCS/Tree Board serves in an advisory capacity on Public Art within Shoreline.

4.0 USE OF THE MUNICIPAL ART FUND:

- A. The Municipal Art Fund may be used for selection, acquisition, installation, display, restoration, relocation, deaccessioning, and administration of Public Art including the following:
 - (1) The artist's professional design fee.
 - (2) The cost of the work of art and its site preparation and installation.
 - (3) Identification plaques and labels to be placed on or adjacent to the artwork.

- (4) Waterworks, electrical and mechanical devices and equipment which are an integral part of the work of art and/or are necessary for the proper functioning of the artwork.
- (5) Frame, mat, pedestal, base and similar items necessary for the proper presentation and/or protection of the work of art.
- (6) Payment of panelists if the PRCS Department Director requests payment for their services based on extraordinary qualifications and the service would not be provided without pay.
- (7) Honoraria and fees to artists selected as finalists where detailed proposals or models are requested for time, materials, and travel involved in making the proposal or model. Honoraria and fees may apply to some but not all projects included in the 1% for Art Program.
- (9) Staff personnel to administer the Public Art Program including projects and processes.
- (10) Extraordinary repair and/or special maintenance of works of art.

B. Exclusions: The Municipal Art Fund may not be expended for the following:

- (1) Reproductions by mechanical or other means, of original works of art. However, limited edition prints controlled by the artist, cast sculpture, and photographs may be included.
- (2) Decorative, ornamental, or functional elements which are designed by the Project Architect or consultants engaged by the Architect.
- (3) "Art Objects" which are mass produced or of standard design, such as playground sculpture or fountains; however, artists responding to a request for proposals with submittals including the above may be considered.
- (4) Those items which are required to fulfill the basic purpose of a project, such as works of art for the collection of a City museum, exhibitions, or educational programs.
- (5) Architectural rehabilitation or historical preservation, although works may be acquired in connection with such projects.
- (6) Electrical, hydraulic or mechanical services costs for operation of the work, and utility costs.
- (7) In new projects under development, preparation of the site necessary to receive the work of art, unless done by the artist as an integral part of the work.

- (8) Expenses related to the work of art (before or after installation); such as dedication, unveiling, insurance, security and or publication costs. These operational expenses shall be the responsibility of the PRCS Department and will be funded in the PRCS Department annual budget.
- (9) Routine maintenance and repair: Art installations will be considered as park facilities and therefore associated repair and maintenance expenses will be included in the Parks Repair and Replacement project budget in the General Capital Fund.

5.0 PUBLIC ART ACQUISITION PROCEDURE – COMBINED

A. SELECTION OF ARTISTS

- (1) The Public Art Coordinator will advise the PRCS Board on recommended artist eligibility requirements, art and artists selection method, and the need (or not) for an Artist Selection Panel for each Significant Public Art project.
- (2) Professional Eligibility. Artists will be selected on the basis of their qualifications as demonstrated by their past work and education, the appropriateness of their proposal for the particular projects, and the probability of its successful completion, as determined by the Art Selection Panel.
- (3) The following methods of selection may be approved by the PRCS Board:
 - a. Direct Selection: The artist or pre-existing art work may be selected directly by the Art Selection Panel.
 - b. Open Competition: Program requirements will be broadly publicized prior to selection. Any professional artist may compete.
 - c. Limited Competition: Artists will be selected and invited to enter. The Art Selection Panel will consider three or more artists and invite them to enter. The names of artists will be publicly announced upon receipt of written acceptance from the artists. Where detailed proposals or models are requested, each artist may receive a fee for the necessary time, materials and travel involved in the proposal.

B. ART SELECTION PANEL AND ART SELECTION

- (1) All Art Selection Panels shall have flexible membership, as determined by the PRCS/Tree Board, based on the size, location and complexity of the project.
- (2) The Art Selection Panel for Significant Public Art will be minimally composed of a member of the PRCS Board, a member of the community, an artist, an art professional, project architect (if appropriate), representative of the Shoreline Lake Forest Park Arts Council and City staff member. The Public Art Coordinator will act as Selection Panel chair. Panelists may be solicited outside of the community if special expertise is needed. A member of the Project Design Team may be on the jury when appropriate,

to comment on architectural elements and technical feasibility of art in public buildings. At its discretion, the City Council may choose to appoint one of its members to the panel.

- (3) Panelists are responsible for carrying out the City of Shoreline Public Art Policy and prospectus, and guidelines for the selection of Public Art.
- (4) The Public Art Coordinator will provide the Art Selection Panel, in writing, appropriate background information, objectives, budget limits and selection criteria for the project.
- (5) The panel will meet initially to review all of the proposals sent in response to the prospectus. Panelists should acknowledge any current conflicts of interest that exist with the field of artists.
- (6) From the artists represented, the panel may select up to five artists to interview for an integrated design process project or may select without interview up to three artists to develop a specific site-based proposal. The selected artists will be provided any additional information on the site as identified by the Public Art Coordinator.
- (7) In an integrated design process, where the artists are expected to work with the architects, the Panel will reconvene to review the site-specific designs proposed by the artists. At this time the Panel will have an opportunity to provide guidance to the artists, taking specific designs and budget into consideration. A short list of site specific designs will be established by the Panel.
- (8) In cases where more than one artist has been asked for specific design proposals, the Panel will reconvene at a meeting where the semi-finalists will present their final proposals in the form of models and/or “in situ” sketches. There will be an opportunity for comment after which the Panel will deliberate on the presentations, deciding on a finalist for recommendation to the PRCS Board. The Panel shall try to reach consensus. If consensus cannot be reached, a vote shall be taken with majority rule. The Art Selection Panel has the right to make no selection if, in its opinion, there is insufficient merit in the submissions.
- (9) The recommendation of the Panel will be presented to the PRCS Board. Artist and jurors are invited to attend this presentation.
- (10) The PRCS Board will review input and take action to approve or reject the recommended artist proposal. Staff will execute a contract with the artist approved by the PRCS Board, subject to the City’s Purchasing Policy and Procedures.
- (11) Contracts will be signed in accordance with existing City policy. Construction and installation will be monitored by the PRCS Department staff.
- (12) Panelists shall not be paid for their services unless the PRCS Director requests payment for their services based on extraordinary qualifications (i.e., the Panelist would not participate without pay).

- (12) All sessions will be open to the public.
- (13) The Art Selection Panel will discontinue after the PRCS Board has finalized its selection.

C. CRITERIA FOR SELECTING WORKS OF PUBLIC ART

- (1) **Quality:** The Art Selection Panel shall keep in mind that public art should be of exceptional quality and enduring value.
- (2) **Elements and Design:** The PRCS Board, Art Selection Panel, and Artists(s) shall keep in mind the fact that art in public places may be: art standing alone, focal points, modifiers or definers of space, functional or non-functional, or used to establish identity. The art may be used as an integral part of the structure and function of facilities such as walkways, doors, windows, fitting, hardware, surface finishes, light fixtures, and gates.
- (3) **Permanence:** Due consideration shall be given to the structural and surface soundness of artworks, and to their permanence, including ability to withstand age, theft, vandalism, weathering, and maintenance and repair costs.
- (4) **Style and Nature of Work:** Art works shall be considered which are appropriate for public places and are compatible in scope, scale, material, form, character and use of the proposed surroundings.
- (5) **Public Access:** Art works shall be placed in public places that are highly accessible to the public in the normal course of activities. Exceptions may occur, with the approval of the PRCS Director, for special kinds of art such as eco-art or deliberately “hidden” artwork.

