



AGENDA

STAFF PRESENTATIONS

PUBLIC COMMENT

SHORELINE CITY COUNCIL VIRTUAL/ELECTRONIC REGULAR MEETING

Monday, March 15, 2021
7:00 p.m.

Held Remotely on Zoom
<https://zoom.us/j/95015006341>

In an effort to curtail the spread of the COVID-19 virus, the City Council meeting will take place online using the Zoom platform and the public will not be allowed to attend in-person. You may watch a live feed of the meeting online; join the meeting via Zoom Webinar; or listen to the meeting over the telephone.

The City Council is providing opportunities for public comment by submitting written comment or calling into the meeting to provide oral public comment. To provide oral public comment you must sign-up by 6:30 p.m. the night of the meeting. Please see the information listed below to access all of these options:



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Attend the Meeting via Zoom Webinar: <https://zoom.us/j/95015006341>



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[Click Here to Sign-Up to Provide Oral Testimony](#)

Pre-registration is required by 6:30 p.m. the night of the meeting.



[Click Here to Submit Written Public Comment](#)

Written comments will be presented to Council and posted to the website if received by 4:00 p.m. the night of the meeting; otherwise they will be sent and posted the next day.

	<u>Page</u>	<u>Estimated Time</u>
1. CALL TO ORDER		7:00
2. ROLL CALL		
3. REPORT OF THE CITY MANAGER		
4. COUNCIL REPORTS		
5. PUBLIC COMMENT		

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 by 6:30 p.m. the night of the meeting via the [Remote Public Comment Sign-in form](#). Individuals wishing to speak to agenda items will be called to speak first, generally in the order in which they have signed up.

6. APPROVAL OF THE AGENDA		7:20
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7.	CONSENT CALENDAR		7:20
(a)	Approval of Minutes of Regular Meeting of February 22, 2021	<u>7a1-1</u>	
	Approval of Minutes of Regular Meeting of March 1, 2021	<u>7a2-1</u>	
(b)	Adoption of Ordinance No. 920 - Repealing Shoreline Municipal Code Chapter 3.01	<u>7b-1</u>	
(c)	Adoption of Ordinance No. 921 - Establishing a Fee Schedule for Impact Fees	<u>7c-1</u>	
(d)	Adoption of Resolution No. 471 - Adopting a Fee Schedule	<u>7d-1</u>	
(e)	Authorize the Extension of the City Manager’s Change Order Authorization Limit for the Westminster Way N and N 155 th Street Intersection Improvements Project in the Amount of \$200,000	<u>7e-1</u>	
(f)	Authorize the City Manager to Execute an Agreement with Sound Transit for the Ridgecrest Park Retaining Wall Betterment as Part of the Lynnwood Link Extension Project	<u>7f-1</u>	
8.	ACTION ITEMS		
(a)	Action on Resolution No. 470 - Amending the Council Rules of Procedure	<u>8a-1</u>	7:20
9.	STUDY ITEMS		
(a)	Discussion of Federal Legislative Priorities	<u>9a-1</u>	7:40
(b)	Discussion of the 2021 Comprehensive Plan Amendment Docket	<u>9b-1</u>	8:10
(c)	Discussion of Ordinance No. 926— Limited Tax General Obligation Bond 2021 – VLF Supported Transportation Improvement Projects	<u>9c-1</u>	8:40
10.	ADJOURNMENT		8:55

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CITY OF SHORELINE
SHORELINE CITY COUNCIL
SUMMARY MINUTES OF REGULAR MEETING

Monday, February 22, 2021
7:00 p.m.

Held Remotely via Zoom

PRESENT: Deputy Mayor Scully, Councilmembers McConnell, McGlashan, Chang, Robertson, and Roberts

ABSENT: Mayor Hall

1. CALL TO ORDER

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

2. ROLL CALL

Upon roll call by the City Clerk, all Councilmembers were present with the exception of Mayor Hall.

Councilmember Roberts moved to excuse Mayor Hall for personal reasons. The motion was seconded by Councilmember McConnell and passed unanimously, 6-0.

3. REPORT OF CITY MANAGER

John Norris, Assistant City Manager, provided an update on the recent snow weather event, the COVID-19 pandemic, and reported on various City meetings, projects and events.

4. COUNCIL REPORTS

Councilmember Chang said she attended the King County Regional Transit Committee meeting and reported that Metro is beginning to plan for restoration of services and she shared information on how riders can provide input. She said the Service Guidelines are being discussed, and routes are prioritized by considering the contributing factors of equity, productivity, and geographic value. She observed that it may be difficult for the City to meet growth targets if there is no correlation with increased transit services.

Councilmember McGlashan reported he attended the Association of Washington Cities (AWC) Action Days and said he learned that the legislature is moving forward with a transportation package and he listed some of the projects that would be funded by it. He said the recent SeaShore Transportation meeting included an update from Sound Transit on their pandemic recovery methodology.

Councilmember Robertson said she attended the North King County Shelter Task Force meeting and reported that a site manager has been hired for the Enhanced Shelter in Shoreline. She said the Task Force is discussing what their purpose will be now that a North King County shelter has been sited.

Councilmember McConnell said at the recent National League of Cities (NLC) Transportation and Infrastructure Services meeting there were high level reports from several organizations, and that the disruption caused by the pandemic has highlighted the inequities in transportation systems. She said NLC is keeping abreast of the status of infrastructure bills.

Councilmember Roberts reflected that there is interest in what the Federal government will do in terms of the latest relief package and asked his colleagues what the House of Representatives is doing in their budget in terms of the newest relief packages.

Deputy Mayor Scully thanked City staff for the work done during the snowstorm.

5. PUBLIC COMMENT

Adiel Sefrio, Vice President of the Evergreen Point Group, described their first project in Shoreline and the positive experience working with the City. He said there are challenges with upcoming projects under consideration and said details in the form of written comment had been submitted to the Council. He expressed Evergreen Point's commitment to partnering with the City and offered to be a resource from a developer's perspective.

Jackie Kurlle, Shoreline resident, spoke regarding the Enhanced Shelter. She said that she supports the cause of helping the homeless but there needs to be more transparency on the project. She drew attention to recent emergency events at a shelter in Bellingham and underscored the need to have adequate emergency services in place.

6. APPROVAL OF THE AGENDA

The agenda was approved by unanimous consent.

7. CONSENT CALENDAR

Upon motion by Councilmember Robertson and seconded by Councilmember McGlashan and unanimously carried, 6-0, the following Consent Calendar items were approved:

- (a) Approval of Minutes of Special Meeting of January 20, 2021**
- Approval of Minutes of Regular Meeting of February 1, 2021**
- Approval of Minutes of Special Meeting of February 11, 2021**
- Approval of Minutes of Special Meeting of February 11, 2021**

- (b) Approval of Expenses and Payroll as of February 5, 2021 in the Amount of \$2,353,730.42**

***Payroll and Benefits:**

Payroll Period	Payment Date	EFT Numbers (EF)	Payroll Checks (PR)	Benefit Checks (AP)	Amount Paid
01/10/21-01/23/21	1/29/2021	95258-95460	17209-17219	81745-81752	\$930,945.54
Q4 2020 L&I				81670	\$45,459.80
Q4 2020 ESD				81671	\$16,433.15
					<u>\$992,838.49</u>

***Wire Transfers:**

Expense Register Dated	Wire Transfer Number	Amount Paid
1/25/2021	1172	\$1,650.63
		<u>\$1,650.63</u>

***Accounts Payable Claims:**

Expense Register Dated	Check Number (Begin)	Check Number (End)	Amount Paid
1/28/2021	81595	81610	\$181,791.52
1/28/2021	81611	81627	\$168,185.17
1/28/2021	81628	81634	\$41,064.77
1/28/2021	81635	81639	\$7,406.20
1/28/2021	81640	81646	\$11,317.96
1/28/2021	81647	81669	\$122,008.82
2/3/2021	81672	81686	\$427,508.65
2/3/2021	81687	81701	\$239,587.50
2/3/2021	81702	81712	\$26,437.27
2/3/2021	81713	81717	\$32,465.59
2/3/2021	81718	81726	\$39,658.48
2/4/2021	81727	81744	\$61,809.37
			<u>\$1,359,241.30</u>

(c) Adoption of Ordinance No. 897 - Amending Shoreline Municipal Code Section 20.50.620, Aurora Square Community Renewal Sign Standards

(d) Approval of Property Tax Exemption Program Contract for the Trad Apartments Project Located at 17567 15th Avenue NE

8. ACTION ITEMS

(a) Action on Ordinance No. 919 - Amending Title 2 of the Shoreline Municipal Code to Create a New Chapter 2.70, Compensation and Salary Commission, to Establish a Salary Commission for Elected Officials

Don Moritz, Human Resources Director, delivered the staff presentation. Mr. Moritz explained that the Council had discussed the potential for creating a Salary Commission at the 2020 Strategic Planning Meeting and directed staff to prepare additional information and a proposed Ordinance, with was followed by Council discussion.

Mr. Moritz stated that if Ordinance No. 919 were to be adopted, the Salary Commission would convene in 2022, and added that alternative Ordinance language has been prepared in response to direction from Council. He said the proposed amendments would articulate a compensation philosophy that reflects reasonable and fair remuneration for a Councilmembers' time, effort, and expenses; instruct the Salary Commission to consider comparative market data and duties and responsibilities of the Councilmembers; and establish a compensation plan for elected officials that promotes equity, diversity, and encourages citizen participation. He said staff recommends that Council adopt Ordinance No. 919 as amended.

Councilmember Robertson moved to adopt Ordinance No. 919 as set forth in Attachment B to the Staff Report. The motion was seconded by Councilmember Roberts.

Councilmember Robertson expressed appreciation for the work done to make sure the Ordinance aligns with the City's diversity goals.

Deputy Mayor Scully expressed support for the Ordinance and appreciation for the work done to include equitable language in it. He added that while he hesitates to start anything that might result in increased expenses during the pandemic, he noted that this does not go into effect until 2022. He summarized that in adopting the Ordinance, the goal is to make sure the salary is right, not to provide an automatic increase. He added that from an equity perspective, making sure the salary is fair will make it financially feasible for more people to participate on Council.

The motion passed unanimously, 6-0.

9. STUDY ITEMS

- (a) Panel Presentation on Police Accountability: Legislative Activity in Olympia and the Uses and Limitation of Data

Jim Hammond, Intergovernmental/CMO Program Manager, said tonight's discussion would include updates on upcoming legislative actions and provide information on the uses and limitations of data when looking into law enforcement issues. He welcomed panelists Devitta Briscoe, community advocate and member of Not This Time and the Washington Coalition for Police Accountability; Sharon Swanson, Association of Washington Cities (AWC); and Jaqueline Helfgott, Seattle University Criminal Justice professor and Director of SPU's Crime and Justice Research Center; and said they would share their perspectives regarding police accountability. After being welcomed, each panelist had the opportunity to share their professional background, experiences, and affiliations.

The discussion on the challenges of the data collection process opened with Dr. Helfgott summarizing the data collection process and stating that there tends to be issues in terms of capturing useable data that will connect from one agency to another. She shared specific

examples of the technical challenges and added that for best results in criminal justice research, quantitative data needs to be supplemented by qualitative data to understand situational specificity. The example of a racial disproportionality in traffic tickets issued in Shoreline was brought up, and Dr. Helfgott explained how important it is to collect a lot of data to reflect all the variables. Deputy Mayor Scully recognized that there is always the possibility that the data may not indicate what you think it might be and there was conversation on the importance of gathering enough data and using research findings for informed policymaking.

Mr. Hammond asked for Dr. Helfgott's perspective on the best questions to ask on community surveys to collect valuable data and she said capturing public safety scaled data is helpful. Councilmember Chang said the City has the annual police report and the citywide survey and asked for resources or examples on what kind of questions (data) should be collected to do a better job at establishing scale. When asked for suggestions of the best ways to collect data, Dr. Helfgott recommended looking at agencies that have implemented good data collection practices and templates.

The discussion turned to current legislative activity and Ms. Briscoe said her personal experiences prompted the launch of Not This Time and she shared details of her advocacy work and gave an overview of Not This Time's priorities and focus, stating that their goal is to infuse real life experiences into the policies around the use of force that are being adopted. Ms. Swanson described AWC's process to establish police reform as one of their legislative priorities and said the overarching priority is to ask the State to set the standard for use of force while preserving the ability of local jurisdictions to have more restrictive standards if they choose to do so. She said the Legislative Priorities Committee and the Board of AWC feels this needs to be a statewide conversation and include the perspective of the legislature. She described her role in facilitating conversations regarding some House Bills and she is seeing the needed language changes being made. When asked what she thinks the result will be on the law enforcement related bills, Ms. Swanson said AWC supports 12 of the 15 Bills on the agenda and said she thinks there will be many bills that pass that touch upon aspects of the conversation. Councilmember McGlashan brought up questions about how the passage of House Bill 1202 would affect contract cities and Ms. Swanson recommended the City review its contract with the King County Sheriff's Office and consulting with its City Attorney.

There was discussion regarding the role of collective bargaining agreements and unions in hindering agencies abilities to discipline or dismiss an employee and Ms. Swanson clarified that there would need to be a larger conversation at some point about the role of collective bargaining and unions, but it has not yet taken place.

Councilmember Chang spoke to the success of the Response Awareness, De-escalation And Referral program (RADAR) and other mental health support services and asked if there is any thought about expanding RADAR. Ms. Swanson described AWC's advocacy for Washington Association of Sheriffs & Police Chiefs' co-responder program. She hopes the conversations in the legislature continue beyond this session.

Councilmember Robertson asked Ms. Briscoe for her perspective on priorities and how to fill the gaps, and Ms. Briscoe said that while there are no current bills focused on intervention, she is

interested in continuing conversations about ways to be more responsive to people in a mental health crisis.

Councilmember Roberts noted that AWC opposes House Bill 1203, which requires larger cities to establish a community oversight board, and asked what the concerns are. Ms. Swanson shared aspects of the bill that concern AWC and added that they continue to have conversations to reach a compromise. Discussion turned toward impressions of community oversight boards and Mr. Hammond said next week's panel will focus on civilian oversight. Deputy Mayor Scully observed that the City does not need a State mandate to include civilian oversight and he looks forward to discussing what Shoreline can do independently on the topic.

Mr. Hammond expressed thanks to the panel members and encouraged the Council to share any questions with him that stem from the conversation.

- (b) Discussion of Ordinance No. 920 - Repealing and Replacing Shoreline Municipal Code Chapter 3.01 – Fee Schedule, Ordinance No. 921 - Establishing a Fee Schedule for Impact Fees, and Resolution No. 471 - Adopting a Fee Schedule

Margaret King, City Attorney, delivered the staff presentation. She explained that amending SMC Chapter 3.01 to allow for the adoption of the Fee Schedule (except for impact fees) would allow for a more timely and efficient process that would not impact the Budget Ordinance when amendments are needed. She explained that adoption of the three pieces of legislation are proposed to occur concurrently and she described the actions required for the amendment. Adopting Ordinance No. 920 would repeal and replace the existing SMC 3.01 and provide for the adoption of the fee schedule by Resolution and amend certain sections of the SMC to ensure correct citations based on the modification; adopting Ordinance No. 921 would establish the rates and costs for the City's Impact Fees for 2021; and adopting Resolution No. 471 would establish the 2021 Fee Schedule.

Councilmember Roberts confirmed that Council would still have the final say in adopting fee schedules with these changes, and Ms. King said the only change is the action would be done by resolution instead of ordinance, and fees would not be tied to the budget ordinance. There was discussion on the designation of collection points in the fee waiver provision, and Ms. King replied that she will look into the reasons behind requirements for fee collection and the instances in which the City Manager can waive fees.

It was agreed that the adoption of Ordinances Nos. 920 and 921 and Resolution No. 471 would return as a Consent item.

10. ADJOURNMENT

At 8:36 p.m., Deputy Mayor declared the meeting adjourned.

Jessica Simulcik Smith, City Clerk

CITY OF SHORELINE
SHORELINE CITY COUNCIL
SUMMARY MINUTES OF REGULAR MEETING

Monday, March 1, 2021
7:00 p.m.

Held Remotely via Zoom

PRESENT: Mayor Hall, Deputy Mayor Scully, Councilmembers McConnell, McGlashan, Chang, Robertson, and Roberts

ABSENT: None.

1. CALL TO ORDER

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

2. ROLL CALL

Upon roll call by the Deputy City Clerk, all Councilmembers were present.

3. REPORT OF CITY MANAGER

John Norris, Assistant City Manager, provided an update on the COVID-19 pandemic and reported on various City meetings, projects and events.

4. COUNCIL REPORTS

There were no Council Reports.

5. PUBLIC COMMENT

Jackie Kurlle, Shoreline resident, said that while she supports helping the homeless, she feels there is a need for a significant level of oversight on the operation of the Enhanced Shelter and encouraged the City to keep the safety of all residents at the forefront.

Nancy Pfeil, Shoreline resident, said King County Housing Authority will eventually transition the Enhanced Shelter property to public supportive housing and expressed her concerns regarding the possibility.

6. APPROVAL OF THE AGENDA

The agenda was approved by unanimous consent.

7. CONSENT CALENDAR

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

- (a) Approval of Minutes of Regular Meeting of February 8, 2021**
- (b) Authorize the City Manager to Execute a Labor Agreement Between the City of Shoreline and the Public, Professional, and Office-Clerical Employees and Drivers, Local Union No. 763, Representing the City's Maintenance Employees**

8. STUDY ITEMS

- (a) Discussion on Police Accountability - Body-worn Cameras, Policies, and Community Engagement

Jim Hammond, Intergovernmental Program Relations Manager, welcomed panelists Abiel Woldu, Anthony Finnell, Major Jeffrey Flohr, Jennifer Lee, and De'Sean Quinn and said they were invited to share their perspectives on community engagement and civilian oversight, and the specific tool of body-worn cameras and the role they play when it comes to law enforcement. The discussion began with each panelist sharing their background and involvement with police accountability.

Abiel Woldu, Chair of the Citizen's Advisory Committee (CACLEO) for the King County Office of Law Enforcement and Oversight (OLEO), described the ways they have helped guide conversation prior to implementing a measure such as body cameras. Mr. Woldu described his work in civilian oversight and shared his reasons for his unpaid involvement.

Major Jeffrey Flohr, an employee of the King County's Sheriff's Office (KCSO), is currently serving as part of the Command Team overseeing development of a KCSO pilot program for body-worn cameras in his precinct. He outlined his work in the development of the pilot program and summarized the community feedback he received during the information gathering process.

Anthony Finnell, an employee of the Seattle's Office of the Inspector General and board member of the National Association of Civilian Oversight of Law Enforcement (NACOLE), shared his background in law enforcement. He said he sees the value of body-worn cameras in adding transparency and accountability and benefiting officers by providing data to identify training deficiencies and aid in policy development. He asserted that when used and released properly, video footage helps build trust in the community and builds conversation for policy development.

Jennifer Lee, the Technology and Liberty Manager for American Civil Liberties Union of Washington, said the overall objective of her work is to protect and advance people's civil liberties and constitutionally protected rights in the face of game changing technology. She listed other key issues in legislation the ACLU is working on, and said the goal is to make sure technology is accountable to people and described the ways in which the ACLU takes action.

De'Sean Quinn, Tukwila Councilmember, joined the panel following his City Council meeting. He said it is good to see acknowledgement of the conversations that need to happen and reminded the Council that you need to make a way to hear from those with lived experience and make a seat for them at the table. He shared his pathway to creating change and his participation as a commissioner on the Criminal Justice Training Commission.

In discussing oversight, Mr. Finnell said most people focus on allegations of misconduct, but the topic is much broader. Oversight can help in changing the culture of a department and correcting systemic issues, and he described methods to use the data with the goal of amending policy while maintaining law enforcement intent, without causing harm to the community. Deputy Mayor Scully recognized the layers of restrictions in place around oversight and observed that the City's ability to radically reinvent policing is limited. He asked for panelists' opinions on the idea of a Citizen Review Panel. He described it as a reporting panel, convened to offer a different perspective. The pros and cons were discussed, with Mr. Finnell and Mr. Woldu agreeing that if the panel does not have authority to implement change it would probably create more frustration, especially if it was composed of volunteers. Mr. Quinn added that how you set the standard for an oversight committee is important, and community voices are imperative. He recommended paying people for their contributions.

On the topic of body-worn cameras and video footage, Ms. Lee said video footage has played a critical role in driving forward conversation around police accountability. She said as many voices call for the divestment of police resources and reinvesting to communities, it may not make sense to spend money to build and expand body camera programs that have not proven to be effective.

Councilmember Chang said the staff report gave her a lot to think about as far as the potential negatives to body-worn cameras. She asked if it is possible to create policy to avoid those negatives. Mr. Finnell said, while there are studies that speak to the negatives, from his perspective the evidence the footage provides is invaluable. He elaborated that body-worn cameras will not shift behavior, but they will help the agency to address the behaviors.

Ms. Lee said the evidence on whether body cameras are an effective tool for police accountability is mixed, and she shared information on studies suggesting that more research should be done. She stated that bystander footage helps communities watch the police, but the footage collected by the police from body-worn cameras can be incomplete and distort reality. In addressing privacy concerns, Ms. Lee asserted that the data captured in public and private spaces by body-worn cameras serve more as a tool to monitor civilians than to hold officers accountable, posing threats to people's privacy and civil liberties. Mr. Quinn said there is no consistent form of data collection, so there needs to be a commitment to improving in this area. He reflected on the historical systems of collecting data and how they were used to maintain power and he shared his experience with the implementation of body-worn cameras in Tukwila.

Councilmember McConnell questioned if the use of body cameras reduces the behaviors that need to be reduced, captures the reality of the incident, and wondered how admissible and reliable the footage recorded by the public is. Ms. Lee said the evidence is mixed at best, and more research needs to be done to see if it is effective in holding officers accountable. She

offered that video footage has played a big part in shining light on police violence but pointed out that there are unintended consequences to expanding a surveillance infrastructure. She described the differences in footage collected by police and by bystanders and said surveillance tools have always disproportionately harmed the most marginalized communities, citing examples of this throughout history. Major Flohr opined that the ACLU's concerns can be addressed with policy. He said there is now an expectation that video will be available. Mr. Finnell contributed that video is a valuable tool that helps recount a piece of the story and, and he noted there is a digital footprint created every time footage is accessed by law enforcement, ensuring accountability and accuracy. Mr. Quinn shared information on how Tukwila incorporates and updates best practices in their policies on use of body-worn cameras.

In addressing the question of whether body-worn cameras are worth the expense, Ms. Lee said there needs to be more research on whether the use of body-worn cameras stops police brutality. She said there are policy questions that may mitigate some of the concerns but observed that policies are often violated. Mr. Woldu asked if the money that would be spent on body-worn cameras could be better spent to change the behavior, rather than record it. Major Flohr said body cameras are very expensive and agreed that the question of how to spend resources needs to be considered. Major Flohr touched upon the value of supportive services such as RADAR and the Law Enforcement Assisted Diversion (LEAD) program.

The topic of managing public records requests for footage was raised and the ways to create policies to manage the process were discussed.

In outlining the pilot body-worn camera project he is leading, Major Flohr described the outreach done in their community and shared questions raised. He said the reaction was predominantly positive and said many deputies volunteered to participate in the program.

In sharing final observations from the discussion on police accountability, Mr. Finnell emphasized that input from those with lived experience is invaluable. Mr. Woldu suggested that the communities that are harmed the most should be actively brought to the table and be given the loudest voice, and he encouraged the City to continue to focus on oversight. Ms. Lee emphasized that in an increasingly data driven world, data can be used to harm with the brunt of it often felt by the most vulnerable in the community, and she agreed that feedback from a range of voices is important. Mr. Quinn reminded Council that an intentional process with discussion will be informative. He said in his perception, the community is getting closer to having a shared vision around accountability, and new normalizing is happening, and institutions need to be part of the solution.

Mayor Hall recognized the level of expertise held by the panelists and thanked them for their participation.

(b) Discussion on Resolution No. 470 - Amending the Council Rules of Procedure

Jessica Simulcik Smith, City Clerk, delivered the staff presentation. She shared the background and purpose of the Council Rules of Procedure, said they are periodically reviewed and have

been amended on multiple occasions, and described the amendments being proposed in Resolution No. 470.

Ms. Simulcik Smith stated that updating Section 3 would remove outdated language for agenda preparation to bring the Rules into conformance with current business operations. She reviewed Mayor Hall's requested amendment to Section 5.3A, moving the Approval of the Agenda to the third place in the order of business. She reviewed that deleting Section 5.4(H) would remove the rule regarding scheduling community presentations from organizations with opposing viewpoints, which would be challenging to administer. She concluded by stating that the remainder of the proposed amendments are housekeeping items that seek to provide clarity and grammatical consistency corrections.

The pros and cons of placing Approval of the Agenda as item three were discussed, with Councilmember Roberts observing that the current order of business makes it easy for the Council to add an emerging issue brought up in public comment. Mayor Hall recognized his point and shared his perspective, stating that earlier approval of the agenda would give the Council the flexibility to easily reorder the remainder of the agenda that could also benefit the public.

In discussing amendments to Section 3.2, Deputy Mayor Scully questioned the necessity of the procedures for adding items to the agenda, stating that they set artificial constraints. He suggested modifying the procedure to remove the communication format and timing considerations. Ms. Simulcik Smith recognized that the five-day deadline occurs after the meeting packet has been issued, so there may not be benefit in this portion of the procedure for getting a staff report sent prior to the meeting. Deputy Mayor Scully noted that as the procedure is currently written, there is a power inequity between the process for adding something to the agenda by the Mayor, Deputy Mayor, and City Manager in comparison to the Councilmembers. Councilmember Roberts said the section is not clear as to whether it pertains to adding items to the current week's agenda, or just to a future agenda. He said he would not be in favor of two Councilmembers being able to add an item to an upcoming meeting without preparation. The various ways to interpret the procedure were discussed, with Deputy Mayor Scully and Councilmember Robertson agreeing that it is important to avoid setting up a situation for power plays.

Councilmember McGlashan expressed support for the reordering of the agenda but he does not feel that deadlines to add an item to the agenda need to be indicated in the Rules of Procedure.

Mayor Hall said providing a minimum of a five day notice is done as a courtesy to the City Manager, and while the Mayor or Deputy Mayor can add something to the agenda at the last minute, that has been exceptionally rare. Late additions to the agenda can lead to challenges, so having established procedures are good for transparency.

In determining how to move forward with the proposed amendments, Councilmember Roberts said the larger question can be saved for future discussion, and Councilmember Robertson agreed. Councilmember McConnell said it is important to support City staff's workload, and not add last minute items to the agenda unless there was consensus on the urgency. Mayor Hall

agreed that the suggestions recommended by staff improve the Rules of Procedure but do not address Deputy Mayor Scully's concerns.

The Council decided that proposed Resolution No. 470 should return as an Action Item, allowing opportunity for amendments.

9. ADJOURNMENT

At 9:22 p.m., Mayor Hall declared the meeting adjourned.

Allison Taylor, Deputy City Clerk

DRAFT

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Adopting Ordinance No. 920 - Repealing and Replacing Shoreline Municipal Code Chapter 3.01 – Fee Schedule
DEPARTMENT:	City Attorney’s Office Administrative Services
PRESENTED BY:	Margaret King, City Attorney Rick Kirkwood, Budget & Tax Manager
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:

On February 22, 2021, staff presented proposed Ordinance No. 920, repealing and replacing Shoreline Municipal Code Chapter 3.01 – Fee Schedule, proposed Ordinance No. 921, establishing a fee schedule for Impact Fees, and proposed Resolution No. 471, adopting a fee schedule, to the City Council. The staff report for this Council discussion is available at the following link:

<http://cosweb.ci.shoreline.wa.us/uploads/attachments/cck/council/staffreports/2021/staffreport022221-9b.pdf>.

The City’s Fee Schedule, codified at Shoreline Municipal Code (SMC) Chapter 3.01, which establishes various rates, fees, costs, and charges for City services and related items, has historically been reviewed and updated for the upcoming fiscal year through the City’s budget process. As such, it has also been included with the ordinance adopting the City’s budget. This has provided some challenges as various indices used to calculate changes in rates, such as much of the solid waste rate schedule in SMC 3.01.500, are not available until late in the budget process, thereby making it impossible to include such a schedule in the proposed budget book. Another challenge is the ability to amend the Fee Schedule in a timely manner, as it also requires the budget ordinance be amended, thereby making for an unnecessary and cumbersome process. Lastly, there are various provisions throughout the SMC that reference specific sections of SMC Chapter 3.01 that have not been amended to reflect the evolution of the Fee Schedule.

Amending SMC Chapter 3.01 to allow for the adoption of the Fee Schedule (except for impact fees) by resolution of the City Council would allow for a more timely and efficient process that would not impact the Budget Ordinance when amendments are needed. To accomplish this, three actions would be required by the City Council:

- Proposed Ordinance No. 920 (Attachment A) would repeal and replace SMC Chapter 3.01 to provide for adoption of a Fee Schedule by resolution for general

rates, fees, and costs and the adoption of a Fee Schedule by ordinance for impact fees as required by Revised Code of Washington (RCW) Chapter 82.02. This proposed Ordinance also provides for amendments to sections of the SMC necessary to ensure the correct citation is referenced.

- Proposed Ordinance No. 921, included on tonight's agenda as a separate item, would establish the rates and costs for all of the City's impact fees – parks, transportation, and fire. As noted above, this is required to be adopted by ordinance by state law.
- Proposed Resolution No. 471, included on tonight's agenda as a separate item, would establish the Fee Schedule for rates, fees, costs, and charges for City services and related items that were previously adopted through the budget ordinance process (last established by Ordinance No. 903).

Adoption of the above three pieces of legislation are proposed to occur concurrently.

RESOURCE/FINANCIAL IMPACT:

There is no financial impact associated with tonight's discussion.

RECOMMENDATION

Staff recommends that City Council adopt Ordinance No. 920, repealing and replacing Shoreline Municipal Code Chapter 3.01 – Fee Schedule.

ATTACHMENTS:

Attachment A: Proposed Ordinance No. 920, including Exhibit A and Exhibit B

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

ORDINANCE NO. 920

AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON REPEALING CHAPTER 3.01 FEE SCHEDULE OF THE SHORELINE MUNICIPAL CODE AND REPLACING WITH A NEW CHAPTER 3.01 FEE SCHEDULE; AND AMENDING VARIOUS SECTIONS OF THE SHORELINE MUNICIPAL CODE TO AMENDED REFERENCING CITATIONS.

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, included in the ordinance adopting the City's Budget ("Budget Ordinance"), the City Council has adopted a Fee Schedule, codified at Shoreline Municipal Code (SMC) Chapter 3.01, establishing various rates, fees, costs, and charges for City services and related items; and

WHEREAS, subsequent amendments to the Fee Schedule requires amending the Budget Ordinance solely because the Fee Schedule is adopted as part of the Budget Ordinance, making for an unnecessary and cumbersome process; and

WHEREAS, by amending SMC Chapter 3.01 to allow for the adoption of the Fee Schedule, except for impact fees, by resolution of the City Council would allow for a more timely and efficient process that would not impact the Budget Ordinance when amendments are needed; and

WHEREAS, to accomplish this, SMC Chapter 3.01 as it currently exists should be repealed and replaced with a new SMC Chapter 3.01 that provides for the adoption of the Fee Schedule by resolution and adoption of the Fee Schedule for Parks, Fire, and Transportation Impact Fees by ordinance as required by RCW Chapter 82.02; and

WHEREAS, various provisions in the SMC reference specific sections of SMC Chapter 3.01 that, upon repeal and replacement, will no longer exist; amendment to these sections is necessary to ensure the correct citation is referenced; and

WHEREAS, concurrent with the adoption of this Ordinance is Ordinance No. 921, establishing the Fee Schedule for Parks, Fire, and Transportation Impact Fees and Resolution No. 471, establishing the Fee Schedule for rates, fees, costs, and charges for City services and related items;

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

Section 1. Repeal and Replace. SMC Chapter 3.01 Fee Schedule is repealed in its entirety and replaced with a new SMC Chapter 3.01 Fee Schedule as set forth in Exhibit A to this Ordinance.

Section 2. Amendment of Shoreline Municipal Code. The Shoreline Municipal Code, as set forth in Exhibit B to this Ordinance, is adopted. This amendment pertains to SMC Chapters 2.35, 3.70, 3.80, 3.85, 5.07, 5.10, 5.15, 6.05, 6.10, 6.15, 6.20, and 13.14.

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

PASSED BY THE CITY COUNCIL ON MARCH 15, 2021.

Mayor Will Hall

ATTEST:

APPROVED AS TO FORM:

Jessica Simulcik Smith
City Clerk

Julie Ainsworth-Taylor, Assistant City Attorney
On behalf of Margaret King, City Attorney

Date of Publication:
Effective Date:

Chapter 3.01 Fee Schedules

The following sections of Chapter 3.01 are repealed in their entirety and replaced as provided.

REPEAL:

- 3.01.010 Planning and community development.
- 3.01.015 Transportation impact fees.
- 3.01.016 Park impact fees.
- 3.01.017 Fire impact fees.
- 3.01.020 Fire – Operational.
- 3.01.025 Affordable housing fee in lieu.
- 3.01.100 Animal licensing and service fees.
- 3.01.200 Business license fees.
- 3.01.205 Filmmaking permit fees.
- 3.01.210 Hearing examiner fees.
- 3.01.220 Public records.
- 3.01.300 Parks, recreation and cultural services.
- 3.01.400 Surface water management rate table.
- 3.01.500 Solid waste rate schedule.
- 3.01.800 Fee waiver.
- 3.01.810 Collection fees (financial).
- 3.01.820 Annual adjustments.

REPLACE WITH:

3.01.010 Fee Schedule

A. Fees, charges, costs, and rates for services provided by the City shall be established by the City Council pursuant to such periodic resolutions as the city council, from time to time, updates and approves. Such fees, changes, costs, and rates include, but are not limited to, building and planning permits, right-of-way use permits, wastewater permits, licensing of businesses and animals, use of park and recreation facilities, solid waste collection, surface water management, and in-lieu of fees.

B. Impact Fees for Transportation, Parks, and Fire shall be established by ordinance adopted from time to time by the City Council consistent with SMC Chapters 3.70, 3.75, and 3.80.

3.01.020 Fee waiver.

The city manager or designee is authorized to waive fees for the following types of permits as a city contribution toward events which serve the community and are consistent with adopted city programs:

A. Right-of-way permits issued pursuant to SMC Chapter 12.15

B. Facility use permits issued pursuant to SMC 8.12.040

C. Concessionaire permits issued pursuant to SMC 8.12.130

D. The city manager is authorized to designate collection points in the City Hall lobby or Spartan Recreation Center for any charitable organization, without charge, to be used for the donation of food or goods that will benefit Shoreline residents in need.

3.01.030 Annual adjustments.

Increases of the fees contained in the Fee Schedule adopted pursuant to this chapter shall be calculated on an annual basis by January 1st of each year by the average for the period that includes the last six months of the previous budget year and the first six months of the current budget year of the Seattle-Tacoma-Bellevue Consumer Price Index for all urban consumers (CPI-U), unless the Shoreline Municipal Code calls for the use of another index/other indices, the fee is set by another agency, or specific circumstances apply to the calculation of the fee. The appropriate adjustment shall be calculated each year and included in the city manager's proposed budget. The city manager may choose to not include the calculated adjustments in the city manager's proposed budget and the city council may choose to not include the calculated adjustments in the adopted budget for select fees in any individual budget year without impacting the full force of this section for subsequent budget years. The annual adjustments to the fees established by this chapter shall be rounded as appropriate to ensure efficient administration of fee collection.

CHAPTER 2.35 PUBLIC RECORDS

2.35.060 Reimbursement for copying costs.

A. A requestor may obtain paper copies or electronic scans of public records under RCW [42.56.120](#); the city will charge for these according to the public records fee schedule ~~adopted in SMC [3.01.220](#)~~ established by resolution of the City Council pursuant to SMC 3.01.

CHAPTER 3.70 IMPACT FEES FOR PARKS, OPEN SPACE, AND RECREATION FACILITIES

3.70.020 Definitions.

“Fee Schedule” means the impact fee rates and changes established by ordinance of the City Council pursuant to SMC 3.01.

“Independent fee calculation” means the impact fee calculation, studies and data submitted by an applicant to support the assessment of a parks, open space, and recreation impact fee other than by the use of the rates ~~published in SMC 3.01.016(A)~~, set forth in the Fee Schedule or the calculations prepared by the director where none of the fee categories or fee amounts ~~in SMC 3.01.016~~ the Fee Schedule accurately describe or capture the impacts on park facilities of the development authorized by the building permit.

3.70.040 Impact fees methodology and applicability.

The parks, open space, and recreation impact fees ~~in SMC 3.01.016~~ set forth in the Fee Schedule are generated from the formulae for calculating parks, open space, and recreation impact fees set forth in the rate study. Except as otherwise provided for independent fee calculations in SMC 3.70.060, exemptions in SMC 3.70.070, and credits in SMC 3.70.080, all building permits issued by the city will be charged impact fees applicable to the type of development listed in the ~~schedule adopted pursuant to SMC 3.01.016~~ Fee Schedule.

3.70.050 Collection of impact fees.

A. The city shall collect impact fees for parks, open space, and recreation, based on the rates ~~in SMC 3.01.016~~, set forth in the Fee Schedule from any applicant seeking a building permit from the city unless specifically exempted in SMC 3.70.070.

B. When an impact fee applies to a building permit for a change of use of an existing building, the impact fee shall be the applicable impact fee for the land use category of the new use, less any impact fee paid for the immediately preceding use. The preceding use shall be determined by the most recent legally established use based on a locally owned business license and development permit documents.

1. For purposes of this provision, a change of use should be reviewed based on the land use category provided in the rate study that best captures the broader use or development activity of the property under development or being changed. Changes of use and minor changes in tenancies that are consistent with the general character of the building or building aggregations (i.e., “industrial park,” or “specialty retail”), or the previous use, shall not be considered a change of use that is subject to an impact fee.

2. If no impact fee was paid for the immediately preceding use, the impact fee for the new use shall be reduced by an amount equal to the current impact fee rate for the immediately preceding use.

3. If the calculated impact fee is a negative amount, the applicant will not be required to pay impact fees nor will the applicant be compensated by the city for a negative impact fee.

C. For mixed use developments, impact fees shall be imposed for the proportionate share of each land use, based on the applicable measurement in the impact fee rates ~~in SMC 3.01.016~~ set forth in the Fee Schedule.

D. Impact fees shall be determined at the time the complete application for a building permit is submitted using the impact fees then in effect. Except as provided in subsection F of this section, impact fees shall be due and payable before the building permit is issued by the city.

E. Applicants allowed credits prior to the submittal of the complete building permit application shall submit, along with the complete application, a copy of the letter prepared by the director setting forth the dollar amount of the credit allowed.

F. Single-Family Residential Deferral Program. An applicant for a building permit for a single-family detached or attached residence may request a deferral of the full impact fee payment until final inspection or 18 months from the date of original building permit issuance, whichever occurs first. Deferral of impact fees are considered under the following conditions:

1. An applicant for deferral must request the deferral no later than the time of application for a building permit. Any request not so made shall be deemed waived.
2. For the purposes of this deferral program, the following definitions apply:
 - a. "Applicant" includes an entity that controls the applicant, is controlled by the applicant, or is under common control with the applicant.
 - b. "Single-family residence" means a permit for a single-family dwelling unit, attached or detached, as defined in SMC 20.20.016.
3. To receive a deferral, an applicant must:
 - a. Submit a deferred impact fee application and acknowledgment form for each single-family attached or detached residence for which the applicant wishes to defer payment of the impact fees;
 - b. Pay the applicable administrative fee;
 - c. Grant and record at the applicant's expense a deferred impact fee lien in a form approved by the city against the property in favor of the city in the amount of the deferred impact fee that:

Ordinance 920 Attachment A, Exhibit B

- i. Includes the legal description, tax account number, and address of the property;
 - ii. Requires payment of the impact fees to the city prior to final inspection or 18 months from the date of original building permit issuance, whichever occurs first;
 - iii. Is signed by all owners of the property, with all signatures acknowledged as required for a deed and recorded in King County;
 - iv. Binds all successors in title after the recordation; and
 - v. Is junior and subordinate to one mortgage for the purpose of construction upon the same real property granted by the person who applied for the deferral of impact fees.
4. The amount of impact fees deferred shall be determined by the fees in effect at the time the applicant applies for a deferral.
5. Prior to final inspection or 18 months from the date of original building permit issuance, the applicant may pay the deferred amount in installments, with no penalty for early payment.
6. The city shall withhold final inspection until the impact fees have been paid in full. Upon receipt of final payment of impact fees deferred under this subsection, the city shall execute a release of deferred impact fee lien for each single-family attached or detached residence for which the impact fees have been received. The applicant, or property owner at the time of release, shall be responsible for recording the lien release at their expense.
7. The extinguishment of a deferred impact fee lien by the foreclosure of a lien having priority does not affect the obligation to pay the impact fees as a condition of final inspection.
8. If impact fees are not paid in accordance with the deferral and in accordance with the term provisions established herein, the city may institute foreclosure proceedings in accordance with Chapter 61.12 RCW.

9. Each applicant for a single-family attached or detached residential building permit, in accordance with their contractor registration number or other unique identification number, is entitled to annually receive deferrals under this section for the first 21 single-family residential construction building permits.

10. The city shall collect an administrative fee from the applicant seeking to defer the payment of impact fees under this section as ~~provided in SMC 3.01.016(B)~~ set forth in the Fee Schedule.

3.70.060 Independent fee calculations.

A. If, in the judgment of the director, none of the fee categories set forth in ~~SMC 3.01.016~~ the Fee Schedule accurately describes or captures the impacts of a new development on park facilities, the director may conduct independent fee calculations and the director may impose alternative fees on a specific development based on those calculations. The alternative fees and the calculations shall be set forth in writing and shall be mailed to the applicant.

B. An applicant may opt not to have the impact fees determined according to the fee structure in ~~SMC 3.01.016~~ in the Fee Schedule, in which case the applicant shall prepare and submit to the director an independent fee calculation for the development for which a building permit is being sought. The documentation submitted shall show the basis upon which the independent fee calculation was made. An independent fee calculation shall use the same methodology used to establish impact fees ~~adopted pursuant to SMC 3.01.016~~ in the Fee Schedule.

C. There is a rebuttable presumption that the calculations set forth in the rate study are valid. The director shall consider the documentation submitted by the applicant, but is not required to accept such documentation or analysis which the director reasonably deems to be inapplicable, inaccurate, incomplete, or unreliable. The director may require the applicant to submit additional or different documentation for consideration. The director is authorized to adjust the impact fees on a case-by-case basis based on the independent fee calculation, the specific characteristics of the development, and/or principles of fairness. The fees or alternative

fees and the calculations therefor shall be set forth in writing and shall be mailed to the applicant.

3.70.090 Adjustments for future tax payments and other revenue sources.

Pursuant to and consistent with the requirements of RCW 82.02.060, the rate study has provided adjustments for future taxes to be paid by the development authorized by the building permit which are earmarked or proratable to the same new park facilities which will serve the new development. The impact fees in ~~SMC 3.01.016~~ set forth in the Fee Schedule have been reasonably adjusted for taxes and other revenue sources which are anticipated to be available to fund parks, open space, and recreation improvements.