6.0 GIFTS, LOANS AND DONATIONS

- A. Proposed gifts of Public Art are referred to the PRCS/Tree Board. They will evaluate the need for further review and the suitability of proposed gifts, loans, and donations.
- B. The PRCS Board will take action to accept or reject gifts, loans, and donations, and, advise the City Manager and City Council of their decision as appropriate.
- C. Proposed gifts will be evaluated according to criteria in the City’s Public Arts Policy, the quality of the work, maintenance requirements, conformance to structural and fabrication standards, applicable safety codes and liability concerns, donor conditions, availability of an appropriate site for the work, the advice of administrators at the proposed site and staff research.
- D. Proposed gift of funds for the acquisition of works of art, if restricted or dedicated in any way, are reviewed to ensure that such restriction or dedications are consistent with the City of

Shoreline Public Art Policy, The Public Art Plan, and the City of Shoreline Parks, Recreation and Open Space Plan.

7.0 RELOCATION AND DEACCESSIONING

- A. Proceeds from the sale of a work of art shall be returned to the Municipal Art Fund unless proceeds were restricted by donation or any pre-existing contractual agreements between the artist and the City regarding resale.
- B. Continued retention or placement of Public Art acquired by the City may be reviewed by the PRCS Board or staff for one or more of the following reasons:
 - (1) The condition or security of the artwork cannot be reasonably guaranteed.
 - (2) The artwork requires excessive maintenance or has defective design or workmanship and repair or remedy is impractical or unfeasible.
 - (3) The artwork has been damaged and repair is impractical or unfeasible or the cost of repair or renovation is excessive in relation to the original cost of the work.
 - (4) The artwork endangers public safety.
 - (5) No suitable site is available or significant changes in the use, character or design of the site have occurred which effects the integrity of the work.
 - (6) The quality or authenticity of the artwork has been reassessed.
 - (7) Removal is requested by the artist.
- C. The following procedures will be used by Staff to prepare a recommendation to the PRCS Board after determination that an artwork meets one of the criteria above.
 - (1) Review of the artist's contract and other agreements that may pertain.
 - (2) Discussion with the artist if he/she can be notified by reasonable means.
 - (3) Opinion of more than one independent professional qualified to recommend on the concern prompting review (conservators, engineers, architects, critics, art historians, public art professionals, safety experts, etc.).
 - (4) Review of all evidence of public comment and debate.
 - (5) Any restriction that may apply to this specific work based on contract review.
 - (6) An analysis of the reasons for deaccessioning.
 - (7) Options for storage, disposition, or relocation of the work.

- (8) Appraised value of the work, if obtainable.
 - (9) All available information and staff reports will be reviewed. Additional information may be required prior to taking final action.
- D. Following review of continued retention or placement, the following actions (in order of priority) will be considered, subject to acquisition restriction on disposition, and include a recommended approach to the PRCS Board.
- (1) Relocation of the art work. The work was created for a specific site. Relocation to a new site should be consistent with the subject, scale, and other qualities of the work . The artist’s assistance may be sought.
 - (2) Removal through sale or trade. Sale through auction, art gallery or dealer resale, or direct bidding by individuals in compliance with City law and policies governing surplus property. Trade through artist, gallery, museum, or other institutions for one or more other artwork(s) of comparable value by the same artist.
 - (3) Indefinite loan to another governmental entity.
 - (4) Destruction of work deteriorated or damaged beyond repair at a reasonable cost, and deemed to be of no or negligible value, in accordance with national standards for conservation and deaccession. If destruction of the work is the only solution, whenever practical, the artist shall be given first opportunity to remove the piece.
- E. De-accessioning normally will be considered only after ten or more years have elapsed from the date of the installation of permanent works.
- E. De-accessioning should be cautiously applied only after a careful and impartial evaluation of the work to avoid the influence of fluctuation of taste and the premature removal of an artwork from the collection.
- G. Staff will follow applicable City policies for surplus, sale, trade, or disposal of deaccessioned artwork.
- H. The sale or trade of works of art to Councilmembers or staff of the City of Shoreline, or members of the PRCS Board, shall comply with City of Shoreline Code of Ethics policies.

Shoreline Policy and Procedure
Public Art Policy and Procedures

| | |
|---|---|
| <p>City of Shoreline <u>Category and Number:</u></p> | <p>Receiving Number: <u>Resolution 405</u></p> |
| <p>Department: Parks, Recreation and Cultural Services <u>Number: Code and statutory authority:</u></p> | <p>Authorized: Authorized: <u>Effective Date: Month Day, Year</u> <u>By: Name, Title</u> <u>Name, Title</u></p> |
| <p>Supersedes: <u>Not applicable</u></p> | |

VISION:

The City of Shoreline believes in the power of art in public places to draw people together, create vibrant neighborhoods where people desire to live, work and visit, and stimulate thought and discourse by enhancing visual interest in the built and natural environment. Art is part of the cultural thread that ties generations and civilizations together, creating opportunities for expression, reflection, participation and a landscape that is uniquely Shoreline. -To this end our vision is that:

- art will ~~be integrated~~integrate into all aspects of community life
- art will enhance public spaces, both municipally and privately owned
- ~~the~~ public art will reflect the diversity of the community
- public art will meet high artistic standards
- public art will engender thought, conversation and enjoyment

1.0 1.0-PURPOSE:
1.0 PURPOSE:

To implement the purpose of the Municipal Art Fund to expand awareness and appreciation of art and cultural heritage, and enhance the enjoyment of public places throughout the City of Shoreline by providing a plan and procedure by which the City will acquire, accept and advocate for works of art as part of its permanent and temporary collection, and encourage, facilitate and support privately owned art in public places.

2.0 DEFINITIONS:

A “Public Art”: All forms of original creations of art in locations that are accessible to the public in City or privately-owned facilities, including parks. Public ~~art~~Art includes, but is not limited to:

~~(1) — Calligraphy~~ Visual Art

- Dance, Theater, and signage. Performance

~~(2) — Crafts in clay, glass, paper, fiber and textiles, wood, metal, plastics and other materials.~~

~~(3) — Earthworks and landscape.~~

~~(4) — Graphic arts — printmaking and drawing.~~

~~(5) — Mixed media — any combination of forms or media, including collage and assemblages.~~

~~(6) — Mosaics — ceramic, tile, and brickwork.~~

~~(7) — Painting — all media, including portable and permanently affixed works, such as murals.~~

~~(8) — Photography, film and media arts~~

~~(9) — Sculpture — in the round, bas-relief, high relief, mobile, fountain, kinetic, electronic, play equipment, etc., in any material or combination of materials.~~