3.70.130 Review and adjustment of rates.

A. The fees and rates set forth in the rate study may be reviewed and adjusted by the council as it deems necessary and appropriate in conjunction with the budget process so that adjustments, if any, will be effective at the first of the calendar year subsequent to budget period under review.

B. Consistent with SMC ~~3.01.030~~ 3.01.820, the director shall adjust the fees by the same percentage changes as in the most recent annual change of the Construction Cost Index published in the Engineering News-Record (ENR) for the Seattle area.

Chapter 3.75 IMPACT FEES FOR FIRE PROTECTION FACILITIES

3.75.040 Definitions.

“Fee Schedule” means the impact fee rates and changes established by ordinance of the City Council pursuant to SMC 3.01.

“Independent fee calculation” means the impact fee calculation, studies and data submitted by an applicant to support the assessment of a fire impact fee other than by the use of the rates ~~published in SMC 3.01.017(A), set forth in the Fee Schedule,~~ or the calculations prepared by the fire chief where none of the fee categories or fee amounts in ~~SMC 3.01.017(A)~~ the Fee Schedule accurately describe or capture the impacts on fire protection facilities of the development authorized by the building permit.

3.75.060 Collection of impact fees.

A. The city shall collect impact fees for fire protection facilities, based on the rates provided by the fire department and ~~adopted in SMC 3.01.017~~ set forth in the Fee Schedule, from any applicant seeking a building permit unless specifically exempted in SMC 3.75.070. The city shall also collect an administrative fee from the applicant as ~~provided in SMC 3.01.017(B), set forth~~ in the Fee Schedule

B. When an impact fee applies to a building permit for a change of use of an existing building, the impact fee shall be the applicable impact fee for the land use category of the new use, less any impact fee paid for the immediately preceding use. The preceding use shall be determined by the most recent legally established use based on a locally owned business license and development permit documents.

1. For purposes of this provision, a change of use should be reviewed based on the land use category that best captures the broader use or development activity of the property under development or being changed. Changes of use and minor changes in tenancies that are consistent with the general character of the building or building aggregations (i.e., “industrial park,” or “specialty retail”), or the previous use, shall not be considered a change of use that is subject to an impact fee.

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2. If no impact fee was paid for the immediately preceding use, the impact fee for the new use shall be reduced by an amount equal to the current impact fee rate for the immediately preceding use.

3. If the calculated impact fee is a negative amount, the applicant will not be required to pay impact fees nor will the applicant be compensated by the city for a negative impact fee.

C. For mixed use developments, impact fees shall be imposed for the proportionate share of each land use, based on the applicable measurement in the impact fee rates in ~~SMC 3.01.017(A)~~ the Fee Schedule.

D. Impact fees shall be estimated at the time the complete application for a building permit is submitted using the impact fee rates then in effect. Except as provided in subsection F of this section, impact fees shall be due and payable before the building permit is issued by the city.

E. Applicants allowed credits pursuant to SMC 3.75.080 shall submit documentation from the fire department setting forth the credits allowed prior to building permit issuance. Credits shall be applied at the time of impact fee collection unless otherwise authorized by the fire department.

F. Single-Family Residential Deferral Program. An applicant for a building permit for a single-family detached or attached residence may request a deferral of the full impact fee payment until final inspection or 18 months from the date of original building permit issuance, whichever occurs first. Deferral of impact fees are considered under the following conditions:

1. An applicant for deferral must request the deferral no later than the time of application for a building permit. Any request not so made shall be deemed waived.

2. For the purposes of this deferral program, the following definitions apply:

a. "Applicant" includes an entity that controls the applicant, is controlled by the applicant, or is under common control with the applicant.

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b. "Single-family residence" means a permit for a single-family dwelling unit, attached or detached, as defined in SMC 20.20.016.

3. To receive a deferral, an applicant must:

a. Submit a deferred impact fee application and acknowledgment form for each single-family attached or detached residence for which the applicant wishes to defer payment of the impact fees;

b. Pay the applicable administrative fee;

c. Grant and record at the applicant's expense a deferred impact fee lien in a form approved by the city against the property in favor of the city in the amount of the deferred impact fee that:

i. Includes the legal description, tax account number, and address of the property;

ii. Requires payment of the impact fees to the city prior to final inspection or 18 months from the date of original building permit issuance, whichever occurs first;

iii. Is signed by all owners of the property, with all signatures acknowledged as required for a deed and recorded in King County;

iv. Binds all successors in title after the recordation; and

v. Is junior and subordinate to one mortgage for the purpose of construction upon the same real property granted by the person who applied for the deferral of impact fees.

4. The amount of impact fees deferred shall be determined by the fees in effect at the time the applicant applies for a deferral.

5. Prior to final inspection or 18 months from the date of original building permit issuance, the applicant may pay the deferred amount in installments, with no penalty for early payment.

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6. The city shall withhold final inspection until the impact fees have been paid in full. Upon receipt of final payment of impact fees deferred under this subsection, the city shall execute a release of deferred impact fee lien for each single-family attached or detached residence for which the impact fees have been received. The applicant, or property owner at the time of release, shall be responsible for recording the lien release at their expense.

7. The extinguishment of a deferred impact fee lien by the foreclosure of a lien having priority does not affect the obligation to pay the impact fees as a condition of final inspection.

8. If impact fees are not paid in accordance with the deferral and in accordance with the term provisions established herein, the city may institute foreclosure proceedings in accordance with Chapter 61.12 RCW.

9. Each applicant for a single-family attached or detached residential building permit, in accordance with their contractor registration number or other unique identification number, is entitled to annually receive deferrals under this section for the first 21 single-family residential construction building permits.

10. The city shall collect an administrative fee from the applicant seeking to defer the payment of impact fees under this section as provided in ~~SMC 3.01.017(B)~~. the Fee Schedule.

3.75.065 Independent fee calculations.

A. If, in the judgment of the fire chief, none of the fee categories set forth in ~~SMC 3.01.017(A)~~ the Fee Schedule accurately describes or captures the impacts of a new development on fire protection facilities, the fire chief may conduct an independent fee calculation and the fire chief may impose alternative fees on a specific development based on those calculations. The alternative fees and the calculations shall be set forth in writing and shall be provided to the applicant and to the city prior to building permit issuance.

B. An applicant may opt not to have the impact fees determined according to the fee structure in ~~SMC 3.01.017~~ in the Fee Schedule, in which case the applicant shall prepare and submit to

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the fire chief an independent fee calculation for the development for which a building permit is being sought. The documentation submitted shall show the basis upon which the independent fee calculation was made. An independent fee calculation shall use the same methodology used to establish impact fees ~~adopted pursuant to SMC 3.01.017~~ in the Fee Schedule.

The fire chief shall consider the documentation and any other additional documentation requested in order to analyze the independent fee calculation. The fire chief is authorized to adjust the impact fees on a case-by-case basis based on the independent fee calculation, the specific characteristics of the development, and/or principles of fairness. The fees or alternative fees and the calculations therefor shall be set forth in writing and shall be provided to the applicant and to the city prior to building permit issuance. The city shall collect an administrative fee from the applicant seeking to an independent fee calculation under this section as provided in ~~SMC 3.01.017(B)~~ the Fee Schedule.

Chapter 3.80 IMPACT FEES FOR TRANSPORTATION

“Fee Schedule” means the impact fee rates and changes established by ordinance of the City Council pursuant to SMC 3.01.

“Independent fee calculation” means the impact fee calculation, studies and data submitted by an applicant to support the assessment of a transportation impact fee other than by the use of the rates ~~published in SMC 3.01.015(A)~~ established pursuant to the Fee Schedule, or the calculations prepared by the director where none of the fee categories or fee amounts in ~~SMC 3.01.015~~ the Fee Schedule accurately describe or capture the impacts on transportation facilities of the development authorized by the building permit.

3.80.040 Impact fees methodology and applicability.

The transportation impact fees in ~~SMC 3.01.015~~ the Fee Schedule are generated from the formulae for calculating transportation impact fees set forth in the rate study. Except as otherwise provided for independent fee calculations in SMC 3.80.060, exemptions in SMC 3.80.070, and credits in SMC 3.80.080, all building permits issued by the city will be charged impact fees applicable to the type of development listed in the Fee Schedule ~~fee schedule~~ ~~adopted pursuant to SMC 3.01.015~~. [Ord. 792 § 2 (Exh. A), 2017]

3.80.050 Collection of impact fees.

A. The city shall collect impact fees for transportation, based on the rates in ~~SMC 3.01.015~~ the Fee Schedule, from any applicant seeking a building permit from the city unless specifically exempted in SMC 3.80.070.

B. When an impact fee applies to a building permit for a change of use of an existing building, the impact fee shall be the applicable impact fee for the land use category of the new use, less any impact fee paid for the immediately preceding use. The preceding use shall be determined by the most recent legally established use based on a locally owned business license and development permit documents.

1. For purposes of this provision, a change of use should be reviewed based on the land use category provided in the rate study that best captures the broader use or development

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activity of the property under development or being changed. Changes of use and minor changes in tenancies that are consistent with the general character of the building or building aggregations (i.e., “industrial park,” or “specialty retail”), or the previous use, shall not be considered a change of use that is subject to an impact fee.

2. If no impact fee was paid for the immediately preceding use, the impact fee for the new use shall be reduced by an amount equal to the current impact fee rate for the immediately preceding use.

3. If the calculated impact fee is a negative amount, the applicant will not be required to pay impact fees nor will the applicant be compensated by the city for a negative impact fee.

C. For mixed use developments, impact fees shall be imposed for the proportionate share of each land use, based on the applicable measurement in the impact fee rates in ~~SMC 3.01.015~~ the Fee Schedule.

D. Impact fees shall be determined at the time the complete application for a building permit is submitted using the impact fees then in effect. Impact fees shall be due and payable before the building permit is issued by the city.

E. Applicants allowed credits prior to the submittal of the complete building permit application shall submit, along with the complete application, a copy of the letter prepared by the director setting forth the dollar amount of the credit allowed.

F. Single-Family Residential Deferral Program. An applicant for a building permit for a single-family detached or attached residence may request a deferral of the full impact fee payment until final inspection or 18 months from the date of original building permit issuance, whichever occurs first. Deferral of impact fees is considered under the following conditions:

1. An applicant for deferral must request the deferral no later than the time of application for a building permit. Any request not so made shall be deemed waived.

2. For the purposes of this deferral program, the following definitions apply:

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- a. "Applicant" includes an entity that controls the applicant, is controlled by the applicant, or is under common control with the applicant.
- b. "Single-family residence" means a permit for a single-family house as set forth in ~~SMC 3.01.015(A)~~ the Fee Schedule, ITE Code 210.

3. To receive a deferral, an applicant must:

- a. Submit a deferred impact fee application and acknowledgment form for each single-family attached or detached residence for which the applicant wishes to defer payment of the impact fees;
- b. Pay the applicable administrative fee;
- c. Grant and record at the applicant's expense a deferred impact fee lien in a form approved by the city against the property in favor of the city in the amount of the deferred impact fee that:
 - i. Includes the legal description, tax account number, and address of the property;
 - ii. Requires payment of the impact fees to the city prior to final inspection or 18 months from the date of original building permit issuance, whichever occurs first;
 - iii. Is signed by all owners of the property, with all signatures acknowledged as required for a deed and recorded in King County;
 - iv. Binds all successors in title after the recordation; and
 - v. Is junior and subordinate to one mortgage for the purpose of construction upon the same real property granted by the person who applied for the deferral of impact fees.

4. The amount of impact fees deferred shall be determined by the fees in effect at the time the applicant applies for a deferral.

Ordinance 920 Attachment A, Exhibit B

5. Prior to final inspection or 18 months from the date of original building permit issuance, the applicant may pay the deferred amount in installments, with no penalty for early payment.

6. The city shall withhold final inspection until the impact fees have been paid in full. Upon receipt of final payment of impact fees deferred under this subsection, the city shall execute a release of deferred impact fee lien for each single-family attached or detached residence for which the impact fees have been received. The applicant, or property owner at the time of release, shall be responsible for recording the lien release at their expense.

7. The extinguishment of a deferred impact fee lien by the foreclosure of a lien having priority does not affect the obligation to pay the impact fees as a condition of final inspection.

8. If impact fees are not paid in accordance with the deferral and in accordance with the term provisions established herein, the city may institute foreclosure proceedings in accordance with Chapter 61.12 RCW.

9. Each applicant for a single-family attached or detached residential construction permit, in accordance with their contractor registration number or other unique identification number, is entitled to annually receive deferrals under this section for the first 21 single-family residential construction building permits.

10. The city shall collect an administrative fee from the applicant seeking to defer the payment of impact fees under this section as provided in ~~SMC 3.01.015(B)~~ the Fee Schedule.

3.80.060 Independent fee calculations.

A. If, in the judgment of the director, none of the fee categories set forth in ~~SMC 3.01.015~~ the Fee Schedule accurately describes or captures the impacts of a new development on transportation facilities, the director may conduct independent fee calculations and the director may impose alternative fees on a specific development based on those calculations.

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The alternative fees and the calculations shall be set forth in writing and shall be mailed to the applicant.

B. An applicant may opt not to have the impact fees determined according to the fee structure in ~~SMC 3.01.015~~ the Fee Schedule, in which case the applicant shall prepare and submit to the director an independent fee calculation for the development for which a building permit is being sought. The documentation submitted shall show the basis upon which the independent fee calculation was made. An independent fee calculation shall use the same methodology used to establish impact fees ~~adopted pursuant to SMC 3.01.015~~ in the Fee Schedule, and shall be limited to adjustments in trip generation rates and lengths for transportation impact fees.

C. There is a rebuttable presumption that the calculations set forth in the rate study are valid. The director shall consider the documentation submitted by the applicant, but is not required to accept such documentation or analysis which the director reasonably deems to be inapplicable, inaccurate, incomplete, or unreliable. The director may require the applicant to submit additional or different documentation for consideration. The director is authorized to adjust the impact fees on a case-by-case basis based on the independent fee calculation, the specific characteristics of the development, and/or principles of fairness. The fees or alternative fees and the calculations therefor shall be set forth in writing and shall be mailed to the applicant.

3.80.090 Adjustments for future tax payments and other revenue sources.

Pursuant to and consistent with the requirements of RCW 82.02.060, the rate study has provided adjustments for future taxes to be paid by the development authorized by the building permit which are earmarked or proratable to the same new transportation facilities which will serve the new development. The impact fees ~~in SMC 3.01.015~~ set forth in the Fee Schedule have been reasonably adjusted for taxes and other revenue sources which are anticipated to be available to fund transportation improvements.

3.80.130 Review and adjustment of rates.

A. The fees and rates set forth in the rate study may be reviewed and adjusted by the council as it deems necessary and appropriate in conjunction with the budget process so that

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adjustments, if any, will be effective at the first of the calendar year subsequent to budget period under review.

B. Consistent with SMC 3.01.030 ~~3.01.820~~, the director shall adjust the fees by the same percentage changes as in the most recent annual change of the Construction Cost Index published in the Engineering News-Records (ENR) for the Seattle area.

Chapter 5.07 Regulatory Business Licenses

5.07.020 Definitions – General

E. “Fee Schedule” means the impact fee rates and changes established by resolution of the City Council pursuant to SMC 3.01.

E. F. “License” is legal permission to operate or own a specified thing, or the holder for any use or period of time of any similar privilege, wherever relevant to any provision of this chapter or other law or ordinance.

F. G. “Person” includes individual natural persons, partnerships, joint ventures, societies, associations, clubs, trustees, trusts or corporations, or any officer, agent, employee, or any kind of personal representative of any officer, agent, employee thereof, in any capacity, acting either for themselves, or any other person, under either personal appointment or pursuant to the law.

G. H. “Premises” includes all lands, structures and places, and also any personal property which is either affixed to or is otherwise used in connection with any such business conducted on such premises

5.07.080 License renewal – Late fee.

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A late penalty shall be charged on all applications for renewal of a license received later than 10 working days after the expiration date of such license as set forth in the Fee Schedule SMC 3.01.035.

Chapter 5.10 Adult Cabarets

5.10.010 Definitions

H. "Fee Schedule" means the impact fee rates and changes established by resolution of the City Council pursuant to SMC 3.01.

H. I. "Liquor" means all beverages defined in RCW 66.04.010(20).

I. "Manager" means any person who manages, directs, administers or is in charge of the business affairs and/or conduct of any portion of any activity involving adult entertainment occurring at any adult cabaret, and includes assistant managers working with or under the direction of a manager to carry out such purposes.

K. "Member of the public" means any customer, patron, club member, or person, other than an employee as defined in this section, who is invited or admitted to a cabaret.

J. "Operator" means any person, licensed under this chapter, operating, conducting or maintaining an adult cabaret.

K. "Person" means any individual, partnership, corporation, trust, incorporated or unincorporated association, marital community, joint venture, governmental entity, or other entity or group of persons however organized.

~~L. "Member of the public" means any customer, patron, club member, or person, other than an employee as defined in this section, who is invited or admitted to a cabaret.~~

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~~M~~. N. "Sexual conduct" means any act or acts of:

1. Sexual intercourse within its ordinary meaning, occurring upon any penetration, however slight; or
2. Any penetration of the vagina or anus, however slight, by an object; or
3. Any contact between persons involving the sex organs, whether clothed or unclothed, of one person and the mouth or anus, whether clothed or unclothed, of another; or
4. Masturbation, manual or instrumental, of oneself or of one person by another; or
5. Touching of the sex organs or anus, whether clothed or unclothed, of oneself or of one person by another.

5.10.040 Adult cabaret licenses.

A. Adult Cabaret Operator's License.

1. All applications for an adult cabaret operator's license shall be submitted to the clerk in the name of the person or entity proposing to conduct an adult cabaret on the business premises and shall be signed by such person and certified as true under penalty of perjury. All applications shall be submitted on a form supplied by the city, and shall be complete when the following information and submittals are provided:
 - a. For each applicant: names; any aliases or previous names; driver's license number, if any; Social Security number, if any; business, mailing, and residential address; and business and residential telephone number.
 - b. If a corporation, date and place of incorporation, evidence that it is in good standing under the laws of Washington, and name and address of any registered agent for service of process.
 - c. Whether the applicant holds any other licenses under this chapter or any license for similar adult entertainment or sexually oriented business, including motion picture theaters and panorams, from the city or another city, county or state, and if so, the names and addresses of each other licensed business.

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- d. A summary of the business history of each applicant owning or operating the adult entertainment or other sexually oriented businesses, providing names, addresses and dates of operation for such businesses, and whether any business license or adult entertainment license has been revoked or suspended, and the reason therefor.
- e. For each applicant, any and all criminal convictions or forfeitures within two years immediately preceding the date of the application, other than parking offenses or minor traffic infractions, including the dates of conviction, nature of the crime, name and location of court and disposition.
- f. For each applicant, a description of business, occupation or employment history for the three years immediately preceding the date of the application.
- g. The location and doing-business-as name of the proposed adult cabaret, including a legal description of the property, street address, and telephone number, together with the name and address of each owner and lessee of the property.
- h. Two two-inch by two-inch color passport-quality photographs of the applicant, taken within six months of the date of application showing only the full face.
- i. Documentation that the applicant has attained requisite age as stated in SMC 5.10.030(A). Any one of the following shall be accepted as documentation of age:
- i. A motor vehicle operator's license issued by any state bearing the applicant's photograph and date of birth;
 - ii. A state-issued identification card bearing the applicant's photograph and date of birth;
 - iii. An official passport or military ID issued by the United States of America;
 - iv. An immigration card issued by the United States of America.
- j. A scale drawing or diagram showing the proposed configuration of the premises for the adult cabaret, including a statement of the total floor space occupied by the business, and marked dimensions of the interior of the premises. Performance areas, seating areas, manager's office and stations, restrooms and service areas shall be clearly marked on the drawing. An application for a license for an adult cabaret shall include building plans which demonstrate conformance with SMC 5.10.070(C).

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- k. A nonrefundable application fee as set forth in the ~~business license fee schedule in SMC 3.01.035~~ Fee Schedule must be paid at the time of filing an application in order to defray the costs of processing the application.
2. Notification of the acquisition of new general partners, managing members, officers or directors, subsequent to the issuance of an adult cabaret license, shall be provided in writing to the city clerk no later than 21 days following such acquisition. The notice required shall include the information required for the original adult cabaret license application.
 3. The adult cabaret license, if granted, shall state on its face the name of the person or persons to whom it is issued, the expiration date, the doing-business-as name and the address of the licensed adult cabaret. The permit shall be posted in a conspicuous place at or near the entrance to the adult cabaret so that it can be easily read at any time the business is open.
 4. No person granted an adult cabaret license pursuant to this chapter shall operate the adult cabaret business under a name not specified on the license, nor shall any person operate an adult cabaret under any designation or at any location not specified on the license.
 5. Upon receipt of any complete application and fee, the clerk shall provide copies to the police department, and to other appropriate city departments or contractors, for a full investigation and review to determine compliance of the proposed adult cabaret with this chapter and other applicable laws. Each adult cabaret operator's license shall be issued with a notification that it shall be subject to revocation for noncompliance of the premises with building and zoning codes and this chapter.
 6. In the event the premises are not yet constructed, the departments shall base their recommendation as to premises compliance on their review of the drawings submitted with the application. Any adult cabaret license approved prior to premises construction shall contain a condition that the premises must be inspected prior to occupancy, and determined to be in substantial conformance with the drawings submitted with the application and other applicable building and development regulations.
 7. An adult cabaret operator's license shall be issued or the application denied by the clerk within 14 days of the date of filing a complete license application and fee, unless the clerk determines that the applicant has failed to meet any of the requirements of this chapter or

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provide any information required under this subsection, or that the applicant has made a false, misleading or fraudulent statement of material fact on the application for a license. Upon request of the applicant, the clerk shall grant an extension of time, up to but not to exceed 20 additional days, in which to provide all information required for license application. The time period for granting or denying a permit shall be stayed during the period in which the applicant is allowed an opportunity to properly complete the application. If the clerk finds that the applicant has failed to meet any of the requirements for issuance of an adult cabaret operator's license, the clerk shall issue a notice of nonissuance in writing, and shall cite the specific reasons therefor.

8. No person granted a license pursuant to this chapter shall operate the adult cabaret under a name not specified in the license, nor shall they conduct business under any designation or location not specified in the license.

B. Adult Cabaret Manager's License.

1. No person shall work as a manager at an adult cabaret without an applicable manager's license issued by the city. Each applicant for a manager's license shall complete an application on forms provided by the city containing the information identified below. A nonrefundable application fee as set forth in the ~~business license fee schedule in SMC 3.01.035~~ the Fee Schedule shall accompany the application. A copy of the application shall be provided to the police department for its review, investigation and recommendation. All applications for a manager's license shall be signed by the applicant and certified to be true under penalty of perjury. The manager's license application shall require the following information:

- a. The applicant's name, home address, home telephone number, date and place of birth, Social Security number, and any stage names or nicknames used in entertaining.
- b. The name and address of each business at which the applicant intends to work as a manager.
- c. Documentation that the applicant has attained the requisite age as stated in SMC 5.10.030(A). Any one of the following shall be accepted as documentation of age:
 - i. A motor vehicle operator's license issued by any state bearing the applicant's photograph and date of birth;
 - ii. A state-issued identification card bearing the applicant's photograph and date of birth;

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- iii. An official passport or military ID issued by the United States of America; or
 - iv. An immigration card issued by the United States of America.
 - d. A complete statement of all convictions of the applicant for any misdemeanor or felony violations in this or any other city, county, or state within two years immediately preceding the date of the application, except parking violations or minor traffic infractions.
 - e. A description of the applicant's principal activities or services to be rendered.
 - f. Two two-inch by two-inch color passport-quality photographs of the applicant, taken within six months of the date of application showing only the full face.
2. The clerk may request additional information or clarification when necessary to determine compliance with this chapter.
 3. Upon receipt of the complete application and fee, the clerk shall provide copies to the police department for its investigation and review for compliance with this chapter.
 4. A manager's license shall be issued by the clerk by the end of the next business day following receipt of a complete application and fee, unless the clerk determines that the applicant has failed to provide any information required to be supplied according to this chapter, or that the applicant is a person of a class specified in SMC 5.10.030. Upon request of the applicant, the clerk shall grant an extension of time not to exceed 20 additional days in which to provide all information required for license application. If the clerk determines that the applicant has failed to meet any of the requirements for issuance of a manager's license, the clerk shall deny the application in writing and shall cite the specific reasons therefor, including applicable laws. If the clerk fails to approve or deny the application by the end of the next business day, the applicant may, subject to all other applicable laws, commence work as an adult cabaret manager in a duly licensed adult cabaret until notified, in writing, by the clerk that the application has been denied or the final disposition of the appeal if the applicant appeals the clerk's decision.

C. Entertainer's License.

1. No person shall work as an entertainer at an adult cabaret without an applicable entertainer's license issued by the city. Each applicant for an entertainer's license shall complete an application on forms provided by the city containing the information identified

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below. A nonrefundable application fee as set forth in the ~~business license fee schedule in SMC 3.01.035~~ Fee Schedule shall accompany the application. A copy of the application shall be provided to the police department for its review, investigation and recommendation. All applications for an entertainer's license shall be signed by the applicant and certified to be true under penalty of perjury. The entertainer's license application shall require the following information:

- a. The applicant's name, home address, home telephone number, date and place of birth, Social Security number, and any stage names or nicknames used in entertaining.
 - b. The name and address of each business at which the applicant intends to work as an entertainer.
 - c. Documentation that the applicant has attained requisite age as stated in SMC 5.10.030(A). Any one of the following shall be accepted as documentation of age:
 - i. A motor vehicle operator's license issued by any state bearing the applicant's photograph and date of birth;
 - ii. A state-issued identification card bearing the applicant's photograph and date of birth;
 - iii. An official passport or military ID issued by the United States of America; or
 - iv. An immigration card issued by the United States of America.
 - d. A complete statement of all convictions of the applicant for any misdemeanor or felony violations in this or any other city, county, or state within two years immediately preceding the date of the application, except parking violations or minor traffic infractions.
 - e. A description of the applicant's principal activities or services to be rendered.
 - f. Two two-inch by two-inch color passport-quality photographs of the applicant, taken within six months of the date of application showing only the full face.
2. The clerk may request additional information or clarification when necessary to determine compliance with this chapter.
 3. Upon receipt of the complete application and fee, the clerk shall provide copies to the police department for its investigation and review for compliance with this chapter. An entertainer's license shall be issued by the clerk by the end of the next business day following receipt of a complete application and fee, unless the clerk determines that the applicant has failed to

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provide any information required to be supplied according to this chapter, or that the applicant is a person of a class specified in SMC 5.10.030. Upon request of the applicant, the clerk shall grant an extension of time not to exceed 20 additional days in which to provide all information required for license application. If the clerk determines that the applicant has failed to meet any of the requirements for issuance of an entertainer's license, the clerk shall deny the application in writing and shall cite the specific reasons therefor, including applicable laws. If the clerk fails to approve or deny the application by the end of the next business day, the applicant may, subject to all other applicable laws, commence work as an entertainer in a duly licensed adult cabaret until notified, in writing, by the clerk that the application has been denied or the final disposition of the appeal if the applicant appeals the clerk's decision.

4. Name, address, phone numbers and other identifying information shall be redacted from

5.10.080 License term – Assignment – Renewals.

A. Licenses shall expire one year from the date of issue.

B. Application for renewal of licenses issued hereunder shall be made to the clerk no later than 30 days prior to the expiration of adult cabaret licenses. The renewal license shall be issued in the same manner and on payment of the same fees as for an original application under this chapter. There shall be assessed and collected by the clerk an additional charge, computed as a percentage of the license fee, on applications not made on or before said date, as set forth in the ~~business license fee schedule in SMC 3.01.035~~ Fee Schedule.

C. The clerk shall renew a license upon receipt of a complete application and fee, and subject to compliance with the provisions of SMC 5.10.040 regarding original licenses.

applications disclosed in response to a public records request.

Chapter 5.15 Panoram Devices

5.15.050 License fee – Terms – Assignment – Renewals.

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A. The license year for licenses under this chapter shall be one year from the date of issue. Except as hereinafter provided, all license fees under this chapter shall be payable on an annual basis. Annual license fees are set forth in the ~~business license fee schedule in SMC 3.01.035~~ Fee Schedule.

B. License fees under subsection A of this section shall not be prorated, except that if the original application of a license is made subsequent to June 30th in any year, the license fee for the remainder of that year shall be one-half of the annual license fee. Licenses issued under this chapter may not be assigned or transferred to other premises, operators or devices.

C. On or before December 31st of each year, a licensee under this chapter shall file an application for renewal of each license they wish to use in the next license year. An application for renewal of a license shall be filed in the same manner as an original application for such a license, and shall be accompanied by a renewal fee in an amount equal to the license fee applicable to an original application for such a license under this section. On renewal applications filed after December 31st, the clerk shall assess and collect an additional charge as set forth in the ~~business license fee schedule in Chapter 3.01 SMC~~ Fee Schedule.

TITLE 6 Animal Control Regulations

Chapter 6.05 General Regulations

6.05.020 Definitions

“Fee Schedule” means the impact fee rates and changes established by resolution of the City Council pursuant to SMC 3.01.

→ **Realign all others.**

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Chapter 6.10 Dog and Cat Regulations

6.10.010 Licenses – Required – Issuance – Penalty – Fee use – Improper checks – Exceptions.

A. All dogs and cats eight weeks old and older that are harbored, kept or maintained in the city of Shoreline shall be licensed and registered with the animal care and control authority.

Licenses shall be renewed on or before the date of expiration.

B. Upon application and the payment of a license fee made payable to the animal care and control authority as provided in the Fee Schedule ~~city's official fee schedule, SMC 3.01.012~~, pet licenses shall be issued by the animal care and control authority and may be issued by animal shelters, veterinarians, pet shops, catteries and kennels and other approved locations, under contract with the animal care and control authority.

1. Pet licenses for dogs and cats shall be valid for a term of one year from issuance, expiring on the last day of the twelfth month. There is no proration of any license fees. Renewal licenses shall retain the original expiration period whether renewed before, on or after their respective renewal months.
2. Juvenile licenses may be obtained in lieu of an unaltered pet license for pets from eight weeks to six months old.
3. City of Shoreline residents 65 years old or older may purchase a discounted pet license for their cats or dogs that are neutered or spayed and that are maintained at the registered owner's registered address. Residents 65 years old or older who have previously obtained a special permanent license for their cats or dogs shall not be required to purchase a new license for the permanently licensed animals.
4. Residents with disabilities that meet the eligibility requirements of the animal care and control authority may purchase a discounted pet license for their cats or dogs that are neutered or spayed and that are maintained at the registered owner's registered address.
5. Applications for a pet license shall be on forms provided by the animal care and control authority.

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6. License tags shall be worn by dogs at all times. As an alternative to a license tag, a dog or cat may be identified as licensed by being tattooed on its right ear or on its inside right thigh or groin with a license number approved or issued by the animal care and control authority.

7. Owners of dogs or cats who hold valid licenses from other jurisdictions and who move into the city of Shoreline may transfer the license by paying a transfer fee to the animal care and control authority. The license shall maintain the original license's expiration date.

8. It is a violation of this chapter for any person to sell or transfer ownership of any pet without a pet license. The animal care and control authority shall be notified of the name, address and telephone number of the new owner by the person who sold or transferred the pet.

9. An applicant may be denied the issuance or renewal of a pet license if the applicant was previously found in violation of the [animal cruelty provisions of SMC 6.30.020](#) or convicted of [animal cruelty under RCW 16.52.205 or 16.52.207 or SMC 9.10.170](#).

a. An applicant may be denied the issuance or renewal of a pet license for up to:

i. Four years, if found in violation of the animal cruelty provisions of SMC [6.30.020](#) or convicted of a misdemeanor under RCW [16.52.207](#) or SMC [9.10.170](#); or

ii. Indefinitely, if convicted of a felony under RCW [16.52.205](#).

b. Any applicant who is either the subject of a notice and order under SMC [6.40.030](#) or charged with animal cruelty under RCW [16.52.205](#) or [16.52.207](#) may have the issuance or renewal of their pet license denied pending the final result of either the notice and order or charge.

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10. The denial of the issuance or renewal of a pet license is subject to appeal, in accordance with SMC 6.40.070.

11. Cat or dog owners are subject to a penalty according to the schedule provided in SMC 6.40.060 for failure to comply with the licensing requirement in this section.

C. A late fee shall be charged on all pet license applications, according to the Fee Schedule ~~schedule provided in the city's official fee schedule, SMC 3.01.012.~~

D. Any license or penalty paid for with checks for which funds are insufficient or with checks for which payment is stopped is, in the case of the license, invalid; and in the case of the penalty, still outstanding.

E. This section shall not apply to dogs or cats in the custody of a veterinarian or animal shelter or whose owners are nonresidents temporarily within the city of Shoreline for a period not exceeding 30 days.

Chapter 6.15 Guard Dog Regulations

6.15.010 Guard dog purveyor – License – Fee.

A. It is unlawful for any person, firm or corporation to supply guard dogs to the public without a valid license to do so issued to the person, firm or corporation by the animal care and control authority. Only a person who complies with this chapter and such rules and regulations of the animal care and control authority as may be adopted in accordance with this chapter shall be entitled to receive and retain such a license. Licenses shall not be transferable and shall be valid only for the person and place for which issued. The licenses shall be valid for one year from issue.

B. The cost of the license shall be as provided in Fee Schedule ~~the city's official fee schedule, SMC 3.01.012.~~ However, if the guard dog purveyor is in possession of a valid animal shelter,

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kennel or pet shop license, the fee for the guard dog purveyor license shall be reduced by the amount of the animal shelter, kennel or pet shop license

6.15.030 Guard dog trainer – License required – Fee.

It is unlawful for anyone to engage in the training of dogs as guard dogs without a valid license to do so issued to the person by the animal care and control authority. Only a person who complies with this chapter and the rules and regulations of the animal care and control authority shall be entitled to receive and retain such a license. Licenses shall not be transferable and shall be valid only for the person for which they were issued. The cost of the license shall be as provided in the Fee Schedule, ~~city's official fee schedule, SMC 3.01.012~~. Licenses shall be valid for one year from issue

6.15.050 Guard dog – Registration – Fee.

All persons using dogs as guard dogs shall register the dogs with the animal care and control authority. The cost of the registration shall be as provided in the Fee Schedule, ~~city's official fee schedule, SMC 3.01.012~~. The registration shall be valid for one year from date of issue. All registrations shall be affixed on the guard dog in such a manner so as to be readily identifiable.

Chapter 6.20 Animal Shelter, Kennel, Cattery, Grooming Service, Pet Shop, Hobby Kennel and Hobby Cattery Regulations

6.20.080 Hobby kennel or hobby cattery licenses – Required – Limitations – Requirements – Issuance and maintenance.

A. All hobby kennels and hobby catteries must be licensed by the animal care and control authority. Licenses shall be valid for one year from the date of application. The fee for the license shall be as provided in the Fee Schedule, ~~city's official fee schedule, SMC 3.01.012~~. There is no proration of the license fee. Renewal licenses shall retain the original expiration date whether renewed on or after their respective renewal month. Issuance of a license under this section shall not excuse any requirement to obtain a private animal placement permit. In

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addition, each animal that is maintained at a hobby kennel or hobby cattery shall be licensed individually under SMC 6.10.010. Under no circumstances shall the number of dogs or cats in a hobby kennel or hobby cattery exceed 20.

B. Any hobby kennel or hobby cattery license shall limit the total number of adult dogs and cats kept by the hobby kennel or hobby cattery based on:

1. Animal size;
2. Type and characteristics of the breed;
3. The amount of lot area, though the maximum number shall not exceed:
 - a. Five where the lot area is less than 20,000 square feet;
 - b. Seven where the lot area is between 20,000 square feet and 35,000 square feet;
and
 - c. For lots over 35,000 square feet, seven plus an additional three per acre of site area, not to exceed 20;
4. The facility specifications and dimensions in which the dogs and cats are to be maintained;
5. The zoning classification in which the hobby kennel or hobby cattery would be maintained.

C. The following are requirements for hobby kennels and hobby catteries:

1. All open run areas shall be completely surrounded by a six-foot fence set back at least 20 feet from all property lines, though this requirement may be modified for hobby catteries as long as the open run area contains the cats and prohibits the entrance of children. For purposes of this section, "open run area" means that area, within the property lines of the premises on which the hobby kennel or hobby cattery is to be

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maintained, where the dogs and cats are sheltered or maintained. If there is no area set aside for sheltering or maintaining the dogs within the property lines of the premises the 20-foot setback does not apply. The property lines of premises not containing an open run area must be completely surrounded by a six-foot fence;

2. No commercial signs or other appearances advertising the hobby kennel or hobby cattery are permitted on the property except for the sale of the allowable offspring set forth in this section;

3. The director of the animal care and control authority may require setback, additional setback, fencing, screening or soundproofing as the director deems necessary to ensure the compatibility of the hobby kennel or hobby cattery with the surrounding neighborhood. Factors to be considered in determining the compatibility are:

a. Statements regarding approval or disapproval of surrounding neighbors relative to maintenance of a hobby kennel or hobby cattery at the address applied for;

b. History of verified animal care and control complaints relating to the dogs and cats of the applicant at the address for which the hobby kennel or hobby cattery is applied for;

c. Facility specifications or dimensions in which the dogs and cats are to be maintained;

d. Animal size, type and characteristics of breed; and

e. The zoning classification of the premises on which the hobby kennel or hobby cattery is maintained;

4. The hobby kennel or hobby cattery shall limit dog and cat reproduction to no more than one litter per license year per female dog and two litters per license year per female cat; and

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5. Each dog and cat in the hobby kennel or hobby cattery shall have current and proper immunization from disease according to the dog's and cat's species and age. The immunizations shall consist of distemper, hepatitis, leptospirosis, parainfluenza and parvo virus (DHLPP) inoculation for dogs over three months old and feline herpesvirus 1, calicivirus and panleukopenia virus (FVRCP) inoculation for cats over two months old and rabies inoculations for all dogs and cats over four months old.

D. A hobby kennel or hobby cattery license may be issued only when the director of the animal care and control authority is satisfied that the requirements of subsections (C)(1) through (C)(5) of this section have been met. The license may be terminated if the number of dogs and cats exceeds the number allowed by the animal care and control authority or if the facility fails to comply with any of the requirements of subsections (C)(1) through (C)(5) of this section.

Chapter 13.14 Solid Waste

13.14.010 Definitions

"Fee Schedule" means the impact fee rates and changes established by resolution of the City Council pursuant to SMC 3.01.

→**Realign all subsequent.**

13.14.035 Mandatory collection – Residential property.

Every person in possession, charge, or control of residential property shall be charged for a least the minimum level of solid waste collection service by the authorized collection company at the rates set forth in the Fee Schedule, specified in the solid waste rate schedule set forth in SMC 3.01.500 established whether such person uses such service or not unless an exception applies as provided for in this chapter. Exceptions are as follows:

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A. A residential property customer may temporarily suspend solid waste collection service due to vacations or other reasons. Suspensions may be in one-week increments for an indefinite period of time. During the time of suspension, the customer may be charged a standby fee as set forth in the Fee Schedule SMC 3.01.500 but only if the suspension period is greater than two weeks.

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Adopting Ordinance No. 921 - Establishing a Fee Schedule for Impact Fees
DEPARTMENT:	City Attorney's Office Administrative Services
PRESENTED BY:	Margaret King, City Attorney Rick Kirkwood, Budget & Tax Manager
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:

On February 22, 2021, staff presented proposed Ordinance No. 920, repealing and replacing Shoreline Municipal Code Chapter 3.01 – Fee Schedule, proposed Ordinance No. 921, establishing a fee schedule for Impact Fees, and proposed Resolution No. 471, adopting a fee schedule, to the City Council. The staff report is available at the following link:

<http://cosweb.ci.shoreline.wa.us/uploads/attachments/cck/council/staffreports/2021/staffreport022221-9b.pdf>.

The City's Fee Schedule, codified at Shoreline Municipal Code (SMC) Chapter 3.01, which establishes various rates, fees, costs, and charges for City services and related items, has historically been reviewed and updated for the upcoming fiscal year through the City's budget process. As such, it has also been included with the ordinance adopting the City's budget. This has provided some challenges as various indices used to calculate changes in rates, such as much of the solid waste rate schedule in SMC 3.01.500, are not available until late in the budget process, thereby making it impossible to include such a schedule in the proposed budget book. Another challenge is the ability to amend the Fee Schedule in a timely manner, as it also requires the budget ordinance be amended, thereby making for an unnecessary and cumbersome process. Lastly, there are various provisions throughout the SMC that reference specific sections of SMC Chapter 3.01 that have not been amended to reflect the evolution of the Fee Schedule.

Amending SMC Chapter 3.01 to allow for the adoption of the Fee Schedule (except for impact fees) by resolution of the City Council would allow for a more timely and efficient process that would not impact the Budget Ordinance when amendments are needed. To accomplish this, three actions would be required by the City Council:

- Proposed Ordinance No. 920, included on tonight's agenda as a separate item, would repeal and replace SMC Chapter 3.01 to provide for adoption of a Fee

Schedule by resolution for general rates, fees, and costs and the adoption of a Fee Schedule by ordinance for impact fees as required by Revised Code of Washington (RCW) Chapter 82.02. This proposed Ordinance also provides for amendments to sections of the SMC necessary to ensure the correct citation is referenced.

- Proposed Ordinance No. 921 (Attachment A) would establish the rates and costs for all of the City's impact fees – parks, transportation, and fire. As noted above, this is required to be adopted by ordinance by state law.
- Proposed Resolution No. 471, included on tonight's agenda as a separate item, would establish the Fee Schedule for rates, fees, costs, and charges for City services and related items that were previously adopted through the budget ordinance process (last established by Ordinance No. 903).

Adoption of the above three pieces of legislation are proposed to occur concurrently.

RESOURCE/FINANCIAL IMPACT:

There is no financial impact associated with tonight's discussion.

RECOMMENDATION

Staff recommends that City Council adopt Ordinance No. 921, establishing a fee schedule for Impact Fees.

ATTACHMENTS:

Attachment A: Proposed Ordinance No. 921, including Exhibit A

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

ORDINANCE NO. 921

AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON ESTABLISHING A FEE SCHEDULE FOR THE CITY'S PARKS, FIRE, AND TRANSPORTATION IMPACT FEES.

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, included in the ordinance adopting the City's Budget ("Budget Ordinance"), the City Council has adopted a Fee Schedule, codified at Shoreline Municipal Code (SMC) Chapter 3.01, which, among other things, established impact fee rates as directed by Chapters SMC 3.70 Impact Fees for Parks, Open Space, and Recreation Facilities, SMC 3.75 Impact Fees for Fire Protection Facilities, and SMC 3.80 Impact Fees for Transportation; and

WHEREAS, subsequent amendment to the Fee Schedule requires amending the Budget Ordinance solely because the Fee Schedule is adopted as part of the Budget Ordinance, making for an unnecessary and cumbersome process; and

WHEREAS, RCW Chapter 82.02, the impact fee statute, requires that when imposing impact fees, that act needs to be by local ordinance; and

WHEREAS, concurrent with the adoption of this Ordinance is Ordinance 920, repealing and replacing Chapter SMC 3.01 Fee Schedule to denote that adoption of impact fees is to be by ordinance of the City Council;

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

Section 1. Adoption of the Fee Schedule for Parks, Fire, and Transportation Impact Fees. The 2021 Fee Schedule for Parks, Fire, and Transportation Impact Fees as forth in Exhibit A to this Ordinance is adopted.