~~(10) — Artist Made Building Parts (including design).~~

~~(11) — Stained glass.~~

~~(12) — Mural, fresco.~~

~~(13) — Carving.~~

~~(14) — Water features~~

- Painting, photography, drawing, collage, mixed media, encaustic, prints, and the myriad other forms of both two and three-dimensional artworks, mostly portable, but also in large scale format.
- Sculptural objects (includes a variety of scale, from large earthworks and landscape art, to monuments and statues, to water features, to smaller pieces displayed in vitrines; of any material and inclusive of kinetic, functional, interactive, and/or multimedia components; inclusive too of traditionally-regarded crafts such as wood carvings, glass and ceramics, textiles and fabric, and the like).
- Murals, Vinyl Wraps, Banners (murals can be applied to walls by a variety of means, inside or outside; wraps and banners refer to decorative embellishments of the built environment and urban furniture and can include painted fire hydrants, sidewalk chalk art, etc.).
- Art exhibitions (by definition, these public and accessible displays of both two and three-dimensional artworks – often comprised of a group of artists organized around a curatorial theme -- collectively form an important category of temporary public art, especially in Shoreline where there are as yet no commercial art galleries and no venues for the display of curated exhibitions).
- Community-based art (a wide variety of artistic practices that involve embedding in community groups, often with an explicit social message, with the visual art often serving a subsidiary function).
- Signage, calligraphy, text (does not include advertising or billboards as such, but conveys an easily observable artistic component that is not specifically designed to sell a product).
- Experimental geography, mapping, walking (relatively recent art forms that combine a multidisciplinary approach to visual art making that borrows from geography, mapping, GIS, orienteering, wayfinding, and navigating urban space).
- Conceptual, installation, time-based, emerging, new media (new forms of art are constantly developing as technology and culture foster experimentation. Augmented reality is a good example).

Non-Visual Art

- Sound art (examples might include ambient noise that an artist manipulates or curates for audiences to listen to; experiments with sonic waves, and other forms of auditory stimulus).
- Music
- Literature

- Community-based art (as above, though without the production of visual objects; thus, a song or narrative developed by an artist or artist group with direct engagement with a social group).
- Art exhibitions (see above, but with an emphasis on non-visual art forms, such as a sound-art group show).

B. Significant Public Art: A piece of Public Art that is funded by the Municipal Art Fund and that is anticipated to cost \$20,000 or more.

C. Acquisition: Procurement of works of ~~art~~Public Art for the City of Shoreline's permanent and temporary collections. This includes commission through open competition, limited competition, invitation, donation, direct purchase or any other means.

~~C. Art Committee: A minimum of three members appointed by the PRCS Board from among its members to provide input on public art. The Art Committee serves in an advisory capacity on public art components within Shoreline including city, design-build, and private development that includes public space.~~

~~—The Art Committee also creates one year and long term art plans for recommendation to the City Council and may include additional members for this task. City staff will act as advisors and facilitate the work of this committee.~~

~~Art Committee terms will be three years, renewable once. In 2009 members will be appointed to initial terms of one, two and three years.~~

D. Art Selection Panel: A Panel of ~~Art Committee members~~, arts professionals, artists and community ~~representative representatives appointed by the PRCS/Tree Board~~ who participate in the selection process of artists and artwork for ~~individual significant Public Art~~ projects. ~~Committee members other than the Art Committee may vary by project.~~

~~DE.~~ Artist: A recognized professional who produces quality artwork on a regular basis. ~~The Project Architect~~

~~F.~~ Emerging Artist: An artist may be “emerging,” if she or he does not ~~members of the consulting architectural firm are~~ ~~eligible.~~ Members of the PRCS Board and the Art Committee ~~are yet have a significant body of work, or is not eligible~~ well established.

~~E. CityG.~~ Public Art Plan: ~~Long range and annual~~ A plan for acquisitions and approved by the City Council outlining the direction for the City of Shoreline’s public art program including a plan for the expenditures of the Municipal Art Fund.

~~FH.~~ General Capital Fund: the City’s pooled source of funding generated by taxes.

I. Project Architect: The person or firm (architect, landscape architect, interior designer, or other design professional) designing the project to which the 1% for Art provision applies.

~~GJ.~~ Municipal Art Fund: A special ~~revolving~~ fund Created by Ordinance No. 312 for appropriations and donations of funds for Public Art.

~~H. DeaccessioningK.~~ De-accessioning: A procedure for removing and disposing of artwork from the City’s permanent collection.

~~L.~~ Public Art Coordinator: The City of Shoreline employee designated by the PRCS Director to oversee and coordinate the City’s public art program.

3.0 POLICY:

A. Public Art will be placed in areas that are easily accessible to the public ~~with frequent viewing opportunities.~~ Exceptions may occur, with the approval of the PRCS Director, for special kinds of art such as eco-art or deliberately “hidden” artwork.

B. The City will acquire and display ~~public artwork~~ Public Art for the benefit, enjoyment and education of all of its citizens.

C. Public ~~art~~ Art should speak, in a significant way, to a large portion of the population. Public ~~art~~ Art should bring meaning to public spaces and make them more engaging.

D. Public ~~art~~ Art that reflects the rich diversity ~~and~~ of the community should be encouraged.

E. ~~The~~ Public Art acquired by the City will ~~acquire art that is~~ be of high quality.

F. The selection and acquisition process will encourage the creation of many types of art works.

- G. The selection ~~procedures~~procedure for Significant Public Art will consider input from stakeholders including the City through the PRCS Board, the Shoreline-Lake Forest Park Arts Council, the arts community, the general public, and the business community.
- H. Whenever appropriate, the selection process will encourage collaboration between artists and design professionals, including architects, landscape architects, project managers and engineers.
- I. Selection procedures will establish specific criteria for the acceptance of gifts or the long-term loan of ~~art~~Public Art to the City.
- J. Public Art acquired under this policy will become a part of the City collection as an asset of the City that will be thoughtfully sited or displayed ~~and~~, properly maintained, and insured as appropriate.
- K. The City will establish and maintain complete records that include documents transferring title, artists' contracts, reports, invoices, and other pertinent material.
- L. Works of art will be acquired or accepted without legal restrictions about use and disposition, except with respect to copyrights, or other specifically defined rights as part of the contract negotiated with the artist.
- M. As part of its duties to provide input to staff and the City Council on parks maintenance and operations, design matters, programs and services in sports, leisure and cultural activities the PRCS/Tree Board serves in an advisory capacity on Public Art within Shoreline.

4.0 USE OF THE MUNICIPAL ARTS PROGRAM ART FUND:

- A. The Municipal Art Fund may be used for selection, acquisition, installation, display, restoration, relocation, deaccessioning, and administration of ~~public art~~Public Art including the following:
 - (1) The artist's professional design fee.
 - (2) The cost of the work of art and its site preparation and installation.
 - (3) Identification plaques and labels to be placed on or adjacent to the artwork.
 - (4) Waterworks, electrical and mechanical devices and equipment which are an integral part of the work of art and ~~-or~~ are necessary for the proper functioning of the artwork.
 - (5) Frame, mat, pedestal, base and similar items necessary for the proper presentation and/or protection of the work of art.

- (6) ~~Panelists may be paid for their services~~Payment of panelists if the PRCS ~~Board and PRCS~~ Department Director ~~request pay~~requests payment for their services based on extraordinary qualifications and the service would not be provided without pay.
- (7) Honoraria and fees ~~may be paid~~ to artists selected as finalists where detailed proposals or models are requested for time, materials, and travel involved in making the proposal or model. Honoraria and fees may apply to some but not all projects included in the 1% for Art Program.
- ~~(8) Honoraria and fees may apply to some but not all projects included in the 1% for Art Program.~~
- (9) Staff personnel to administer the Public Art Program including projects and ~~process~~processes.
- (10) Extraordinary repair and/or special maintenance of works of art.