Section 2. 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 3. 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 4. Publication and Effective Date. A summary of this Ordinance consisting of the title shall be published in the official newspaper and shall take effect five days after publication.

PASSED BY THE CITY COUNCIL ON MARCH 15, 2021.

Mayor Will Hall

ATTEST:

APPROVED AS TO FORM:

Jessica Simulcik Smith
City Clerk

Julie Ainsworth-Taylor, Assistant City Attorney
On behalf of Margaret King, City Attorney

Date of Publication:
Effective Date:

**City of Shoreline
Fee Schedules**

1. Transportation Impact Fees

ITE Code	Land Use Category/Description	2021 Rate	
		Impact Fee Per Unit @	
		\$7,675.28 per Trip	
A. Rate Table			
90	Park-and-ride lot w/ bus svc	3,638.09	per parking space
110	Light industrial	9.94	per square foot
140	Manufacturing	7.49	per square foot
151	Mini-warehouse	2.67	per square foot
210	Single family house Detached House	7,111.87	per dwelling unit
220	Low-Rise Multifamily (Apartment, condo, townhome, ADU)	4,608.25	per dwelling unit
240	Mobile home park	3,323.57	per dwelling unit
251	Senior housing	1,520.95	per dwelling unit
254	Assisted Living	697.10	per bed
255	Continuing care retirement	2,268.91	per dwelling unit
310	Hotel	4,754.55	per room
320	Motel	3,787.52	per room
444	Movie theater	14.91	per square foot
492	Health/fitness club	19.63	per square foot
530	School (public or private)	5.77	per square foot
540	Junior/community college	15.10	per square foot
560	Church	3.88	per square foot
565	Day care center	37.29	per square foot
590	Library	18.84	per square foot
610	Hospital	9.13	per square foot
710	General office	13.74	per square foot
720	Medical office	24.97	per square foot
731	State motor vehicles dept	120.34	per square foot
732	United States post office	28.72	per square foot
820	General retail and personal services (includes shopping center)	10.40	per square foot
841	Car sales	19.12	per square foot
850	Supermarket	28.40	per square foot
851	Convenience market-24 hr	52.77	per square foot
854	Discount supermarket	28.96	per square foot
880	Pharmacy/drugstore	16.72	per square foot
912	Bank	40.69	per square foot
932	Restaurant: sit-down	29.34	per square foot
934	Fast food	67.51	per square foot
937	Coffee/donut shop	85.65	per square foot
941	Quick lube shop	30,454.32	per service bay
944	Gas station	27,693.48	per pump
948	Automated car wash	59.20	per square foot

**City of Shoreline
Fee Schedules**

2. Park Impact Fees

		2021 Fee	
A. Rate Table			
Use Category		Impact Fee	
Single Family Residential		4,327	per dwelling unit
Multi-Family Residential		2,838	per dwelling unit

**City of Shoreline
Fee Schedules**

3. Fire Impact Fees

		2021 Fee	
A. Rate Table			
Use Category	Impact Fee		
Residential			
Single-Family Residential	2,311.00	per dwelling unit	
Multi-Family Residential	2,002.00	per dwelling unit	
Commercial			
Commercial 1	2.84	per square foot	
Commercial 2	1.83	per square foot	
Commercial 3	5.73	per square foot	

4. Impact Fee Administrative Fees - Applicable to all types of Impact Fees

A. Type of Administrative Fee

2021 Rate

- | | |
|---|---|
| <ol style="list-style-type: none"> 1. All applicable projects per building permit application 2. Impact fee estimate/preliminary determination 3. Independent fee calculation per impact fee type 4. Deferral program | <p>\$206.00 per hour, 1-hour minimum</p> <p>\$206.00 per hour, 1-hour minimum</p> <p>\$206.00 per hour, 1-hour minimum</p> <p>\$206.00 per hour, 1-hour minimum</p> |
|---|---|

B. Rules for Administrative Fee

1. All administrative fees are nonrefundable.
2. Administrative fees shall not be credited against the impact fee
3. Administrative fees applicable to all projects shall be paid at the time of building permit issuance.
4. Administrative fees for impact fee estimates or preliminary determination shall be paid at the time the request is submitted to the City.
5. Administrative fees for independent fee calculations shall be paid prior to issuance of the director's determination, or for fire impact fees, the fire chief's determination.

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Adopting Resolution No. 471 - Adopting a Fee Schedule
DEPARTMENT:	City Attorney's Office Administrative Services
PRESENTED BY:	Margaret King, City Attorney Rick Kirkwood, Budget & Tax Manager
ACTION:	<input type="checkbox"/> Ordinance <input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Motion <input type="checkbox"/> Discussion <input type="checkbox"/> Public Hearing

PROBLEM/ISSUE STATEMENT:

On February 22, 2021, staff presented proposed Ordinance No. 920, repealing and replacing Shoreline Municipal Code Chapter 3.01 – Fee Schedule, proposed Ordinance No. 921, establishing a fee schedule for Impact Fees, and proposed Resolution No. 471, adopting a fee schedule, to the City Council. The staff report is available at the following link:

<http://cosweb.ci.shoreline.wa.us/uploads/attachments/cck/council/staffreports/2021/staffreport022221-9b.pdf>.

The City's Fee Schedule, codified at Shoreline Municipal Code (SMC) Chapter 3.01, which establishes various rates, fees, costs, and charges for City services and related items, has historically been reviewed and updated for the upcoming fiscal year through the City's budget process. As such, it has also been included with the ordinance adopting the City's budget. This has provided some challenges as various indices used to calculate changes in rates, such as much of the solid waste rate schedule in SMC 3.01.500, are not available until late in the budget process, thereby making it impossible to include such a schedule in the proposed budget book. Another challenge is the ability to amend the Fee Schedule in a timely manner, as it also requires the budget ordinance be amended, thereby making for an unnecessary and cumbersome process. Lastly, there are various provisions throughout the SMC that reference specific sections of SMC Chapter 3.01 that have not been amended to reflect the evolution of the Fee Schedule.

Amending SMC Chapter 3.01 to allow for the adoption of the Fee Schedule (except for impact fees) by resolution of the City Council would allow for a more timely and efficient process that would not impact the Budget Ordinance when amendments are needed. To accomplish this, three actions would be required by the City Council:

- Proposed Ordinance No. 920, included on tonight's agenda as a separate item, would repeal and replace SMC Chapter 3.01 to provide for adoption of a Fee Schedule by resolution for general rates, fees, and costs and the adoption of a

Fee Schedule by ordinance for impact fees as required by Revised Code of Washington (RCW) Chapter 82.02. This proposed Ordinance also provides for amendments to sections of the SMC necessary to ensure the correct citation is referenced.

- Proposed Ordinance No. 921, included on tonight's agenda as a separate item, would establish the rates and costs for all of the City's impact fees – parks, transportation, and fire. As noted above, this is required to be adopted by ordinance by state law.
- Proposed Resolution No. 471 (Attachment A) would establish the Fee Schedule for rates, fees, costs, and charges for City services and related items that were previously adopted through the budget ordinance process (last established by Ordinance No. 903).

Adoption of the above three pieces of legislation are proposed to occur concurrently.

RESOURCE/FINANCIAL IMPACT:

There is no financial impact associated with tonight's discussion.

RECOMMENDATION

Staff recommends that City Council adopt Resolution No. 471, adopting a fee schedule.

ATTACHMENTS:

Attachment A: Proposed Resolution No. 471, including Exhibit A

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

RESOLUTION NO. 471

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHORELINE, WASHINGTON ESTABLISHING THE 2021 FEE SCHEDULE FOR FEES, RATES, COSTS, AND CHARGES PURSUANT TO CHAPTER 3.01 FEE SCHEDULE OF THE SHORELINE MUNICIPAL CODE.

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 is authorized by state law to impose fees to recoup the costs of processing and/or providing services to the public, including but not limited to RCW 35A.11.020 and 82.02.020; and

WHEREAS, various sections of the Shoreline Municipal Code (SMC) impose fees, rates, costs, and charges for services provided by the City and/or its contract service providers; and

WHEREAS, SMC Section 3.01.010 provides that the City Council is to establish a Fee Schedule for fees, rates, costs, and charges for services provided by the City from time to time by Resolution; and

WHEREAS, the Fee Schedule was considered during the City Council's adoption of the 2021-2022 Biennial Budget Amendment, Ordinance No. 903; and

WHEREAS, the Fee Schedule does not exceed the actual cost of providing the services for which such fees are charged, as required by state law; and

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

Section 1. Adoption of Fee Schedule. The Fee Schedule for Fees, Rates, Costs, and Charges as set forth in Exhibit A to this Resolution is adopted as the 2021 Fee Schedule.

Section 2. Effective Date. This Resolution shall take effect and be in full force immediately upon passage by the City Council.

ADOPTED BY THE CITY COUNCIL ON MARCH 15, 2021.

Mayor Will Hall

ATTEST:

Jessica Simulcik Smith, City Clerk

**City of Shoreline
Fee Schedules**

Resolution 471 - Exhibit A

Planning and Community Development

Type of Permit Application	2021 Fees, Rates, Costs, and Charges
A. BUILDING	
Valuation (The Total Valuation is the "Building permit valuations" as delineated in section R108.3 of the International Residential Code and section 108.3 of the International Building Code. The hourly rate referenced throughout SMC 3.01.010 is calculated by multiplying the minimum number of hours noted for each fee by the fee established in SMC 3.01.010(A)(1).	
1. \$0 - \$11,000.00	\$206.00
2. \$11,000.01 - \$25,000.00	\$75 for the first \$2,000.00 + \$14.00 for each additional 1,000.00, or fraction thereof, to and including \$25,000.00.
3. \$25,000.01 - \$50,000.00	\$397 for the first \$25,000.00 + \$11.00 for each additional \$1,000.00, or fraction thereof, to and including \$50,000.00.
4. \$50,000.01 - \$100,000.00	\$672 for the first \$50,000.00 + \$9.00 for each additional \$1,000.00, or fraction thereof, to and including \$100,000.00.
5. \$100,000.01 - \$500,000.00	\$1,122 for the first \$100,000.00 + \$7 for each additional \$1,000.00, or fraction thereof, to and including \$500,000.00.
6. \$500,000.01 - \$1,000,000.00	\$3,922 for the first \$500,000.00 + \$5 for each additional \$1,000.00, or fraction thereof, to and including \$1,000,000.00.
7. \$1,000,000.01 +	\$6,422 for the first \$1,000,000.00 + \$4 for each additional \$1,000.00, or fraction thereof.
8. Building/Structure Plan Review	65% of the building permit fee
9. Civil Plan Review, Commercial (if applicable)	Hourly rate, 12 Hour Minimum
10. Civil Plan Review, Residential (if applicable)	Hourly rate, 4 Hour Minimum
11. Civil Plan Review, Residential, up to 1,000 square feet (if applicable)	Hourly rate, 1-hour minimum
12. Floodplain Permit	\$220.00
13. Floodplain Variance	\$618.00
14. Demolition, Commercial	\$1,756.00
15. Demolition, Residential	\$659.00
16. Zoning Review	Hourly rate, 1-hour minimum
17. Affordable Housing Review	Hourly rate, 10-hour minimum
18. Temporary Certificate of Occupancy (TCO)-Single-Family	\$206.00
19. Temporary Certificate of Occupancy (TCO)-Other	\$618.00
B. ELECTRICAL	
1. Electrical Permit	Permit fee described in WAC 296-46B-905, plus a 20% administrative fee
C. FIRE - CONSTRUCTION	
1. Automatic Fire Alarm System:	
a. Existing System	
New or relocated devices up to 5	\$206.00
New or relocated devices 6 up to 12	\$618.00
Each additional new or relocated device over 12	\$7.00 per device
b. New System	
c. Each additional new or relocated device over 30	\$7.00 per device
2. Fire Extinguishing Systems:	
a. Commercial Cooking Hoods	
1 to 12 flow points	\$618.00
More than 12	\$824.00
b. Other Fixed System Locations	
	\$824.00
3 Fire Pumps:	
a. Commercial Systems	
	\$824.00
4. Commercial Flammable/Combustible Liquids:	
a. Aboveground Tank Installations	
First tank	\$412.00
Additional	\$206.00

**City of Shoreline
Fee Schedules**

Planning and Community Development

Type of Permit Application	2021 Fees, Rates, Costs, and Charges
b. Underground Tank Installations	
First tank	\$412.00
Additional	\$206.00
c. Underground Tank Piping (with new tank)	\$412.00
d. Underground Tank Piping Only (vapor recovery)	\$618.00
e. Underground Tank Removal	
First tank	\$412.00
Additional Tank	\$103.00 per additional tank
5. Compressed Gas Systems (exception: medical gas systems require a plumbing permit):	
a. Excess of quantities in IFC Table 105.6.9	\$412.00
6. High-Piled Storage:	
a. Class I – IV Commodities:	
501 – 2,500 square feet	\$412.00
2,501 – 12,000 square feet	\$618.00
Over 12,000 square feet	\$824.00
b. High Hazard Commodities:	
501 – 2,500 square feet	\$618.00
Over 2,501 square feet	\$1,030.00
7. Underground Fire Mains and Hydrants	\$618.00
8. Industrial Ovens:	
Class A or B Furnaces	\$412.00
Class C or D Furnaces	\$824.00
9. LPG (Propane) Tanks:	
Commercial, less than 500-Gallon Capacity	\$412.00
Commercial, 500-Gallon+ Capacity	\$618.00
Residential 0 – 500-Gallon Capacity	\$206.00
Spray Booth	\$824.00
10. Sprinkler Systems (each riser):	
a. New Systems	\$1,030.00 plus \$3.00 per head
b. Existing Systems	
1 – 10 heads	\$618.00
11 – 20 heads	\$824.00
More than 20 heads	\$1,030.00 plus \$3.00 per head
c. Residential (R-3) 13-D System	
1 – 30 heads	\$618.00
More than 30 heads	\$618.00 plus \$3.00 per head
Voluntary 13-D Systems in residencies when not otherwise required	\$206.00
11. Standpipe Systems	\$824.00
12. Emergency Power Supply Systems:	
10 kW - 50 kW	\$618.00
> 50 kW	\$1,030.00
13. Temporary Tents and Canopies	\$206.00
14. Fire Review -Single-Family	\$103.00
15. Fire Review -Subdivision	Hourly rate, 1-hour minimum
16. Fire Review -Other	Hourly rate, 1-hour minimum
17. Emergency Responder Radio Coverage System	\$618.00
18. Smoke Control Systems - Mechanical or Passive	\$824.00
D. MECHANICAL	
1. Residential Mechanical System	\$206.00 (including 4 pieces of equipment), \$12.00 per piece of equipment over 4
2. Commercial Mechanical System	\$550.00 (including 4 pieces of equipment), \$12.00 per piece of equipment over 4

**City of Shoreline
Fee Schedules**

Planning and Community Development

Type of Permit Application	2021 Fees, Rates, Costs, and Charges
3. All Other Mechanical Plan Review (Residential and Commercial)	Hourly rate, 1-hour minimum
E. PLUMBING	
1. Plumbing System	\$206.00 (including 4 fixtures), \$12.00 per fixture over 4
2. Gas Piping System standalone permit	\$206.00 (including 4 outlets), \$12.00 per outlet over 4
3. Gas Piping as part of a plumbing or mechanical permit	\$12.00 per outlet (when included in outlet count)
4. Backflow Prevention Device - standalone permit	\$206.00 (including 4 devices), \$12.00 per devices over 4
5. Backflow Prevention Device as part of a plumbing systems permit	\$12.00 per device (when included in fixture count)
6. All Other Plumbing Plan Review (Residential and Commercial)	Hourly rate, 1-hour minimum
F. ENVIRONMENTAL REVIEW	
1. Single-Family SEPA Checklist	\$3,296.00
2. Multifamily/Commercial SEPA Checklist	\$4,944.00
3. Planned Action Determination	Hourly rate, 5-hour minimum
4. Environmental Impact Statement Review	\$8,560.00
G. LAND USE	
1. Accessory Dwelling Unit	\$879.00
2. Administrative Design Review	\$1,648.00
3. Adult Family Home	\$493.00
4. Comprehensive Plan Amendment – Site Specific (Note: may be combined with Rezone public hearing.)	\$18,128.00 , plus public hearing (\$3914.00)
5. Conditional Use Permit (CUP)	\$7,683.00
6. Historic Landmark Review	\$412.00
7. Interpretation of Development Code	\$770.00
8. Master Development Plan	\$27,439.00 , plus public hearing (\$3914.00)
9. Changes to a Master Development Plan	\$13,719.00 , plus public hearing (\$3914.00)
10. Rezone	\$17,779.00 , plus public hearing (\$3914.00)
11. SCTF Special Use Permit (SUP)	\$16,024.00 , plus public hearing (\$3914.00)
12. Sign Permit - Building Mounted, Awning, Driveway Signs	\$440.00
13. Sign Permit - Monument/Pole Signs	\$879.00
14. Special Use Permit	\$16,024.00 , plus public hearing (\$3914.00)
15. Street Vacation	\$11,305.00 , plus public hearing (\$3914.00)
16. Temporary Use Permit (TUP) EXCEPT fee is waived as provided in SMC 20.30.295(D)(2) for Transitional Encampments and Emergency Temporary Shelters	\$1,648.00
17. Deviation from Engineering Standards	Hourly rate, 8-hour minimum
18. Variances - Zoning	\$9,329.00
19. Lot Line Adjustment	\$1,648.00
20. Lot Merger	\$412.00
21. Development Agreement	Hourly rate, 125-hour minimum , plus public hearing (\$3914.00)
H. CRITICAL AREAS FEES	
1. Critical Area Field Signs	\$7.00 per sign
2. Critical Areas Review	Hourly rate, 2-hour minimum
3. Critical Areas Monitoring Inspections (Review of three reports and three inspections.)	\$1,976.00
4. Critical Areas Reasonable Use Permit (CARUP)	\$14,817.00 , plus public hearing (\$3914.00)
5. Critical Areas Special Use Permit (CASUP)	\$14,817.00 , plus public hearing (\$3914.00)
I. MISCELLANEOUS FEES	
1. Permit Fee for Work Commenced Without a Permit	Twice the Applicable Permit Fee

**City of Shoreline
Fee Schedules**

Planning and Community Development

Type of Permit Application	2021 Fees, Rates, Costs, and Charges
2. Expedited Review – Building or Site Development Permits	Twice the applicable permit review fee(s)
3. All Other Fees Per Hour	Hourly rate, 1-hour minimum
4. Multiple Family Tax Exemption Application Fee	Hourly rate, 3-hour minimum
5. Extension of the Conditional Certificate for the Multiple Family Tax Exemption Application Fee	\$206.00
6. Multiple Family Tax Exemption or Affordable Housing Annual Compliance Verification	\$412.00
7. Pre-application Meeting	\$483.00 Mandatory pre-application meeting
	\$206.00 Optional pre-application meeting
8. Transportation Impact Analysis (TIA) Review (less than 20 trips)	\$206.00
9. Transportation Impact Analysis (TIA) Review (20 or more trips)	Hourly rate, 1-hour minimum
10. Noise Variance	\$412.00
J. RIGHT-OF-WAY	
1. Right-of-Way Utility Blanket Permits	\$206.00
2. Right-of-Way Use Limited	Hourly rate, 1-hour minimum
3. Right-of-Way Use	Hourly rate, 3-hour minimum
4. Right-of-Way Use Full Utility Permit	Hourly rate, 4-hour minimum
5. Right-of-Way Site	Hourly rate, 4-hour minimum
6. Right-of-Way Special Events	\$1,030.00
7. Residential Parking Zone Permit	\$20.00
8. Right-of-Way Extension	Hourly rate, 1-hour minimum
K. SHORELINE SUBSTANTIAL DEVELOPMENT	
1. Shoreline Conditional Permit Use	\$7,902.00
2. Shoreline Exemption	\$516.00
3. Shoreline Variance	\$10,976.00 , plus public hearing (\$3914.00)
Substantial Development Permit (based on valuation):	
4. up to \$10,000	\$2,744.00
5. \$10,000 to \$500,000	\$6,586.00
6. over \$500,000	\$10,976.00
L. SITE DEVELOPMENT	
1. Clearing and/or Grading Permit	Hourly rate, 3-hour minimum
2. Subdivision Construction	Hourly rate, 10-hour minimum
3. Multiple Buildings	Hourly rate, 10-hour minimum
4. Clearing and Grading Inspection - Sum of Cut and Fill Yardage:	
5. 50-500 CY without drainage conveyance	\$206.00
6. 50-500 CY with drainage conveyance	\$440.00
7. 501-5,000 CY	\$879.00
8. 5001-15,000 CY	\$1,756.00
9. More than 15,000 CY	\$4,611.00
10. Tree Removal	\$206.00
M. SUBDIVISIONS	
1. Binding Site Plan	\$6,256.00
2. Preliminary Short Subdivision	\$7,135.00 for two-lot short subdivision, plus (\$549.00) for each additional lot
3. Final Short Subdivision	\$2,086.00
4. Preliminary Subdivision	\$16,464.00 for ten-lot subdivision, plus \$770.00 for each additional lot and \$3,914.00 for public hearing
5. Final Subdivision	\$5,618.00
6. Changes to Preliminary Short or Formal Subdivision	\$4,062.00
7. Plat alteration	Hourly rate, 10-hour minimum
8. Plat alteration with public hearing	Hourly rate, 10-hour minimum , plus public hearing (\$3914.00)

City of Shoreline Fee Schedules

Fire - Operational

Type of Permit Application	2021 Fees, Rates, Costs, and Charges
A. FIRE - OPERATIONAL	
1. Aerosol Products	\$206.00
2. Amusement Buildings	\$206.00
3. Carnivals and Fairs	\$206.00
4. Combustible Dust-Producing Operations	\$206.00
5. Combustible Fibers	\$206.00
6. Compressed Gases	\$206.00
7. Cryogenic Fluids	\$206.00
8. Cutting and Welding	\$206.00
9. Dry Cleaning (hazardous solvent)	\$206.00
10. Flammable/Combustible Liquid Storage/Handle/Use	\$206.00
11. Flammable/Combustible Liquid Storage/Handle/Use - (add'l specs)	Add'l fee based on site specs
12. Floor Finishing	\$206.00
13. Garages, Repair or Servicing - 1 to 5 Bays	\$206.00
14. Garages, Repair or Servicing - (add'l 5 Bays)	\$103.00
15. Hazardous Materials	\$616.00
16. Hazardous Materials (including Battery Systems 55 gal>)	\$206.00
17. High-Piled Storage	\$206.00
18. Hot Work Operations	\$206.00
19. Indoor Fueled Vehicles	\$206.00
20. Industrial Ovens	\$206.00
21. LP Gas-Consumer Cylinder Exchange	\$103.00
22. LP Gas-Retail Sale of 2.5 lb or less	\$103.00
23. LP Gas-Commercial Containers (Tanks)	\$206.00
24. LP Gas-Commercial Containers, Temporary (Tanks)	\$206.00
25. Lumber Yard	\$206.00
26. Misc Comb Material	\$206.00
27. Open Flames and Candles	\$206.00
28. Open Flames and Torches	\$206.00
29. Places of Assembly 50 to 100	\$103.00
30. Places of Assembly up to 500	\$206.00
31. Places of Assembly 501>	\$411.00
32. Places of Assembly (add'l assembly areas)	\$103.00
33. Places of Assembly - A-5 Outdoor	\$103.00
34. Places of Assembly - Outdoor Pools	\$103.00
35. Places of Assembly - Open Air Stadiums	\$206.00
36. Pyrotechnic Special Effects Material	\$206.00
37. Pyrotechnic Special Effects Material (add'l specs)	Add'l fee based on site specs
38. Refrigeration Equipment	\$206.00
39. Scrap Tire Storage	\$206.00
40. Spraying or Dipping	\$206.00
41. Waste Handling	\$206.00
42. Wood Products	\$206.00

City of Shoreline Fee Schedules

Affordable Housing Fee In-Lieu

2021 Fees In-Lieu		
A. Rate Table		
Zoning District	Fee per unit if providing 10% of total units as affordable	Fee per unit if providing 20% of total units as affordable
MUR-45	207,946.00	159,827.00
MUR-70	207,946.00	159,827.00
MUR-70 with development agreement	256,064.00	207,946.00
Note: The Fee In-Lieu is calculated by multiplying the fee shown in the table by the fractional mandated unit. For example, a 0.40 fractional unit multiplied by \$207,946 would result in a Fee In-Lieu of \$83,179.		