B. Exclusions: The Municipal Art Fund may not be expended for the following:

- (1) Reproductions by mechanical or other means, of original works of art. However, limited edition prints controlled by the artist, cast sculpture, and photographs may be included.
- (2) Decorative, ornamental, or ~~function~~functional elements which are designed by the Project Architect or consultants engaged by the Architect.
- (3) “Art Objects” which are mass produced or of standard design, such as playground sculpture or fountains; however, artists responding to a request for proposals with submittals including the above may be considered.
- (4) Those items which are required to fulfill the basic purpose of a project, such as works of art for the collection of a City museum, exhibitions, or educational programs.
- (5) Architectural rehabilitation or historical preservation, although works may be acquired in connection with such projects.
- (6) Electrical, hydraulic or mechanical services costs for operation of the work, and utility costs.
- (7) In new projects under development, preparation of the site necessary to receive the work of art, unless done by the artist as an integral part of the work.
- (8) Expenses related to the work of art (before or after installation); such as dedication, unveiling, insurance, security and or publication costs. These operational expenses shall be the responsibility of the PRCS Department and will be funded in the PRCS Department annual budget.

- (9) Routine maintenance and repair: Art installations will be considered as park facilities and therefore associated repair and maintenance expenses will be included in the Parks Repair and Replacement project budget in the General Capital Fund.

~~5.0 ANNUAL ART PLAN ADMINISTRATION~~

- ~~A. The Art Committee will develop an Art Plan for the year outlining art projects, and additional resources needed for implementation (if applicable).~~
- ~~B. The Art Committee will present the Art Plan to the Park Board for approval~~
- ~~C. The PRCS Board will consider the annual art plan and take action to make a recommendation to the City Manager. The City Manager will include Art Plan recommendations in the annual budget presented to the City Council.~~
- ~~D. The City Council will consider the Art Plan as part of the Council's annual budget review.~~
- ~~E. In the event a long range art plan is established, the PRCS Board may expand the Art Committee to include additional representatives from the arts community, neighborhood and business community, as well as other City departments.~~

~~6.0~~ 5.0 PUBLIC ART ACQUISITION PROCEDURE – COMBINED

A. SELECTION OF ARTISTS

- (1) The Public Art Committee ~~Coordinator~~ will advise the PRCS Board on recommended artist eligibility requirements, art and artists selection method, and the need (or not) for an Artist Selection Panel for each Significant Public Art project.
- (2) Professional Eligibility. Artists will be selected on the basis of their qualifications as demonstrated by their past work and education, the appropriateness of their proposal for the particular projects, and the probability of its successful completion, as determined by the Art Selection Jury ~~Panel~~.
- (3) The following methods of selection may be approved by the PRCS Board:
 - a. Direct Selection: The artist or pre-existing art work may be selected directly by the jury ~~Art Selection Panel~~.
 - b. Open Competition: Program requirements will be broadly publicized prior to selection. Any professional artist may compete.
 - c. Limited Competition: Artists will be selected and invited to enter. The jury ~~Art Selection Panel~~ will consider three or more artists and invite them to enter. The

names of artists will be publicly announced upon receipt of written acceptance from the artists. Where detailed proposals or models are requested, each artist may receive a fee for the necessary time, materials and travel involved in the proposal.

(10) ***B. PANEL ART SELECTION PANEL AND ART SELECTION***

- (1) All Art Selection Panels shall have flexible membership, as determined by the Art Committee~~PRCS/Tree Board~~, based on the size, location and complexity of the project.
- (2) The Art Selection Panel for Significant Public Art will be minimally composed of a member of the Art Committee~~PRCS Board~~, a member of the community, an artist, an art professional, project architect (if appropriate), ~~and City staff member. Panelists may be chosen from representative of~~ the PRCS Board, Shoreline-Lake Forest Park Arts Council, ~~and City staff, City Council, and the community. One member from the PRCS Board.~~ The Public Art Coordinator will act as Selection Panel chair. Panelists may be solicited outside of the community if special expertise is needed. A member of the Project Design Team may be on the jury when appropriate, to comment on architectural elements and technical feasibility of art in public buildings. At its discretion, the City Council may choose to appoint one of its members to the panel ~~as a non-voting member.~~
- (3) Panelists are responsible for carrying out the City of Shoreline ~~Arts Policies~~Public Art Policy and ~~Procedures, the~~ prospectus, and guidelines for the selection of ~~public art~~Public Art.
- (4) The ~~PRCS Board and staff~~Public Art Coordinator will provide the Art Selection Panel, in writing, appropriate background information, objectives, budget limits and selection criteria for the project.
- (5) The panel will meet initially to review all of the proposals sent in response to the prospectus. Panelists should acknowledge any current conflicts of interest that exist with the field of artists.
- (6) From the artists represented, the panel may select up to five artists to interview for an integrated design process project or may select without interview up to three artists to develop a specific site-based proposal. The selected artists will be provided any additional information on the site as identified by the Public Art Committee~~Coordinator~~.
- (7) In an integrated design process, where the artists are expected to work with the architects, the ~~panel~~Panel will reconvene to review the site-specific designs proposed by the artists. At this time the ~~panel~~Panel will have an opportunity to provide guidance to the artists, taking specific designs and budget into consideration. A short list of site specific designs will be established by the ~~panel~~Panel.
- (8) In cases where more than one artist has been asked for specific design proposals, the ~~panel~~Panel will reconvene at a meeting where the semi-finalists will present their final

proposals in the form of models and/or “in situ” sketches. There will be an opportunity for comment after which ~~the panel~~Panel will deliberate on the presentations, deciding on a finalist for recommendation to the PRCS Board. The ~~panel~~Panel shall try to reach consensus. If consensus cannot be reached, a vote shall be taken with majority rule. The Art Selection Panel- has the right to make no selection if, in its opinion, there is insufficient merit in the submissions.

- (9) The recommendation of the ~~panel~~Panel will be presented to the PRCS Board. Artist and jurors are invited to attend this presentation.

~~(11)~~(10) The PRCS Board will review input and take action to approve or reject the recommended artist proposal. Staff will execute a contract with the artist approved by the PRCS Board, subject to the City’s Purchasing Policy and Procedures.

~~(12)~~(11) Contracts will be signed in accordance with existing City policy. Construction and installation will be monitored by the PRCS Department staff.

(12) Panelists shall not be paid for their services unless the PRCS ~~Board and PRCS Department~~ Director ~~request pay~~requests payment for their services based on extraordinary qualifications ~~and (i.e., the service~~Panelist would not ~~be provided~~participate without pay-).

~~(12)~~ ~~(13)~~—All sessions will be open to the public.

~~(13)~~ The Art Selection Panel will discontinue after the PRCS Board has finalized its selection.

C. CRITERIA FOR SELECTING WORKS OF PUBLIC ART

- (1) Quality: The Art Selection Panel shall keep in mind that public art should be of exceptional quality and enduring value.
- (2) Elements and Design: The PRCS Board, Art Selection Panel, and Artists(s) shall keep in mind the fact that art in public places may be: art standing alone, focal points, modifiers or definers of space, functional or non-functional, or used to establish identity. The art may be used as an integral part of the structure and function of facilities such as walkways, doors, windows, fitting, hardware, surface finishes, light fixtures, and gates.
- (3) Permanence: Due consideration shall be given to the structural and surface soundness of artworks, and to their permanence, including ability to withstand age, theft, vandalism, weathering, and maintenance and repair costs.
- (4) Style and Nature of Work: Art works shall be considered which are appropriate for public places and are compatible in scope, scale, material, form, character and use of the proposed surroundings.

- (5) Public Access: Art works shall be placed in public places that are highly accessible to the public in the normal course of activities. ~~Art work for private offices is not eligible.~~Exceptions may occur, with the approval of the PRCS Director, for special kinds of art such as eco-art or deliberately “hidden” artwork.

DRAFT

67.0 GIFTS, LOANS AND DONATIONS

A. Proposed gifts of Public Art are referred to the ~~Art Committee~~ **PRCS/Tree Board**. They will evaluate the need for further review and the suitability of proposed gifts, loans, and donations.

~~B. The Art Committee may call upon the PRCS Board to further evaluate proposed gifts, loans, or donations and take action on same.~~

~~C.B.~~ **Upon referral by the Art Committee, the** PRCS Board will take action to accept or reject gifts, loans, and donations, and, advise the City Manager and City Council of their decision as appropriate.

~~D.C.~~ Proposed gifts will be evaluated according to criteria in the City's ~~public arts policy~~ **Public Arts Policy**, the quality of the work, maintenance requirements, conformance to structural and fabrication standards, applicable safety codes and liability concerns, donor conditions, availability of an appropriate site for the work, the advice of administrators at the proposed site and staff research.

~~E.D.~~ Proposed gift of funds for the acquisition of works of art, if restricted or dedicated in any way, are reviewed to ensure that such restriction or dedications are consistent with the City of Shoreline ~~public arts policy~~ **Public Art Policy, The Public Art Plan**, and the City of Shoreline Parks, Recreation and Open Space Plan.

78.0 RELOCATION AND DEACCESSIONING

A. Proceeds from the sale of a work of art shall be returned to the Municipal ~~Arts~~ **Art** Fund unless proceeds were restricted by donation or any pre-existing contractual agreements between the artist and the City regarding resale.

B. Continued retention or placement of Public Art acquired by the City may be reviewed by the PRCS Board, ~~or staff, or the Art Committee~~ for one or more of the following reasons:

- (1) The condition or security of the artwork cannot be reasonably guaranteed.
- (2) The artwork requires excessive maintenance or has defective design or workmanship and repair or remedy is impractical or unfeasible.
- (3) The artwork has been damaged and repair is impractical or unfeasible or the cost of repair or renovation is excessive in relation to the original cost of the work.
- (4) The artwork endangers public safety.
- (5) No suitable site is available or significant changes in the use, character or design of the site have occurred which effects the integrity of the work.

- (6) The quality or authenticity of the artwork has been reassessed.
 - (7) Removal is requested by the artist.
- C. The following procedures will be used by Staff to prepare a recommendation to the PRCS Board ~~or Art Committee~~ after determination that an artwork meets one of the criteria above.
- (1) Review of the artist's contract and other agreements that may pertain.
 - (2) Discussion with the artist if he/she can be notified by reasonable means.
 - (3) Opinion of more than one independent professional qualified to recommend on the concern prompting review (conservators, engineers, architects, critics, art historians, public art professionals, safety experts, etc.).
 - (4) Review of all evidence of public comment and debate.
 - (5) Any restriction that may apply to this specific work based on contract review.
 - (6) An analysis of the reasons for deaccessioning.
 - (7) Options for storage, disposition, or relocation of the work.
 - (8) Appraised value of the work, if obtainable.
 - (9) All available information and staff reports will be reviewed. Additional information may be required prior to taking final action.
- D. Following review of continued retention or placement, the following actions (in order of priority) will be considered, subject to acquisition restriction on disposition, and include a recommended approach to the PRCS Board.
- (1) Relocation of the art work. The work was created for a specific site. Relocation to a new site should be consistent with the subject, scale, and other qualities of the work . The artist's assistance may be sought.
 - (2) Removal through sale or trade. Sale through auction, art gallery or dealer resale, or direct bidding by individuals in compliance with City law and policies governing surplus property. Trade through artist, gallery, museum, or other institutions for one or more other artwork(s) of comparable value by the same artist.
 - (3) Indefinite loan to another governmental entity.
 - (4) Destruction of work deteriorated or damaged beyond repair at a reasonable cost, and deemed to be of no or ~~only a~~ negligible value, in accordance with national standards for conservation and deaccession. If destruction of the work is the only solution, whenever practical, the artist shall be given first opportunity to remove the piece.

- E. ~~Deaccessioning~~De-accessioning normally will be considered only after ten or more years have elapsed from the date of the installation of permanent works.
- F.E. ~~Deaccessioning~~De-accessioning should be cautiously applied only after a careful and impartial evaluation of the work to avoid the influence of fluctuation of taste and the premature removal of an artwork from the collection.
- G. Staff will follow applicable City policies for surplus, sale, trade, or disposal of deaccessioned artwork.
- H. ~~No~~The sale or trade of works of art ~~shall be sold or traded~~ to Councilmembers or staff of the City of Shoreline, or members of the PRCS Board, ~~consistent~~shall comply with City of Shoreline ~~conflict~~Code of ~~interest~~Ethics policies.

DRAFT

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

| | | | |
|----------------------|--|---|---------------------------------|
| AGENDA TITLE: | Adoption of Ordinance No.770 Repealing All Prior City of Shoreline Public Art Policies | | |
| DEPARTMENT: | Parks, Recreation and Cultural Services | | |
| PRESENTED BY: | Eric Friedli, PRCS Director | | |
| 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: On August 26, 2002, the City Council adopted Ordinance 312, establishing a Municipal Art Fund and codifying regulations to implement the fund in Shoreline Municipal Code (SMC) 3.35.150. As provided in SMC 3.35.150(A), all expenditures from the Municipal Art Fund are restricted to those approved through a Public Art Policy that was originally approved by the City Council in Ordinance 312.

In 2009, the City Council, by motion, adopted an updated Public Art Policy. In 2013 the Director of Parks, Recreation, and Cultural Services Department amended the 2009 Public Art Policy, which was filed under City Clerk’s Receiving No. 7364, but was not submitted to the City Council for approval. Since SMC 3.35.150 requires City Council approval, the 2009 Public Art Policy should be considered to be the last policy approved by the City Council.

The Public Art Policy needs to be updated to better reflect the actual processes currently involved in bringing public art to Shoreline. Ordinance No. 770 (Attachment A) will repeal not only the Public Art Policy adopted via Ordinance 312 and the one approved by Council in 2009, but also all previous Public Art Policies that may somehow exist. Resolution No. 405, which will be subsequently presented to Council this evening, would present a new Public Art Policy for the Council’s approval.

RESOURCE/FINANCIAL IMPACT:

There is no financial impact associated with this action.

RECOMMENDATION

No action is required by the City Council. This item is for discussion purposes only. Proposed Ordinance No. 770 (Attachment A) is scheduled to return to the City Council for adoption on March 6, 2017.