City of Shoreline Fee Schedules

Animal Licensing and Service Fees

Annual License	2021 Fees, Rates, and Charges
A. PET - DOG OR CAT	
1. Unaltered	\$60.00
2. Altered	\$30.00
3. Juvenile pet	\$15.00
4. Discounted pet	\$15.00
5. Replacement tag	\$5.00
6. Transfer fee	\$3.00
7. License renewal late fee – received 45 to 90 days following license expiration	\$15.00
8. License renewal late fee – received 90 to 135 days following license expiration	\$20.00
9. License renewal late fee – received more than 135 days following license expiration	\$30.00
10. License renewal late fee – received more than 365 days following license expiration	\$30.00 plus license fee(s) for any year(s) that the pet was unlicensed
<i>Service Animal Dogs and Cats and K-9 Police Dogs: Service animal dogs and cats and K-9 police dogs must be licensed, but there is no charge for the license.</i>	
B. GUARD DOG	
1. Guard dog registration	\$100.00
C. ANIMAL RELATED BUSINESS	
1. Hobby kennel and hobby cattery	\$50.00
2. Guard dog trainer	\$50.00
3. Guard dog purveyor	\$250.00
D. GUARD DOG PURVEYOR	
1. If the guard dog purveyor is in possession of a valid animal shelter, kennel or pet shop license, the fee for the guard dog purveyor license shall be reduced by the amount of the animal shelter, kennel or pet shop license.	
E. FEE WAIVER	
1. The director of the animal care and control authority may waive or provide periods of amnesty for payment of outstanding licensing fees and late licensing penalty fees, in whole or in part, when to do so would further the goals of the animal care and control authority and be in the public interest. In determining whether a waiver should apply, the director of the animal care and control authority must take into consideration the total amount of the fees charged as compared with the gravity of the violation and the effect on the owner, the animal's welfare and the animal care and control authority if the fee or fees or penalties are not waived and no payment is received.	

City of Shoreline

Business License Fees Schedule

License Type	2021 Fees, Rates, and Charges
A. BUSINESS LICENSE FEES - GENERAL	
1. Business license registration fee for new application filed between January 1 and June 30)	\$40.00
2. Business license registration fee for new application filed between July 1 and December 31	\$20.00
The annual business license fee is prorated as necessary to conform to SMC 5.05.060.	
3. Annual business license renewal fee due January 31	\$40.00
a. Penalty schedule for late annual business license renewal as described in SMC 5.05.080 received on or after:	
i. February 1	\$10.00
ii. March 1	\$15.00
iii. April 1	\$20.00
B. REGULATORY LICENSE FEES	
1. Regulated massage business	\$226.00 Per Year
2. Massage manager	\$49.00 Per Year
Plus additional \$11 fee for background checks for regulated massage business or massage manager	
3. Public dance	\$154.00 Per Dance
4. Pawnbroker	\$723.00 Per Year
5. Secondhand Dealer	\$70.00 Per Year
6. Master solicitor	\$141.00 Per Year
7. Solicitor	\$35.00 Per Year
Late fees for the above regulatory licenses: A late penalty shall be charged on all applications for renewal of a regulatory license received later than 10 working days after the expiration date of such license. The amount of such penalty is fixed as follows: * For a license requiring a fee of less than \$50.00, two percent of the required fee. * For a license requiring a fee of more than \$50.00, ten percent of the required fee.	
8. Adult cabaret operator	\$723.00 Per Year
9. Adult cabaret manager	\$154.00 Per Year
10. Adult cabaret entertainer	\$154.00 Per Year
11. Panoram Operator	\$721.00 Per Year
Plus additional \$58 fee for fingerprint background checks for each operator:	
12. Panoram premise	\$297.00 Per Year
13. Panoram device	\$85.00 Per Year Per Device
Penalty schedule for Adult cabaret and Panoram licenses:	
Days Past Due	
7 - 30	10% of Regulatory License Fee
31 - 60	25% of Regulatory License Fee
61 and over	100% of Regulatory License Fee
14. Duplicate Regulatory License	\$6.00

City of Shoreline Fee Schedules

Filmmaking Permit Fees

		2021 Fees, Rates, and Charges
A. PERMIT FEES		
1. Low Impact Film Production		\$25.00 flat fee per production (for up to 14 consecutive days of filming)
2. Low Impact Daily Rate (each additional day after 14 days)		\$25.00 per additional day
3. Moderate Impact Film Production		\$25.00 per day
4. High Impact Film Production		Applicable permit fees apply, including but not limited to, permits for the right-of-way and park rental fees.
B. FEE WAIVER		
The city manager may consider a waiver for any fees that may apply under this section. Any fee waiver request must be submitted concurrently with the filmmaking permit application.		
C. ADDITIONAL COSTS		
Any additional costs incurred by the city, related to the filmmaking permitted activity, shall be paid by the applicant. The applicant shall comply with all additional cost requirements contained in the Shoreline Film Manual.		

Hearing Examiner Fees

		2021 FEES
A. HEARING EXAMINER APPEAL HEARING FEE		\$550.00

Public Records

		2021 FEES and COSTS	
1. Photocopying paper records			
a. Black and white photocopies of paper up to 11 by 17 inches - if more than five pages	\$0.15	Per Page	
b. Black and white photocopies of paper larger than 11 by 17 inches - City Produced	\$5.00	First Page	
	\$1.50	Each additional page	
c. Color photocopies up to 11 by 17 inches - if more than three pages	\$0.25	Per Page	
2. Scanning paper records			
a. Scans of paper up to 11 by 17 inches - if more than five pages	\$0.15	Per Page	

City of Shoreline Fee Schedules

3. Copying electronic records		
a. Copies of electronic records to file sharing site - if more than five pages (2 minute minimum)	\$0.91 Per Minute	
b. Copies of electronic records onto other storage media	Cost incurred by City for hardware plus \$0.91/minute	
4. Other fees		
a. Photocopies - vendor produced	Cost charged by vendor, depending on size and process	
b. Convert electronic records (in native format) into PDF format – if more than 15 minutes	\$50.00 Per hour	
c. Service charge to prepare data compilations or provide customized electronic access services	Actual staff cost	
d. Photographic prints and slides	Cost charged by vendor, depending on size and process	
e. Clerk certification	\$1.50 Per document	
5. Geographic Information Systems (GIS) services		
a. GIS maps smaller than 11 by 17 inches	\$0.50	Per Page
b. GIS maps larger than 11 by 17 inches	\$1.70	Per Square Foot
c. Custom GIS Mapping and Data Requests	\$101.00	Per Hour (1 Hour Minimum)

**City of Shoreline
Fee Schedules**

Parks, Recreation and Community Services

Fee	2021 Resident Rate	2021 Non-Resident Rate
A. OUTDOOR RENTAL FEES		
1. Picnic Shelters – (same for all groups)		
a. Half Day (9:00am-2:00pm or 2:30pm-Dusk)	\$72	\$92
b. Full Day (9:00am - Dusk)	\$105	\$132
2. Cromwell Park Amphitheater & Richmond Beach Terrace		
a. Half Day	\$72	\$92
b. Full Day	\$105	\$132
3. Alcohol Use		
a. Per hour, 4 hour minimum (includes shelter rental)	\$93	\$112
4. Athletic Fields (Per Hour)		
a. Lights (determined by dusk schedule; hourly rate includes \$5 Capital Improvement Fee)	\$24	\$24
b. Non-Profit Youth Organization - All Use *	\$7	\$10
c. For-Profit Youth Organization All-Use *	\$18	\$22
d. All Other Organizations/Groups - Practice	\$18	\$22
e. All Other Organizations/Groups - Games *	\$33	\$40
f. * Additional field prep fee may be added	\$27	\$37
5. Synthetic Fields (Per Hour)		
a. Non-Profit Youth Organizations - All Use	\$20	\$29
b. For-Profit Youth Organization - All Use	\$30	\$40
c. All Other Organizations/Groups - All Use	\$68	\$83
d. Discount Field Rate **	\$20	\$29
**Offered during hours of low usage as established and posted by the PRCS Director		
6. Tennis Courts		
a. Per hour	\$8	\$9
7. Park and Open Space Non-Exclusive Area		
a. Event Permit Hourly Fee *	\$16	\$19
b. Concession Sales Hourly Fee**	\$3	\$4
* Event Permit fees waived for sanctioned Neighborhood events. **Concession Sales Hourly fee waived for youth non-profit organizations and sanctioned neighborhood events		
8. Community Garden Plot Annual Rental Fee		
a. Standard Plot	\$44	N/A
b. Accessible Plot	\$22	N/A
9. Amplification Supervisor Fee		
a. Per hour; when applicable	\$27	\$27
10. Attendance Fee		
a. 101+ Attendance	\$53	\$53
B. INDOOR RENTAL FEES		
	Per Hour (2 Hour Minimum)	Per Hour (2 Hour Minimum)
1. Richmond Highlands (same for all groups) Maximum Attendance 214		
a. Entire Building (including building monitor)	\$64	\$77
2. Spartan Recreation Center Fees for Non-Profit Youth Organizations/Groups		
a. Multi-Purpose Room 1 or 2	\$13	\$18
b. Multi-Purpose Room 1 or 2 w/Kitchen	\$22	\$27
c. Gymnastics Room	\$13	\$18
d. Dance Room	\$13	\$18
e. Gym-One Court	\$22	\$27
f. Entire Gym	\$38	\$49
g. Entire Facility	\$104	\$132

**City of Shoreline
Fee Schedules**

Parks, Recreation and Community Services

Fee	2021 Resident Rate	2021 Non-Resident Rate
3. Spartan Recreation Center Fees for All Other Organizations/Groups		
a. Multi-Purpose Room 1 or 2	\$26	\$32
b. Multi-Purpose Room 1 or 2 w/Kitchen	\$37	\$45
c. Gymnastics Room	\$26	\$32
d. Dance Room	\$26	\$32
e. Gym-One Court	\$37	\$45
f. Entire Gym	\$70	\$84
g. Entire Facility	\$137	\$165
As a health and wellness benefit for regular City employees, daily drop-in fees for regular City employees shall be waived.		
* Rentals outside the normal operating hours of the Spartan Gym may require an additional supervision fee. (See Below)		
4. City Hall Rental Fees		
a. City Hall Rental - Third Floor Conference Room	\$38 Per Hour	\$46 Per Hour
b. City Hall Rental - Council Chambers	\$111 Per Hour	\$132 Per Hour
c. AV Set-up Fee - Per Room	\$16	\$16
5. Other Indoor Rental Fees:		
a-1. Security Deposit (1-125 people): (refundable)	\$200	\$200
a-2. Security Deposit (126+ people): (refundable)	\$400	\$400
b. Supervision Fee (if applicable)	\$20/hour	\$20/hour
c. Daily Rates (shall not exceed)	\$933	\$1,119
C. CONCESSIONAIRE PERMIT FEES		
1. Concession Permit (requires additional hourly fee)	\$53	\$64
Concession Permit fees and additional Concession Fees are exempt for Non-Profit Youth Organizations, and sanctioned Neighborhood Association Events. Sanctioned Neighborhood Associations Events are exempt from all rental fees with the exception of associated supervision fees when applicable. Concession/Admission/Sales Fees may be modified at the discretion of the PRCS Director.		
D. INDOOR DROP-IN FEES		
1. Showers Only (Spartan Recreation Center)	\$1	\$1
2. Drop-In		
a. Adult	\$3	\$4
b. Senior/Disabled	\$2	\$3
3. 1 Month Pass		
a. Adult	\$26	\$33
b. Senior/Disabled	\$18	\$23
4. 3 Month Pass		
a. Adult	\$66	\$77
b. Senior/Disabled	\$46	\$54
Senior is 60+ years of age		
E. GENERAL RECREATION PROGRAM FEES		
General Recreation Program Fees are based upon Recreation and Community Services' Cost Recovery/Fee Setting Framework.		
F. FEE IN LIEU OF STREET TREE REPLACEMENT	\$2,634	N/A
G. FEE REFUNDS		
Whenever a fee is paid for the use of parks or recreation facilities or property or for participation in a Recreation and Community Services Department sponsored class or program, and a refund request is made to the city, fees may be refunded according to the Recreation and Community Services Department's Refund Policy and Procedures.		
H. RECREATION SCHOLARSHIPS		
Scholarships for the fee due to the participate in a Recreation and Community Services Department sponsored class or program may be awarded when a request is made to the city according to the Recreation and Community Services Department's Recreation Scholarship Policy and Procedures.		

City of Shoreline Fee Schedules

Surface Water Management Rate Table

Rate Category	Percent Hard Surface	2021 SWM Annual Fee			
		2021 SWM Annual Fee	Effective Utility Tax	Per Unit	Fee + Utility Tax
A. Rate Table					
1. Residential: Single-family home		\$281.44	\$16.89	Per Parcel	\$298.33
2. Very Light	Less than or equal to 10%	\$281.44	\$16.89	Per Parcel	\$298.33
3. Light	More than 10%, less than or equal to 20%	\$653.65	\$39.22	Per Acre	\$692.87
4. Moderate	More than 20%, less than or equal to 45%	\$1,350.37	\$81.02	Per Acre	\$1,431.39
5. Moderately Heavy	More than 45%, less than or equal to 65%	\$2,619.02	\$157.14	Per Acre	\$2,776.16
6. Heavy	More than 65%, less than or equal to 85%	\$3,318.05	\$199.08	Per Acre	\$3,517.13
7. Very Heavy	More than 85%, less than or equal to 100%	\$4,346.14	\$260.77	Per Acre	\$4,606.91
Minimum Rate		\$281.44	\$16.89		\$298.33
<p>There are two types of service charges: The flat rate and the sliding rate. The flat rate service charge applies to single family homes and parcels with less than 10% hard surface. The sliding rate service charge applies to all other properties in the service area. The sliding rate is calculated by measuring the amount of hard surface on each parcel and multiplying the appropriate rate by total acreage.</p>					
B. CREDITS					
Several special rate categories will automatically be assigned to those who qualify					
1.	An exemption for any home owned and occupied by a low income senior citizen determined by the assessor to qualify under RCW 84.36.381.				
2.	A public school district shall be eligible for a waiver of up to 100% of its standard rates based on providing curriculum which benefits surface water utility programs. The waiver shall be provided in accordance with the Surface Water Management Educational Fee Waiver procedure. The program will be reviewed by July 1, 2021.				
3.	Alternative Mobile Home Park Charge. Mobile Home Park Assessment can be the lower of the appropriate rate category or the number of mobile home spaces multiplied by the single-family residential rate.				
C. RATE ADJUSTMENTS					
Any person receiving a bill may file a request for a rate adjustment within two years of the billing date. (Filing a request will not extend the payment period). Property owners should file a request for a change in the rate assessed if:					
1. The property acreage is incorrect;					
2. The measured hard surface is incorrect;					
3. The property is charged a sliding fee when the fee should be flat;					
4. The person or property qualifies for an exemption or discount; or					
5. The property is wholly or in part outside the service area.					
D. REBATE					
Developed properties shall be eligible for the rebate under SMC 13.10.120 for constructing approved rain gardens or conservation landscaping at a rate of \$2.50 per square foot not to exceed \$2,000 for any parcel.					

[Ord. 872 § 3 (Exh. A), 2019; Ord. 841 § 3 (Exh. A), 2018; Ord. 806 § 3 (Exh. A), 2017; Ord. 758 § 3 (Exh. A), 2016; Ord. 704 § 1, 2015; Ord. 699 § 3 (Exh. A), 2014; Ord. 678 § 1, 2013 (Exh. A); Ord. 659 § 2, 2013; Ord. 650 § 3 (Exh. A), 2012; Ord. 642 § 1, 2012; Ord. 622 § 3 (Exh. A), 2011; Ord. 585 § 3(a), 2010; Ord. 528 § 3 (Exh. A), 2008; Ord. 486 § 3, 2007; Ord. 451 §§ 7, 14, 2006; Ord. 404, 2005; Ord. 366, 2004; Ord. 342, 2003; Ord. 315, 2002. Formerly 3.01.070.]