Approved By: City Manager **DT** City Attorney **MK**

ATTACHMENTS

Attachment A: Ordinance No.770 Repealing All Prior City of Shoreline Public Art Policies

ORDINANCE NO. 770

**AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON
REPEALING ALL PRIOR CITY OF SHORELINE PUBLIC ART
POLICIES.**

WHEREAS, on August 26, 2002, the City Council adopted Ordinance 312, establishing a Municipal Art Fund and codifying regulations to implement the fund at Shoreline Municipal Code (SMC) 3.35.150; and

WHEREAS, as provided in SMC 3.35.150(A), all expenditures from the Municipal Art Fund are restricted to those approved through a Public Art Policy approved by the City Council; and

WHEREAS, Ordinance 312 also adopted the City's Public Art Policy, which was filed under City Clerk's Receiving No. 1883 (2002 Public Art Policy); and

WHEREAS, on July 27, 2009, the City Council, by motion, adopted an updated Public Art Policy (2009 Public Art Policy); and

WHEREAS, on January 24, 2013, the Director of Parks, Recreation, and Cultural Services Department amended the 2009 Public Art Policy (2013 Public Art Policy), which was filed under City Clerk's Receiving No. 7364, but was not submitted to the City Council for approval; and

WHEREAS, since SMC 3.35.150(A) requires the Municipal Art fund to be administered through a City Council-approved public art policy, and given the history of approval by both ordinance and motion or no approval at all, all prior public art policies should be repealed to ensure only a City Council-approved policy is utilized; and

WHEREAS; subsequent to the repeal of all prior public art policies, a new Public Art Policy will be approved by the City Council via Resolution 405; and

WHEREAS, on February 13, 2017, the City Council held a study session on the repeal of all prior public art policies; and

WHEREAS, the City Council has considered all relevant information in the public record and all public comments, written and oral;

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

Section 1. Repeal. All prior Public Art Policies, approved or unapproved by the City Council, including the 2002 Public Art Policy, the 2009 Public Art Policy, and the 2013 Public Art Policy, are repealed in their entirety and shall have no force and effect.

Section 2. Corrections by City Clerk or Code Reviser. Upon approval of the City Attorney, the City Clerk and/or the Code Reviser are authorized to make necessary corrections to this ordinance, including the corrections of scrivener or clerical errors; references to other local, state, or federal laws, codes, rules, or regulations; or ordinance numbering and section/subsection numbering and references.

Section 3. Severability. Should any section, subsection, paragraph, sentence, clause, or phrase of this ordinance or its application to any person or situation be declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of this ordinance or its application to any person or situation.

Section 4. Publication and Effective Date. A summary of this Ordinance consisting of the title shall be published in the official newspaper. This Ordinance shall take effect five days after publication.

PASSED BY THE CITY COUNCIL ON 6th DAY OF MARCH, 2017.

Mayor Christopher Roberts

ATTEST:

APPROVED AS TO FORM:

Jessica Simulcik-Smith
City Clerk

Margaret King
City Attorney

Date of Publication: , 2017
Effective Date: , 2017

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

| |
|---|
| AGENDA TITLE: Discussion of Park Impact Fee Draft Methodology Recommendations |
| DEPARTMENT: Parks, Recreation and Cultural Services (PRCS) |
| PRESENTED BY: Eric Friedli, PRCS Director Maureen Colaizzi, Parks Project Coordinator |

PROBLEM/ISSUE STATEMENT:

The Growth Management Act, 36.70c RCW, requires cities to plan and provide parks and recreation facilities that are adequate to accommodate growth. RCW 82.02.050 authorizes the City of Shoreline to impose an impact fee on development activity as part of the financing for such facilities. By charging impact fees, cities can ensure park facilities are adequate to meet the demands of future growth.

The 185th and 145th Station Subarea Plans both contain policies addressing the development of a park impact fee and set forth a recommendation for implementing that policy. Recently, with the adoption of Ordinance 766 in December 2016, a policy directing the exploration of a city-wide park impact fee was added to the City's Parks, Recreation, and Open Space Element of the Comprehensive Plan.

In fall 2016, City staff hired Community Attributes Inc., a team of economic consultants, to assist the City with creating a Park Impact Fee proposal for City Council's consideration in meeting the intent of the Subarea Plan policies.

FINANCIAL IMPACT:

Budget implications associated with a Park Impact Fee will be presented in July 2017. There is \$30,000 budgeted for Community Attributes Inc. to perform this work.

RECOMMENDATION

No formal action is required; this is a discussion item intended on providing staff with input and direction on Exhibit A, draft methodology recommendations. Staff will return in July 2017 to seek final input and direction on a draft impact fee rate study.

Approved By: City Manager **DT** City Attorney **MK**

INTRODUCTION

The Growth Management Act, 36.70c RCW, requires cities to plan and provide parks and recreation facilities that are adequate to accommodate new growth. RCW 82.02.050 authorizes the City of Shoreline to impose an impact fee on development activity as part of the financing for such facilities. By charging impact fees, cities can ensure park facilities are adequate to meet the demands of future growth.

The 185th and 145th Station Subarea Plans both contain policies addressing the development of a park impact fee:

Explore a park impact fee or dedication program for acquisition and maintenance of new park or open space or additional improvements to existing parks. *185th Street Station Subarea Plan at 5-35.*

Development a park impact fee and/or dedication program for acquisition and maintenance of new parks or open space. *145th Street Station Subarea Plan at 5-23.*

The Subarea Plans set for the following recommendation implementing this policy:

Explore a park impact fee or fee in-lieu of dedication program for acquisition and maintenance of new parks or open space and additional improvements to existing parks. Funds from this program would allow the City to purchase property and develop parks, recreation, and open space facilities over time to serve the growing neighborhood. *185th Street Station Subarea Plan at 7-28.*

Develop a park impact fee and/or dedication program for the acquisition and maintenance of new parks or open spaces. *145th Street Station Subarea Plan at 7-27.*

In addition, with the adoption of Ordinance 766 in December 2016, a policy directing the exploration of a city-wide park impact fee was added to the City's Parks, Recreation, and Open Space Element of the Comprehensive Plan:

PR 21. Explore the establishment of a city-wide park impact fee.

In fall 2016, City staff hired Community Attributes Inc., a team of economic consultants, to assist the City with creating a Park Impact Fee proposal for City Council's decision to meet the intent of the Subarea Plan policies.

BACKGROUND

What is a Park Impact Fee?

RCW 82.02.050 authorizes a city planning under the Growth Management Act to imposed impact fees for certain public facilities, including publically owned parks, open space, and recreation facilities.

A park impact fee is a one-time payment by new development to pay for capital costs of facilities needed to support the new development. Park impact fees are charged during the building permitting process and used to fund projects to improve levels of service of Shoreline's park system. The intent is to share the financial responsibility of providing for recreation facilities, such as new parks, open space and recreation facilities that support future growth with the development that grows our population and economy. The fee is proportionate to the size of the development, or change in use. More potential residents, customers, or visitors result in higher fees. Park impact fees can only be used for "system improvements" included in an adopted six-year Capital Improvement Plan (CIP), and that are improvements reasonably related to and benefit the new development. Impact fee rates must be adjusted to account for other revenues that the development pays.

Cities cannot rely solely on impact fees to construct improvements; other funding must be used in conjunction with impact fees.. Park impact fees can only be used for park and recreation projects that add new park and recreation facilities to the park system that are needed to meet the "increased" demand as a result of new growth. They cannot be used for repair, replacement or renovations that only maintain the current level of service for Shoreline's park system.