**City of Shoreline
Fee Schedules**

Solid Waste Rate Schedule from Recology Effective 1/1/2021				
Service Level	Pounds Per Unit	Disposal Fee	Collection Fee	Total Service Fee
A. MONTHLY				
1 One 32-gallon Garbage Cart	4.43	\$1.35	\$10.34	\$11.69
B. WEEKLY RESIDENTIAL CURBSIDE SERVICE				
1. One 10-gallon Garbage Micro-Can	6.00	\$1.83	\$12.78	\$14.61
2. One 20-gallon Garbage Cart	12.00	\$3.66	\$17.11	\$20.77
3. One 32/35 -gallon Garbage Cart	19.20	\$5.86	\$21.11	\$26.97
4. One 45-gallon Garbage Cart	27.00	\$8.25	\$28.54	\$36.79
5. One 60/64-gallon Garbage Cart	38.40	\$11.74	\$30.17	\$41.91
6. One 90/96-gallon Garbage Cart	57.60	\$17.60	\$34.44	\$52.04
7. Additional 32 Gallon Cans (weekly svc)	0.00	\$5.87	\$7.98	\$13.85
8. Extras (32 gallon equivalent)	0.00	\$1.35	\$3.03	\$4.38
9. Miscellaneous Fees:				
a. Extra Yard Debris (32 gallon bag/bundle/can)				\$3.19
b. 2nd and Additional 96-Gallon Yard Waste Cart				\$6.38
c. Contamination Charge (per cart, per contract amendment)				
d. Return Trip				\$6.38
e. Roll-out Charge, per 25 ft, per cart, per time				\$3.19
f. Drive-in Charge, per month				\$6.38
g. Extended Vacation Hold (per week)				\$1.00
h. Overweight/Oversize container (per p/u)				\$3.19
i. Redelivery of one or more containers				\$10.65
j. Cart Cleaning (per cart per cleaning)				\$10.65
C. ON-CALL BULKY WASTE COLLECTION				
1. Non-CFC Containing Large Appliances ("white goods"), per item				\$21.29
2. Refrigerators/Freezers/Air Conditioners per item				\$31.94
3. Sofas, Chairs, per item	0.00	\$7.63	\$14.37	\$22.00
4. Mattresses, Boxsprings, per item	0.00	\$7.63	\$14.37	\$22.00
D. WEEKLY COMMERCIAL & MULTIFAMILY CAN AND CART				
1. One 20-gallon Garbage Cart	12.00	\$3.66	\$15.17	\$18.83
2. One 32/35-gallon Garbage Cart	19.20	\$5.86	\$17.10	\$22.96
3. One 45-gallon Garbage Cart	27.00	\$8.25	\$19.68	\$27.93
4. One 60/64-gallon Garbage Cart	38.40	\$11.74	\$22.82	\$34.56
5. One 90/96-gallon Garbage Cart	57.60	\$17.60	\$26.24	\$43.84
6. Extras (32-gallon equivalent)	-	\$1.35	\$4.17	\$5.52
7. Ancillary Fees:				
a. Weekly 64-gal Cart Yard Debris/Foodwaste service				\$25.60
b. Return Trip				\$8.10
c. Roll-out Charge, per addtn'l 25 ft, per cart, per p/u				\$2.02
d. Redelivery of containers				\$13.49
e. Cart Cleaning (per cart per cleaning)				\$13.49
Service Level	Pounds Per Unit	Disposal Fee	Collection Fee	Total Service Fee
E. WEEKLY COMMERCIAL DETACHABLE CONTAINER (COMPACTED)				
1. 1 Cubic Yard Container	394.80	\$120.63	\$114.83	\$235.46
2. 1.5 Cubic Yard Container	789.60	\$241.28	\$211.93	\$453.21
3. 2 Cubic Yard Container	1,184.40	\$361.91	\$309.03	\$670.94
4. 3 Cubic Yard Container	1,579.20	\$482.55	\$421.15	\$903.70
5. 4 Cubic Yard Container	1,974.00	\$603.19	\$533.27	\$1,136.46
6. 6 Cubic Yard Container	2,961.00	\$892.63	\$632.61	\$1,525.24
F. COMMERCIAL DETACHABLE CONTAINER (LOOSE)				
1. 1 Cubic Yard, 1 pickup/week	112.80	\$34.47	\$73.13	\$107.60
2. 1 Cubic Yard, 2 pickups/week	225.60	\$68.93	\$139.53	\$208.46
3. 1 Cubic Yard, 3 pickups/week	338.40	\$103.40	\$205.91	\$309.31
4. 1 Cubic Yard, 4 pickups/week	451.20	\$137.88	\$272.32	\$410.20
5. 1 Cubic Yard, 5 pickups/week	564.00	\$172.34	\$338.71	\$511.05

**City of Shoreline
Fee Schedules**

Solid Waste Rate Schedule from Recology Effective 1/1/2021

6. 1.5 Cubic Yard, 1 pickup/week	169.20	\$51.70	\$102.96	\$154.66
7. 1.5 Cubic Yard, 2 pickups/week	338.40	\$103.40	\$199.19	\$302.59
8. 1.5 Cubic Yard, 3 pickups/week	507.60	\$155.11	\$295.41	\$450.52
9. 1.5 Cubic Yard, 4 pickups/week	676.80	\$206.81	\$391.63	\$598.44
10. 1.5 Cubic Yard, 5 pickups/week	846.00	\$258.51	\$487.85	\$746.36
11. 2 Cubic Yard, 1 pickups/week	225.60	\$68.93	\$133.25	\$202.18
12. 2 Cubic Yard, 2 pickups/week	451.20	\$137.88	\$259.74	\$397.62
13. 2 Cubic Yard, 3 pickups/week	676.80	\$206.81	\$386.24	\$593.05
14. 2 Cubic Yard, 4 pickups/week	902.40	\$275.74	\$512.74	\$788.48
15. 2 Cubic Yard, 5 pickups/week	1,128.00	\$344.68	\$639.23	\$983.91
16. 3 Cubic Yard, 1 pickup/week	338.40	\$103.40	\$183.03	\$286.43
17. 3 Cubic Yard, 2 pickups/week	676.80	\$206.81	\$359.31	\$566.12
18. 3 Cubic Yard, 3 pickups/week	1,015.20	\$310.21	\$535.59	\$845.80
19. 3 Cubic Yard, 4 pickups/week	1,353.60	\$413.62	\$711.87	\$1,125.49
20. 3 Cubic Yard, 5 pickups/week	1,692.00	\$517.02	\$1,309.80	\$1,826.82
21. 4 Cubic Yard, 1 pickup/week	451.20	\$137.88	\$232.81	\$370.69
22. 4 Cubic Yard, 2 pickups/week	902.40	\$275.74	\$458.88	\$734.62
23. 4 Cubic Yard, 3 pickups/week	1,353.60	\$413.62	\$684.96	\$1,098.58
24. 4 Cubic Yard, 4 pickups/week	1,804.80	\$551.49	\$911.02	\$1,462.51
25. 4 Cubic Yard, 5 pickups/week	2,256.00	\$689.37	\$1,137.09	\$1,826.46
26. 6 Cubic Yard, 1 pickup/week	676.80	\$206.81	\$332.40	\$539.21
27. 6 Cubic Yard, 2 pickups/week	1,353.60	\$413.62	\$658.04	\$1,071.66
28. 6 Cubic Yard, 3 pickups/week	2,030.40	\$620.42	\$983.66	\$1,604.08
29. 6 Cubic Yard, 4 pickups/week	2,707.20	\$827.23	\$1,309.30	\$2,136.53
30. 6 Cubic Yard, 5 pickups/week	3,384.00	\$1,034.04	\$1,634.95	\$2,668.99
31. 8 Cubic Yard, 1 pickup/week	902.40	\$275.74	\$422.99	\$698.73
32. 8 Cubic Yard, 2 pickups/week	1,804.80	\$551.49	\$839.21	\$1,390.70
33. 8 Cubic Yard, 3 pickups/week	2,707.20	\$827.23	\$1,255.47	\$2,082.70
34. 8 Cubic Yard, 4 pickups/week	3,609.60	\$1,102.98	\$1,671.69	\$2,774.67
35. 8 Cubic Yard, 5 pickups/week	4,512.00	\$1,378.72	\$2,087.93	\$3,466.65
36. Extra loose cubic yard in container, per pickup	0.00	\$7.97	\$6.28	\$14.25
37. Extra loose cubic yard on ground, per pickup	0.00	\$7.97	\$19.78	\$27.75
38. Detachable Container Ancillary Fees (per occurrence):				
a. Stand-by Time (per minute)				\$2.16
b. Container Cleaning (per yard of container size)				\$13.49
c. Contamination Charge (per yard, per contract amendment)				\$25.00
d. Redelivery of Containers				\$27.00
e. Return Trip				\$13.49
Service Level (based on pick ups)	Daily Rent	Monthly Rent	Delivery Charge	Haul Charge
G. COMMERCIAL & MULTIFAMILY DROP-BOX COLLECTION				
1. Non-compacted 10 cubic yard Drop-box (6 boxes)	8.48	\$84.91	\$152.85	\$215.81
2. Non-compacted 15 cubic yard Drop-box	8.48	\$84.91	\$152.85	\$215.81
3. Non-compacted 20 cubic yard Drop-box (7 boxes)	8.48	\$118.89	\$152.85	\$261.90
4. Non-compacted 25 cubic yard Drop-box	8.48	\$135.87	\$152.85	\$284.88
5. Non-compacted 30 cubic yard Drop-box (11 boxes)	8.48	\$152.85	\$152.85	\$307.89
6. Non-compacted 40 cubic yard Drop-box (2 boxes)	8.48	\$169.82	\$152.85	\$353.91
7. Compacted 10 cubic yard Drop-box (2 boxes)			\$169.82	\$272.82
8. Compacted 20 cubic yard Drop-box (3 boxes)			\$169.82	\$295.83
9. Compacted 25 cubic yard Drop-box (2 boxes)			\$169.82	\$318.83
10. Compacted 30 cubic yard Drop-box (4 boxes)			\$169.82	\$341.87
11. Compacted 40 cubic yard Drop-box (1 box)			\$169.82	\$387.88
12. Drop-box Ancillary Fees				Per Event
a. Return Trip				\$33.74
b. Stand-by Time (per minute)				\$2.16
c. Container cleaning (per yard of container size)				\$13.49
d. Drop-box directed to other facility (per one-way mile)				\$4.05

**City of Shoreline
Fee Schedules**

Solid Waste Rate Schedule from Recology Effective 1/1/2021

Service Level	Pounds Per Unit	Disposal Fee	Collection Fee	Haul Charge
H. TEMPORARY COLLECTION HAULING				
1. 2 Yard detachable Container	270.00	\$19.06	\$140.16	\$159.22
2. 4 Yard detachable container	540.00	\$38.11	\$142.60	\$180.71
3. 6 Yard detachable container	810.00	\$57.17	\$145.07	\$202.24
4. 8 Yard detachable container	1,080.00	\$76.21	\$147.51	\$223.72
5. Non-compacted 10 cubic yard Drop-box				\$198.89
6. Non-compacted 20 cubic yard Drop-box				\$229.49
7. Non-compacted 30 cubic yard Drop-box				\$260.10
8. Non-compacted 40 cubic yard Drop-box				\$275.40
Service Level		Delivery Fee	Daily Rental	Monthly Rental
I. TEMPORARY COLLECTION CONTAINER RENTAL AND DELIVERY				
1. 2 Yard detachable container		\$86.65	\$8.01	\$86.60
2. 4 Yard detachable container		\$86.65	\$8.01	\$86.60
3. 6 Yard detachable container		\$86.65	\$8.01	\$86.60
4. 8 Yard detachable container		\$86.65	\$8.01	\$86.60
Service Level		Delivery Fee	Daily Rental	Monthly Rental
5. Non-compacted 10 cubic yard Drop-box		\$113.73	\$10.50	\$129.91
6. Non-compacted 20 cubic yard Drop-box		\$113.73	\$10.50	\$129.91
7. Non-compacted 30 cubic yard Drop-box		\$113.73	\$10.50	\$129.91
8. Non-compacted 40 cubic yard Drop-box		\$113.73	\$10.50	\$129.91
J. EVENT SERVICES				Per Day
1. Delivery, provision, collection of a set of 3 carts (G, R &C)				\$33.74
K. HOURLY RATES				Per Hour
1. Rear/Side-load packer + driver				\$168.72
2. Front-load packer + driver				\$168.72
3. Drop-box Truck + driver				\$168.72
4. Additional Labor (per person)				\$91.13

**City of Shoreline
Fee Schedules**

Damage Restitution Administrative Fee

	2021 Fee
An administrative fee to cover a portion of the cost of collecting information and processing damage restitution invoices. This fee shall be added to the amount of calculated restitution necessary to repair, replace or restore damage to City property when invoiced. The administrative fee may be reduced or waived as provided	\$50.00

[Ord. ___ § _ (Exh. _), 2020]

Collection Fees (Financial)

	2021 Fee
The maker of any check that is returned to the city due to insufficient funds or a closed account shall be assessed a collection fee	\$34.00

[Ord. 872 § 3 (Exh. A), 2019; Ord. 841 § 3 (Exh. A), 2018; Ord. 806 § 3 (Exh. A), 2017; Ord. 758 § 3 (Exh. A), 2016; Ord. 728 § 3 (Exh. A), 2015; Ord. 704 § 1, 2015; Ord. 678 § 1, 2013 (Exh. A); Ord. 650 § 3 (Exh. A), 2012; Ord. 622 § 3 (Exh. A), 2011; Ord. 585 § 3(b) (Exh. B), 2010; Ord. 528 § 3 (Exh. A), 2008; Ord. 486 § 3, 2007; Ord. 451 §§ 5, 14, 2006; Ord. 315, 2002; Ord. 294 § 1, 2001; Ord. 285 § 1, 2001. Formerly 3.01.040.]

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Authorize the Extension of the City Manager’s Change Order Authorization Limit for the Westminster Way N and N 155 th Street Intersection Improvements Project in the Amount of \$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:

On January 6, 2020, the City Council authorized the City Manager to execute a contract with Marshbank Construction, Inc. for construction of the Westminster Way N and N 155th Street Intersection Improvements Project. Construction is now nearly complete.

The original construction contract is for the amount of \$3,063,201. In addition to the construction contract amount, Council authorized \$307,000 for construction change orders. Unforeseen conditions, and consequently, required design modifications, were discovered that affected the cost of construction. The estimated sum of all change orders is \$489,943 which exceeds the original \$307,000 change order authorization. An additional \$200,000 in change order authorization, for a new total of \$507,000, is required to bring construction of the project to completion.

RESOURCE/FINANCIAL IMPACT:

The project budget is adequate to fund all project costs. The tables below show a revenue contingency of \$698,640. This contingency reflects revenue that has not yet been entirely collected from the adjacent developer (Merlone Geier Partners, MGP).

The table below provides details on project expenditures and revenue.

EXPENDITURES

Construction

Project Administration	\$832,713
Construction Contract	\$3,063,202
Change Order Authorization	\$307,000
Additional Change Order Authorization (This Request)	\$200,000
TOTAL	\$5,168,318

REVENUE

Estimated Private Donations (MGP)	\$2,013,255
Transportation Improvement Board Grant	\$3,353,703
Surface Water Fund	\$500,000
<hr/>	
TOTAL	\$5,866,958

RECOMMENDATION

Staff recommends that the City Council increase the City Manager’s change order authorization limits for the Westminster Way N and N 155th Street Intersection Improvements Project by \$200,000, from \$307,000 to \$507,000.

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

BACKGROUND

On January 6, 2020, the City Council authorized the City Manager to execute a contract with Marshbank Construction, Inc. for construction of the Westminster Way N and N 155th Street Intersection Improvements Project. The staff report for this authorization can be found at the following link:

<http://cosweb.ci.shoreline.wa.us/uploads/attachments/cck/council/staffreports/2020/staffreport010620-7b.pdf>.

The project construction is 90% complete and is anticipated to be completed in Spring 2021. Current construction budget forecasting indicates that the net sum of all construction change orders will increase the total contact amount by approximately \$489,943. The original, Council-approved change order authorization of \$307,000 leaves approximately \$182,943 in change orders above the current authorization.

DISCUSSION

Shoreline Municipal Code Section 2.60.040(D)(3)(b) allows the City Council to extend the City Manager's administrative change order authority upon staff recommendation.

As part of the Developer Agreement with MGP and the separate agreement for relocation of sanitary sewer and storm lines, the extension of water lines and the joint utility trench, MGP will be responsible for a portion of these additional costs associated with the change orders. Below is a list of the specific approved and projected change orders. The most significant change orders are a result of changes to the storm drain and water main design.

Construction Change Orders

CCO #1 E-mail Correspondence	\$0.00
CCO #2 Hours of Work	\$0.00
CCO#3 Removal of Trees	\$12,419.54
CCO #4 Construction Fence	(\$10,479.28)
CCO#5 Storm Drain Modifications (157th St)	\$104,000.00
CCO #6 Limited Access Area	\$0.00
CCO #7 96" Catch Basin	\$56,523.26
CCO #8 JUT	\$516.68
CCO #9 Void	\$0.00
CCO #10 Signal Modifications	\$3,165.62
CCO #11 Water Main	\$143,453.45
COVID-19 Labor and Supplies	\$4,440.39
Slope Stabilization	\$13,431.98
Asphalt Pre-Leveling	\$14,413.90
Add Catch Basin Type 1L	\$2,000.00
Replace MH Rings and Covers	\$3,000.00
Sanitary Sewer Connection to Manholes	\$2,250.00
Remove SCL Pole	\$3,000.00

SCL Invoices	\$15,000.00
Striping Modifications	\$4,000.00
Vault Adjustments	\$2,500.00
Storm Drain Removal (Replace 12" pipe)	\$10,000.00
Sidewalk/ADA	\$5,000.00
Material Overruns	\$101,307.00
TOTAL	\$489,942.54

Based on the status of construction and current change order negotiations, staff recommends increasing change order authorization as necessary to fund the project through closeout. The requested authorization increase of \$200,000 will provide funding for all forecasted change orders and includes a 9% contingency to provide revenue to address any remaining unforeseen expenditures.

RESOURCE/FINANCIAL IMPACT

The project budget is adequate to fund all project costs. The tables below show a revenue contingency of \$698,640. This contingency reflects revenue that has not yet been entirely collected from the adjacent developer (Merlone Geier Partners, MGP).

The table below provides details on project expenditures and revenue.

EXPENDITURES

Construction

Project Administration	\$832,713
Construction Contract	\$3,063,202
Change Order Authorization	\$307,000
Additional Change Order Authorization (This Request)	\$200,000
TOTAL (Construction and Design)	\$5,168,318

REVENUE

Estimated Private Donations (MGP)	\$2,013,255
Transportation Improvement Board Grant	\$3,353,703
Surface Water Fund	\$500,000
TOTAL	\$5,866,958

RECOMMENDATION

Staff recommends that the City Council increase the City Manager's change order authorization limits for the Westminster Way N and N 155th Street Intersection Improvements Project by \$200,000, from \$307,000 to \$507,000.

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Authorize the City Manager to Execute an Agreement with Sound Transit for the Ridgecrest Park Retaining Wall Betterment as Part of the Lynnwood Link Extension Project
DEPARTMENT:	Public Works City Manager's Office
PRESENTED BY:	Tricia Juhnke, City Engineer Juniper Nammi, Light Rail Project Manager
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 "Trail Along the Rail" (Trail) is included in the City's approved 2021-2026 Capital Improvement Plan. The Trail project is intended to provide a shared use path aligned roughly parallel to Sound Transit's Lynnwood Link Extension light rail project (LLE Project) between NE 145th Street and the NE 195th Street Pedestrian Bridge.

Sound Transit is currently constructing the LLE Project which includes segments of a shared use path that will eventually become part of the Trail. However, with necessary cost reductions to the LLE Project, construction of path segments through Ridgecrest Park have been removed by Sound Transit.

Since construction of the Trail's segment through Ridgecrest Park would become difficult, if not impossible, to construct after completion of the LLE Project, in mid-2020, City staff began discussing with Sound Transit the opportunity to modify its design and construct a wall adjacent to Ridgecrest Park that would be utilized in the future for construction of the Trail by the City. The proposed Ridgecrest Park Retaining Wall Betterment Agreement (Attachment A) defines the terms and conditions of this modification.

RESOURCE/FINANCIAL IMPACT:

The 2021-2026 Capital Improvement Plan (CIP) includes the Trail Along the Rail Project. A summary of the project expenditures and budget for the Ridgecrest Park Retaining Wall project is shown below:

Expenses			
	City Direct Expenses		(\$10,000)
	Design and Cost Estimating		(\$77,563)
	Betterment Agreement (ST)		(\$703,640)
	Construction Costs	(\$590,000)	
	ST Costs (9.3%)	(\$54,640)	
	Contingency	(\$59,000)	
	Permitting		(\$2,400)
Total Expenses			(\$793,603)
Revenue			
	General Fund		\$203,114
	Roads Capital Fund		\$125,973
Total Revenue			\$329,087
Funding Gap			(\$464,516)
Additional Recommended Revenue Sources			
	Street Vacation Fund		\$197,000
	Additional REET		\$267,516
Total Additional Recommended Revenue Sources			\$464,516

The Ridgecrest Park Retaining Wall project expenditures exceed its current budget. The budget was developed prior to completing the design or obtaining costs from Sound Transit's Contractor (SKH Joint Venture). To fully fund this project, staff has identified two additional funding options:

- Street Vacation - the City has previously collected \$197,000 from street vacations that has not been allocated to the project.
- Additional collection of Real Estate Excise Tax (REET) - in 2020 the City collected \$515,000 above the projections included in the CIP.

These two sources exceed the additional \$467,696 needed to complete the Betterment Wall project. Staff recommends using the Street Vacation revenue and to supplement that with \$270,696 of surplus 2020 REET. A budget amendment would be processed at a later date so as to increase the revenue authorization if Council authorizes the City Manager to execute this agreement.

RECOMMENDATION

Staff recommends that the City Council authorize the City Manager to execute the Ridgecrest Park Retaining Wall Betterment Agreement for the Lynnwood Link Extension Light Rail Transit Project with Sound Transit.

Approved By: City Manager ***DT*** City Attorney ***JA-T***

BACKGROUND

The City's Trail Along the Rail Project (Trail Project) is a 2.5-mile-long shared-use path that would roughly be aligned parallel to Sound Transit's LLE Project between NE 145th Street and the NE 195th Street Pedestrian Bridge. The City's Feasibility Study for the Trail identified the preferred alignment. The Trail Project is included in the approved 2021-2026 Capital Improvement Plan (CIP) and is intended to be funded in segments. Currently, limited funding has been allocated to proceed with design. Staff is seeking grant funds to support this project.

Concurrently with the Trail Feasibility Study, Sound Transit was designing the LLE Project which includes a shared-use path that has segments which could eventually become part of the Trail. The LLE Project design at 60% included a segment of shared-use path that extended through Ridgecrest Park between NE 161st and NE 163rd Streets. Because it was included in the LLE Project design, the Trail Feasibility Study identified this segment as "easy" to complete.

However, in mid-2017, Sound Transit found unexpected budget overruns based on the 60% design cost estimate of their project and engaged in a cost reduction process. Sound Transit's proposed changes to the LLE Project design were presented to Council on July 16, 2018. After these cost reduction design changes, the LLE Project no longer included construction of a path segment through Ridgecrest park. However, it also did not preclude future construction of the Trail by the City. More information can be found in the July 16, 2018, staff report on this topic: [Sound Transit Lynnwood Link Extension Project Update and Discussion of Comments on In-Progress 90% Design Milestone](#).

DISCUSSION

With the permit review and start of LLE Project construction, it became apparent to City staff that the Trail segment adjacent to Ridgecrest Park would be difficult, if not impossible, to construct after the LLE Project is completed. However, once Sound Transit rebuilds the NE 161st street end, the grade difference between NE 161st Street and NE 163rd Street is such that the Trail Project could be built at less than 5% grade (thereby satisfying ADA accessibility requirements) in roughly a straight line if there is a retaining wall to support the required fill.

Since the LLE Project Final design included a noise wall in the Ridgecrest Park area, City staff negotiated with Sound Transit to convert that wall to a retaining wall if the City designed and funded the additional cost and if Sound Transit was willing to have its contractor construct the retaining wall as a 'betterment' to the LLE Project. In 2020, CIP funds for Trail Project-related design were used to design an alternate wall that could provide lateral support to the Trail through Ridgecrest Park.

City staff negotiated the costs to build the retaining wall with Sound Transit so as to be included in Sound Transit's contract with its contractor, SKH Joint Venture. The construction costs (\$590,000) were negotiated directly with SKH Joint Venture and are based on detailed estimates for quantities and resources required for the retaining wall work above the original noise wall costs already included in the contract. In addition to construction costs, Sound Transit seeks an administrative fee of 9.3% of the

construction costs based on its standard administrative support overhead of 6% and estimates of direct costs for the additional work for its design and construction management consultants.