As was the case with Shoreline's Traffic Impact Fees (SMC 12.40), 79 cities and counties throughout Washington have established Park Impact Fees as a way to fund necessary park improvements. Some of our neighboring cities are among them including: Bothell, Edmonds and Mountlake Terrace.

The staff reports for previous presentations on the PROS Plan from March 21, 2016 and October 10, 2016 and January 23, 2017 Council discussion can be found at the following links:

<http://cosweb.ci.shoreline.wa.us/uploads/attachments/cck/council/staffreports/2016/staffreport032116-9a.pdf>.

<http://cosweb.ci.shoreline.wa.us/uploads/attachments/cck/council/staffreports/2016/staffreport101016-8b.pdf>

<http://cosweb.ci.shoreline.wa.us/uploads/attachments/cck/council/staffreports/2017/staffreport012317-9a.pdf>

DISCUSSION

Methodology Recommendations Development

In November and December 2016, CAI met with staff to develop draft recommendations for the methodology to create a park impact fee proposal for City Council's consideration.

Attachment A is a summary of those recommendations. These recommendations were presented to an internal staff team that included the PRCS Director, Administrative Services Director, City Manager, Assistant City Manager, and other interested staff.

Based on the outcome of tonight's discussion and input from the Planning Commission and the public, staff will refine the recommendations. Afterwards, CAI will do an analysis to create a park impact fee rate study for City Council's review on July 17, 2017, following and informational presentation to the PRCS/ Tree Board and Planning Commission at a joint meeting in May 2017. Final adoption of the park impact fee is anticipated on July 31, 2017.

STAKEHOLDERS

Public Outreach and Review

In addition to the policies and recommendations of the Light Rail Station Subarea Plans, the idea of implementing a park impact fees to plan for future growth has been a topic of discussion during the year-long public outreach and involvement process to update Shoreline's Plan for Parks, Recreation and Cultural Services (PROS Plan). Specifically, the idea was discussed as one revenue source to implement Strategic Action Initiative 10: Secure Sustainable Funding.

An extensive public process for the PROS Plan began in January 2016 with a random-sample citizen survey, the results of which were shared with the Council on March 21, 2016 and later on October 10, 2016 and most recently on January 23, 2017.

Staff presented the draft Impact fee recommendations to the PRCS/Tree Board in January and will present them to the Planning Commission in March. These presentations were information only as neither the PRCS/Tree Board or the Planning Commission has recommendation authority in regards to impact fees.

FINANCIAL IMPACT:

Budget implications associated with a Park Impact Fee will be presented in July 2017. There is \$30,000 budgeted for Community Attributes Inc. to perform this work.

RECOMMENDATION

No formal action is required; this is a discussion item intended on providing Staff with input and direction on Exhibit A, draft methodology recommendations. Staff will return in July 2017 to seek final input and direction on a draft impact fee rate study.

ATTACHMENTS:

Attachment A: Park Impact Fee Draft Methodology Recommendations



Memorandum

To: Eric Friedli and Maureen Colaizzi, City of Shoreline

From: Chris Mefford, Michaela Jellicoe and Mark Goodman, Community Attributes Inc.

Date: January 17, 2017

Re: DRAFT 2016-2017 Park Impact Fee Methodology Recommendations

The following recommendations regarding the methodology for the City of Shoreline's park impact fee were developed based on discussions during the kick-off meeting on November 9, 2016, and reflecting comments during a review meeting of the methodology recommendations on December 16, 2016. Participants in the meetings were:

- Debby Tarry, City Manager
- John Norris, Assistant City Manager
- Eric Friedli, Director of Parks, Recreation and Cultural Services
- Maureen Colaizzi, Parks Project Coordinator
- Sara Lane, Administrative Services Director
- Julie Ainsworth-Taylor, Assistant City Attorney
- Dan Eernisse, Economic Development Program Manager
- Rick Kirkwood, Budget Supervisor
- Miranda Redinger, Senior Planner
- Mary Reidy, Recreation Superintendent
- Kirk Peterson, Park Maintenance Superintendent
- Rachael Markle, Planning & Community Development Director
- Michaela Jellicoe, impact fee consultant (Community Attributes Inc.)
- Mark Goodman, impact fee consultant (Community Attributes Inc.)
- Randy Young, impact fee consultant (Henderson, Young & Company)

Review and discussion with the Parks, Recreation and Cultural Services Board and the City Council may lead to modifications in the recommended methodology.

Park Types, Ownership, and Geography

1. Types of parks and recreational facilities: current approach in PROS plan or alternative approach.

- Shoreline's adopted 2011 PROS plan outlines 7 categories of parks and open space land: regional parks, large urban parks, community parks,

neighborhood parks, natural areas, special use facilities, and street beautification sites.

- Defining categories for types of parks can limit flexibility in the spending and allocation of the collected impact fees. If the City is not meeting the preferred level of service, the funds cannot be used to meet existing deficiencies.

Recommendation: The park impact fee should define a single category for all parks, recreational facilities, and open space.

2. Inclusion of trails, paths, and sidewalks as components for park impact fee.

- State law allows trails and paths to be included in park impact fees, and sidewalks at park sites can also be included in park impact fees. Other sidewalks are usually considered part of transportation and are not included in park impact fees.

Recommendation: The park impact fee should include trails and paths that are part of the park, recreational, and open space assets of Shoreline. Any trails that are not on park property or serve to link park facilities or connect with regional trails and are primarily for transportation purposes should be addressed in the transportation impact fee.

3. Ownership of parks and recreational facilities: City only or all providers.

- Cities can create reciprocal agreements with other park providers, and collected impact fee funds can be used for capacity expansion at facilities owned by other park providers.
- Impact fees can be spent on parks owned by other providers', such as school districts, but other providers' parks must be publicly owned as required in RCW 82.02.090 (7).
- The City of Shoreline has formal agreements with local school districts, allowing public access to school facilities during certain hours of the day. In exchange the City of Shoreline Parks Department is responsible for the maintenance of these school district owned facilities.

Recommendation: The City's park impact fees should be calculated both ways: 1) the park impact fee should include all properties for which the City of Shoreline has entered into a written agreement with another provider, such as local school districts (i.e., the inventory and the level of service), and 2) the park impact fee should be used for City-owned parks, recreational facilities, and open space only and should exclude all properties owned by other public providers. The City will select the most appropriate alternative. If the park impact fee selection includes properties owned by other public providers, such as local school districts, the park impact fee should not assume the use of impact fee funds for these properties, but should allow the City of Shoreline to use park

impact fees to add capacity to school-district owned properties maintained by the City of Shoreline as deemed necessary by the City.

4. Service areas for park impact fees: Citywide approach or multiple service areas.

- Shoreline’s adopted 2011 PROS plan defines service areas for certain types of parks. This includes a 1.5 mile radius for community parks, and a half mile radius for neighborhood parks and natural areas.
- The City of Shoreline may establish multiple small service areas based upon the service areas defined in the adopted PROS plan.
- Shoreline’s parks, recreational facilities, and open space are open to everyone, regardless of where they live.
- Multiple service areas cause additional administrative complexity. Small service areas also run the risk of being unable to collect enough park impact fees to complete a capital project within the 10-year time limit to spend impact fees, resulting in the refund of impact fees.
- Most cities do not have multiple service areas for park impact fees.
- The required annual reports of impact fee revenue and expenditures will show how the City invests the park impact fees in an equitable manner over a period of years.

Recommendation: The park impact fee should be based on a single Citywide service area.

Development That Pays Park Impact Fees

5. Charging park impact fees to residential development only, or to both residential and nonresidential development.

- Employees, customers, and visitors at nonresidential development may use Shoreline’s parks and recreational facilities, and they may receive indirect benefits from the healthier environment and improved aesthetics even if they do not personally use Shoreline’s parks.
- Charging impact fees to nonresidential development ensures that all new development pays a proportionate share. Nonresidential development fees are typically quite small, and charging a small proportion to nonresidential development reduces the amount charged to residential development.
- Of 79 Washington cities with park impact fees, 11 charge nonresidential fees, including Edmonds, Redmond, Mountlake Terrace, and Bothell.

Recommendation: The draft park impact fee should calculate park impact fees using both approaches: 1) for residential development only, and 2) for residential

and nonresidential development in Shoreline. The City will select the most appropriate alternative.

6. Measure of impact by residential development: persons per dwelling unit or size of unit by square footage.

- Park impact fees are based on costs per person, the difference in occupancy of different types or size of residential dwelling units is relevant.
- Using average persons per dwelling unit broken out by single-family and multi-family complies with impact fee laws requiring that development be charged a proportionate share.
- The City of Shoreline’s transportation impact fee measures the impact by residential development using types of dwelling unit: single-family, apartment, and condominium.
- Consistency across impact fees regarding measures of impact by development is easier for developers and builders to understand, and easier for the City of Shoreline to administer.

Recommendation: The park impact fee should use the persons per dwelling unit by type, single-family and multi-family in order to be consistent with the transportation impact fee.

7. Exemptions from park impact fees.

- Washington state law allows for two exemptions: 1) low-income housing, and 2) “other broad public purposes” (which are not defined in the law). Up to 80% of the park impact fee for low-income housing may be exempted without the City reimbursing the park impact fee account from other non-impact fee sources. Any exemption for low-income housing greater than 80% must be reimbursed to the impact fee account by the city through other funding sources.
- The City of Shoreline’s transportation impact fee provides for a limited number of specific exemptions from the transportation impact fee.

Recommendation: The park impact fee should review the current exemptions included in the transportation impact fee and should include the same exemptions as the transportation impact fee.

Basis for Park Impact Fees: Levels of Service and Plans

8. Level of service metric: acres per 1,000 population and/or investment per capita.

- Current acres per 1,000 population is the current acreage of parks, divided by the current population (in thousands). Recreational facilities per 1,000 population is the current number of recreational facilities divided by the current population (in thousands). The recreational facilities ratios are

typically calculated separately for each type of facility (e.g., ballfields, tennis courts, etc.).

- Current investment per capita is the current value of all parks, recreational facilities, and open space divided by the current population.
- The City of Shoreline’s adopted 2011 PROS plan determines level of services based on NRPA geographic service area standards. The PROS plan defines a radius for each park classification and analyzes the current level of service provided based upon geographic coverage.
- Investment per capita includes all parks and recreational assets, not just the ones itemized in the PROS plan.
- Investment per capita provides flexibility to the City when deciding how to spend park impact fees.
- If the City of Shoreline adopts an investment per capita impact fee strategy, it may need to supplement or amend the PROS plan and Parks and Recreation element of the Comprehensive Plan to include investment per capita as a metric.

Recommendation: Initially, the park impact fee calculation will develop information about investment per capita, so that it can be compared to the existing metrics for geographic coverage.

9. Level of service benchmark for impact fee: aspirational levels of service or current actual level of service.

- Aspirational standards are useful for setting goals, but for impact fees the difference between the actual level of service and the desired standards constitute an existing deficiency that cannot be charged to impact fees, and the City must eliminate all deficiencies through its Capital Facilities Plan in order to charge impact fees that are based on the desired standards.
- Impact fees that are based on the current actual level of service require new development to match the current level of service so that growth does not impact current parks and recreational facilities. Using the current actual level of service means that the City considers its park system as a whole to be adequate for the current population. This position, coupled with the use of a single citywide service area means that localized reserve capacity or localized deficient capacity do not affect the level of service for the park impact fee. Using the current actual level of service avoids any deficiencies that the City must pay for from taxes and/or fees paid by existing residents.

Recommendation: Initially, the park impact fee calculations will determine the current actual levels of service so they can be compared to any aspirational standards in the PROS plan.

10. Capital Facilities Plans (CFP) and park impact fees.

- State law requires that park impact fees be used for system improvement projects in the City's CFP.
- The City of Shoreline as it works on updating its PROS plan and CFP are including projects in the CFP based on the PROS plan.
- The City complies with this requirement in practice, but the CFP does not include an analysis of needs that documents the relationship between the CFP projects and the park impact fee level of service.

Recommendation: The park impact fee update should provide recommended approaches and/or formats for adding to the CFP a needs analysis that connects the CFP projects and the park impact fee level of service. In addition, the park impact fee rate study can include an appendix that summarizes the park capital improvement projects, including identification of the projects that add capacity for new development and the funding planned for those projects.

11. Other funding sources for park capital improvement projects.

- The City of Shoreline's current and past CFP's have included grants, Real Estate Excise Tax, and other general fund sources.
- Other funding is required if the park impact fee is based on standards that are higher than the current actual level of service, thus creating an existing deficiency. In the event of existing deficiencies, the funding sources for the deficiencies cannot include park impact fees.
- As required by state law, any committed funding by other sources for parks and recreational facilities that provide capacity to serve new development must be estimated and the amount used to adjust (reduce) the cost that is included in park impact fees.

Recommendation: The park impact fee calculations will estimate the amount of other funding sources that will be available for existing deficiencies, if any, and for parks projects that provide capacity to serve new development.

Implementation Issues

12. Identification of an inflation factor index to keep impact fees current with increasing costs.

- The cost of park land and park improvements generally increase over extended periods of time, but park impact fees are not generally updated regularly.
- Many park impact fees include an annual inflation adjustment so that the impact fees keep up with the increased costs of land and improvements.
- Traditional consumer price index data does not adequately reflect changes in costs of land and improvements for parks and recreation facilities.

- The City of Shoreline’s transportation impact fee is adjusted annually based on the 3-year average change of the Washington Department of Transportation’s Construction Cost Indices (CCI). This index does not adequately reflect changes in the costs of land and improvements for parks and recreation facilities.

Recommendation: The park impact fee should include a composite annual inflation adjustment that uses the Engineering News Record Index of construction costs to adjust for improvements to parks, and annual increases in County government tax assessment values to adjust for the cost of park land.

13. Frequency of updating park impact fee.

- Park impact fee rates can remain in place for several years provided there is an annual inflation adjustment.
- The transportation impact fee for the City of Shoreline is to be “reviewed and adjusted by the Council as it deems necessary and appropriate in conjunction with the annual budget process so that the adjustments, if any, will be effective at the first of the calendar year subsequent to budget period under review.”

Recommendation: The park impact fee should recommend updating the fee calculations with the same provisions as the transportation impact fee. In addition, the park impact fee should be updated after the City updates its PROS plan (the city’s comprehensive plan for parks).

14. Relationship to any existing mitigation for parks and recreation.

- Shoreline does not have any existing mitigation for parks and recreation.

Recommendation: The park impact fee methodology will not need to include any transition from, or credits for, previous mitigations for parks and recreation.