ALTERNATIVES ANALYSIS

An alternative to the Ridgecrest Park Retaining Wall Betterment Agreement would be delaying construction of a retaining wall until Sound Transit has completed its work in the Ridgecrest Park area and constructing a separate support wall. This alternative would require demolition of the noise wall constructed by Sound Transit along with construction of a new retaining wall which would result in significant costs to the City, as construction would be constrained by LLE light rail operation. Another alternative would be to re-route the Trail away from the light rail guideway, but this would not only create a greater Trail footprint within Ridgecrest Park but would result in grades steeper than 5%, rendering this segment of the Trail less accessible and likely used by fewer people.

In reviewing the alternatives, City staff determined that the proposed Betterment Agreement is the most cost-effective alternative to ensure the Trail Project through this segment of Ridgecrest Park.

COUNCIL GOAL(S) ADDRESSED

The proposed Ridgecrest Park Retaining Wall Betterment Agreement with Sound Transit supports the 2019-2021 Council Goal 3 – “Continue preparation for regional mass transit in Shoreline” and more specifically Action Step 6 - “Create non-motorized connections to the light rail stations and provide for multiple transportation options in and between the Station subareas by continuing to coordinate design elements of the Trail Along the Rail.”

RESOURCE/FINANCIAL IMPACT

The 2021-2026 CIP includes the Trail Along the Rail Project. A summary of the project expenditures and budget for the Ridgecrest Park Retaining Wall project is shown below:

Expenses			
	City Direct Expenses		(\$10,000)
	Design and Cost Estimating		(\$77,563)
	Betterment Agreement (ST)		(\$703,640)
	Construction Costs	(\$590,000)	
	ST Costs (9.3%)	(\$54,640)	
	Contingency	(\$59,000)	
	Permitting		(\$2,400)
Total Expenses			(\$793,603)
Revenue			
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Total Revenue			\$329,087

Funding Gap			(\$464,516)
Additional Recommended Revenue Sources			
	Street Vacation Fund		\$197,000
	Additional REET		\$267,516
Total Additional Recommended Revenue Sources			\$464,516

The Ridgecrest Park Retaining Wall project expenditures exceed its current budget. The budget was developed prior to completing the design or obtaining costs from Sound Transit's Contractor (SKH). To fully fund this project, staff has identified two additional funding options:

- Street Vacation - the City has previously collected \$197,000 from street vacations that has not been allocated to the project.
- Additional collection of Real Estate Excise Tax (REET) - in 2020 the City collected \$515,000 above the projections included in the CIP.

These two sources exceed the additional \$467,696 needed to complete the Betterment Wall project. Staff recommends using the Street Vacation revenue and to supplement that with \$270,696 of surplus 2020 REET. A budget amendment would be processed at a later date so as to increase the revenue authorization if Council authorizes the City Manager to execute this agreement.

RECOMMENDATION

Staff recommends that the City Council authorize the City Manager to execute the Ridgecrest Park Retaining Wall Betterment Agreement for the Lynnwood Link Extension Light Rail Transit Project with Sound Transit.

ATTACHMENT

Attachment A – Ridgecrest Park Retaining Wall Betterment Agreement for the Lynnwood Link Extension Project with Sound Transit

**RIDGECREST PARK RETAINING WALL BETTERMENT
FOR THE LYNNWOOD LINK LIGHT RAIL TRANSIT PROJECT**

GA 0207-20/City Receiving #9887

THIS AGREEMENT, effective upon the date of the latest signature, is entered into by and between the CITY OF SHORELINE, a Washington municipal corporation (the “City”) and the CENTRAL PUGET SOUND REGIONAL TRANSIT AUTHORITY (“Sound Transit”), a regional transit authority organized under the laws of the State of Washington, collectively “Parties” and individually “Party.”

RECITALS

1. Sound Transit is a governmental entity created pursuant to RCW 81.104 and 81.112 with all powers necessary to implement a high capacity transit system within its boundaries in King, Pierce, and Snohomish counties.
2. The City is a non-charter optional municipal code city organized pursuant to chapter 35A RCW and incorporated under the laws of the State of Washington, with the authority to enact laws and enter into agreements to promote the health, safety and welfare of its citizens and for other lawful purposes.
3. On April 23, 2015, the Sound Transit Board selected and authorized the implementation of the preferred alternative alignment for the Lynnwood Link Light Rail Extension Project (“LLE Project”) in Resolution 2015-05 (“Alignment Resolution”).
4. In coordination with the City, Sound Transit is in the process of designing and constructing the LLE Project, within the City’s boundaries as described in the Alignment Resolution, including without limitation a public rail transit line, stations, other infrastructure, improvements, public transit and passenger amenities, and mitigation measures associated there with.
5. The City is the owner of a municipal park commonly known as Ridgecrest Park (the “Park”), located just east of Interstate-5, of which the western edge is parallel and adjacent to the LLE Project’s future light rail guideway.
6. As part of that the interagency coordination, the City identified an improvement to the designed and permitted noise wall bordering the Park that is not required to execute the LLE Project, but would provide a public benefit and promote an efficient use of public funds if included as part of the LLE Project.
7. The City identified improvement consists of constructing a retaining wall (“Retaining Wall”) along the westernmost ten (10) feet of the Park in support of the City’s future construction of the City’s “Trail Along the Rail” project, a non-motorized, shared-use path, in lieu of the noise wall originally designed and permitted.
8. In accordance with Sound Transit’s Scope Control Policy (Resolution No. R2009-24), the Parties desire to enter into this Agreement to set forth their respective responsibilities, define the funding commitments for the Retaining Wall and project elements, and build effective cooperation between the Parties.

NOW, THEREFORE, in consideration of the recitals, terms, conditions, and covenants contained herein, the Parties hereby agree as follows:

AGREEMENT

A. SCOPE OF WORK

Sound Transit and the City have coordinated during the development of the preliminary design of the Retaining Wall. The purpose of this Agreement is to identify and define the Parties' responsibilities with respect to the Retaining Wall scope of work.

The Retaining Wall will be constructed by Sound Transit's contractor ("Contractor") and the scope of work will be added to the LLE Project L200 contract ("LLE Contract") via a change order. The Retaining Wall will support a City-planned non-motorized, shared use pedestrian and bicycle path (the "Trail Along the Rail") along the west side of the Park and eventually connecting from NE 145th Street to both light rail stations in the City and to the NE 195th Street non-motorized bridge crossing Interstate-5. The Retaining Wall and the preceding items are more fully identified in **Exhibit A** ("Retaining Wall Scope of Work").

B. CITY'S RIGHTS & RESPONSIBILITIES

1. **Priority of Work.** The City understands and agrees that Sound Transit will advance the LLE Project as a whole as a superior goal to advancing the Retaining Wall, if there is a conflict in the priority of the work. The Retaining Wall work will not delay the timely completion of the LLE Project, and Sound Transit has the authority to act to maintain the LLE Project schedule.
2. **Design of Retaining Wall.** The City will be responsible for the design of the Retaining Wall in accordance with all applicable federal, state, and local laws, regulations and ordinances; City and Sound Transit design criteria; the LLE Contract; and the minimum standards established in this Agreement.
 - a. **Conflict of Interest.** The City utilized KPFF, Inc. for design of the Retaining Wall. Sound Transit also utilized KPFF, Inc. on other elements of the LLE Project. As construction occurs, both the City's and Sound Transit's use of KPFF, Inc. may result in a conflict of interest. Therefore, the City agrees to cooperate with Sound Transit in regard to KPFF, Inc. services related to the Retaining Wall design.
3. **Permitting.** Subject to Sound Transit's authorization and as soon as reasonably possible after execution of this Agreement, the City will submit the necessary revisions to Site Development Permit DEV19-0328, so as to replace the currently included noise wall in the Park with the Retaining Wall.
4. **Construction Observation.** The City understands and agrees that construction of the Retaining Wall will be managed by Sound Transit. The City has the right, at all reasonable times, to observe construction of the Retaining Wall and, at its own cost and expense, request additional quality verification or testing of the construction work to be performed. City will request access to observe the Retaining Wall construction work, and Sound Transit will not unreasonably deny any such requests.
5. **Funding.**

- a. Subject to the terms of this Agreement, the City agrees to reimburse Sound Transit for the Estimated Total Cost, as defined below, to construct the Retaining Wall. The City acknowledges that it has funding available for this initial estimate, and that it will provide funding for any valid increases to this amount in accordance with this Agreement.
 - b. Notwithstanding any estimated cost, the City agrees to pay all administrative and construction costs related to the Retaining Wall, except as provided herein.
 - c. The City is not obligated to pay for costs resulting from the sole or partial negligent acts or omissions of Sound Transit or its contractors (if the cost increase is due in part the negligent acts or omissions of Sound Transit or its contractors, the City is not obligated to pay for the portion of the cost increases attributable to such negligent acts or omissions).
 - d. The Parties have agreed to the initial estimate as described in **Exhibit B**. The Parties may further update Exhibit B by mutual written agreement to incorporate cost changes as contemplated by this Agreement.
 - e. The Estimated Total Cost for the Retaining Wall will consist of:
 - i. Contractor's Negotiated Price. The Contractor's proposed price schedule for the Retaining Wall, which will be issued as a change order to the LLE Contract.
 - ii. Sound Transit's Administrative Costs. Sound Transit's costs to administer and oversee the construction of the Retaining Wall. Sound Transit's administrative costs will be 9.3% of the Contractor's Negotiated Price and all approved changes.
 - iii. Contingency. The City will allocate a contingency fund equal to 10% of the Contractor's Negotiated Price to be used for payment arising out of changes. The Contingency will be used to pay for any changes to the Retaining Wall which will increase the cost beyond the Contractor's Negotiated Price and approved according to the provisions of Section D(2) below.
 - f. Notwithstanding this section, the City is obligated to reimburse Sound Transit for all administrative and construction costs related to the Retaining Wall except as provided herein.
- 6. Regulatory Authority.** The City acknowledges it has dual roles concerning the LLE Project and Retaining Wall, as both a land use regulator for the LLE Project within city limits and the funder of the Retaining Wall. Nothing in this Agreement will be deemed an alteration, expansion, or restriction the City's regulatory authority nor a predetermination of the compliance of the Retaining Wall or the LLE Project with applicable federal, state, or local laws, codes, and regulations.
- 7. Acceptance.** The City will be invited to attend acceptance walk-through inspections and may participate in creating acceptance walk-through inspections for the Retaining Wall, consistent with the terms of the LLE Contract. Sound Transit acknowledges that the City's acceptance, which will not be unreasonably withheld, is conditioned on (i) Sound Transit scheduling the acceptance walk-through inspection at a time that the City Designated Representative has agreed to be physically present or to send an authorized representative to be physically present on behalf of the City, (ii) all punch-list items being adequately

addressed according to the requirements of the LLE Contract and to the City's reasonable satisfaction and (iii) that any remaining construction activities related to the Retaining Wall are completed and the Contractor is demobilized for any work pertaining to the Retaining Wall.

C. SOUND TRANSIT'S RIGHTS & RESPONSIBILITIES

- 1. Construction of Retaining Wall.** Sound Transit will include the Retaining Wall work in the LLE Contract as a change order to the existing LLE Contract. If no intervening factors arise between execution of this Agreement and issuance of a change order to the LLE Contract that would otherwise make construction of the Retaining Wall inadvisable, Sound Transit will construct the Retaining Wall at the Contractor's Negotiated Price shown in Exhibit B. Sound Transit will be solely responsible for administering all aspects of the LLE Contract and the Retaining Wall construction work.
- 2. Notice of Costs.** Sound Transit will notify the City in writing when the expenditures for the Retaining Wall have reached eighty percent (80%) of Estimated Total Cost and, at any time Sound Transit has reason to believe the costs for the Retaining Wall could exceed the Estimated Total Cost.

D. JOINT OBLIGATIONS – CITY AND SOUND TRANSIT

- 1. Communication and Participation.** As soon as reasonably possible after execution of this Agreement, the Designated Representatives for the City and Sound Transit will develop a communication and participation plan in relationship to the Retaining Wall. At a minimum, the communication plan will provide for the City's participation in meetings and field inspections, review of documents, and inclusion in all correspondence, written or oral, between Sound Transit and its Contractor.
- 2. Changes.**
 - a.** The City will pay Sound Transit's costs incurred for changes related to the Retaining Wall work approved by the City. Changes include, without limitation, any increases in cost or time caused by unknown conditions in the area of the Retaining Wall relative to the LLE Project, or causes not within the control of the Contractor or Sound Transit, or other valid bases for equitable adjustment pursuant to the LLE Contract.
 - b.** Sound Transit will have authority to administer contract changes within the limits of the Contingency included in the Estimated Total Cost in addition to the Contractor's Negotiated Price, and will make reasonable efforts to cause the Contractor to avoid or mitigate impacts that would cause Retaining Wall costs to exceed the agreed Estimated Total Cost.
 - c.** Changes which increase the cost within the Contingency will be divided into three categories:

Level 1: Changes that are not site related which increase the cost of the Retaining Wall by no more than \$10,000.00 will be considered automatically approved by the City without any further action necessary. Upon receipt of a Level 1 change, Sound Transit will promptly provide the City notice of the change and its estimated cost

and/or schedule impact. Sound Transit will promptly provide an updated price for the Retaining Wall showing the Contractor's Negotiated Price, cost of all approved changes, and the remaining Contingency.

Level 2: Changes that are not site related which increase the cost of the Retaining Wall by more than \$10,000.00 must be submitted to the City for prior approval. The City will review Level 2 changes and, within five (5) calendar days of receipt of the change and estimated costs and/or schedule impacts from Sound Transit, provide Sound Transit with its approval or objection. If the City objects to approval of the change, the City will provide written documentation supporting its objection to Sound Transit. After review of all comments on a proposed change, the Parties will determine whether a change materially affects LLE Project requirements, and if so, the Parties will agree as to whether the proposed change is to be approved, modified, or rejected. After approval or modification, Sound Transit will promptly provide the City with updated price for the Retaining Wall showing the Contractor's Negotiated Price, cost of all approved changes, and the remaining Contingency. Change disputes will be subject to the Dispute Resolution process described in Section H.

Unsuitable Site Conditions: Sound Transit will notify the City of any changes needed due to unsuitable site conditions. The Parties will coordinate to determine a solution. In order to maintain LLE Contract schedule and minimize delay, time and materials costs will be tracked and considered automatically approved. Sound Transit will promptly provide the City notice of change and its estimated costs and/or schedule impacts. Sound Transit will promptly provide an updated price for the Retaining Wall showing the Contractor's time and materials, and the remaining Contingency.

3. **Claims.** The City will be responsible for all claims and disputes which arise out of the construction of the Retaining Wall and are outside the control of Sound Transit. The City will not be liable for any disputes or claims related to the Retaining Wall which may arise due to the improper or negligent administration of the LLE Contract by Sound Transit or other negligent acts or omissions by Sound Transit. In consultation with the City, Sound Transit will consider and administer all claims and disputes related to the Retaining Wall in the same manner as any claim or dispute on the LLE Project, in accordance with the LLE Contract. The City may direct Sound Transit in administration of all claims and disputes related exclusively with the Retaining Wall. Sound Transit will inform the City of all disputes or claims that could increase the Estimated Total Cost of the Retaining Wall. The City will pay Sound Transit its reasonable defense costs (attorney's fees and consultant's fees, expenses, and costs; alternative dispute resolution and court costs and expenses), and any settlements, judgments, or awards that are attributable to the City ("Actual Costs"), including those that have been settled through the dispute resolution processes set forth in the LLE Contract. Sound Transit will pay that portion of any Actual Costs that are attributable to the acts or omissions of Sound Transit or its contractor. If a dispute or claim relates to both the Retaining Wall and other LLE Contract scopes, the City will be liable for its pro rata share of the Actual Costs. Sound Transit will consult with the

City for all claims and disputes which relate to both the Retaining Wall and other LLE Contract scopes and take all the City input in good faith and in consideration of the Retaining Wall's relative value to the overall claim or dispute.

- 4. Retaining Wall Ownership and Maintenance.** The Retaining Wall will be owned by Sound Transit as a component of the LLE Project. Sound Transit and the City will share in the responsibility for maintenance of the Retaining Wall and provided herein.
- a. **Operations and Maintenance Agreement.** As soon as reasonably possible after execution of this Agreement, the City and Sound Transit will enter into a separate Operations and Maintenance Agreement for facilities associated with the LLE Project, including the Retaining Wall, so as to more specifically identify the Parties' responsibilities for operations and maintenance of shared or interrelated facilities, such as repairs, replacement, and operationality; the process for track access; equitable allocation of costs; and processes for decision making and dispute resolution. This agreement will be executed no later than Sound Transit's final acceptance of the LLE Project as defined in the LLE Contract.
 - b. In regard to the Retaining Wall, the Operation and Maintenance Agreement will address, at a minimum, the following:
 - i. **City's Maintenance Responsibilities.**
After acceptance as provided in Section B(7) above, the City will be responsible for periodic inspection and maintenance of the:

East side of the Retaining Wall, including graffiti, vegetation management, and other maintenance activities that can be reasonably completed from the east side of the Retaining Wall; Security fencing related to the Retaining Wall; and Footing drains associated with the Retaining Wall.
 - ii. **Sound Transit's Maintenance Responsibilities.**
After acceptance as provided in Section B(7) above, Sound Transit will be responsible for periodic inspection and maintenance of:

West side of the Retaining Wall including graffiti, vegetation management, and other maintenance activities that can be completed from the west side of the Retaining Wall; and Fencing and Drainage Based on its periodic inspections, Sound Transit will promptly bring any issues identified in regard to the fencing or drainage to the City's attention.
 - iii. **Joint Maintenance Responsibilities**
As part of the periodic inspections, both the City and Sound Transit will inspect the Retaining Wall for structural integrity. If structural repairs and/or replacement is necessary, the Parties will work together in addressing these needs and the associated costs..

E. PAYMENT

1. **Payment.** The City will pay Sound Transit for all costs incurred by Sound Transit for construction of the Retaining Wall in accordance with this Agreement.
2. **Invoicing.** Sound Transit will invoice the City for fifty percent (50%) of the amount agreed to in Exhibit B within thirty (30) calendar days of the execution of this Agreement. Upon substantial completion of the Retaining Wall, Sound Transit will invoice the City for the remaining fifty percent (50%) plus any additional charges incurred in accordance with Section D(2). The City will pay Sound Transit's invoice within thirty (30) calendar days of receipt of an adequately supported invoice. The City will have access to all supporting documentation for all invoiced amounts. Sound Transit will maintain adequate records for amounts invoiced as provided in Section J below.

F. TERM AND TERMINATION

1. **Term.** This Agreement will remain in effect until all required construction as set forth herein is completed and accepted by City; the an easement for the Retaining Wall is recorded, an Operations and Maintenance Agreement is executed, final payment, is made by the City, and all claims related to the Retaining Wall have been resolved.
2. **Termination.** The Parties may terminate all or part of this Agreement by mutual agreement signed by both Parties.
3. **Notice of Default.** Neither Party will be in default under this Agreement unless it has failed to perform a material obligation under this Agreement for a period of thirty (30) calendar days after written notice of default from the non-defaulting Party. A notice of default will specify the nature of the alleged default and the manner in which the default may be cured satisfactorily. If the nature of the alleged default is such that it cannot be reasonably cured within a thirty (30) day period, then the defaulting Party must initiate reasonable actions to cure the default within the thirty (30) day period, and the defaulting Party must thereafter diligently prosecute such cure to completion. If the defaulting Party fails to timely cure the default, the non-defaulting Party may terminate this Agreement.
4. **City Failure to Pay.** The City's failure to timely pay a valid invoice will constitute an immediate default and is not subject to the notice and cure periods described above. Sound Transit will provide written notice of the missed payment and the City will have fifteen (15) calendar days to remit payment plus interest of 12% per annum. If the City fails to remit payment, Sound Transit may terminate this Agreement. If the City disputes a payment amount, it must provide written notice to Sound Transit of the contested invoice amount and the basis of such objection within the thirty (30) calendar days of receipt of the invoice. The Parties will utilize the dispute resolution process in Section H to address this dispute.
5. **Effect of Termination.** If this Agreement is terminated for any reason, the City will reimburse Sound Transit for all costs incurred by Sound Transit due to the inclusion of the Retaining Wall in the LLE Contract, including without limitation, all costs incurred by the subsequent removal of the Retaining Wall from the LLE Contract and any requirements for restoring conditions disturbed during any construction work that may have occurred.

G. INDEMNIFICATION

- 1. Mutual Indemnification.** Each Party will defend, indemnify and save harmless the other Party, its officers, officials, employees, and agents, while acting within the scope of their employment as such, from any and all costs, claims, judgments, and/or awards of damages (both to persons and property), arising out of, or in any way resulting from, its negligent acts or omissions. Neither Party will be required to defend, indemnify or save harmless the other Party if the claim, suit, or action for injuries, death, or damages (both to persons and property) is caused by the sole negligence of the other Party.
- 2. Concurrent Negligence.** Where such claims, suits, or actions result from concurrent negligence of the Parties, or involve those actions covered by RCW 4.24.115, the indemnity provisions provided herein will be valid and enforceable only to the extent of the Party's own negligence. Each Party agrees that its obligations under this subparagraph extend to any claim, demand, and/or cause of action brought by, or on behalf of, any of its employees or agents. For this purpose, each Party, by mutual negotiation, hereby waives, with respect to the other party only, any immunity that would otherwise be available against such claims under the Industrial Insurance provisions of Title 51 RCW. This indemnification was specifically and mutually negotiated by each of the Parties and will survive the termination of this Agreement.
- 3. Survival.** The indemnification obligations provided in this Section G will survive termination of this Agreement.

H. DISPUTE RESOLUTION

- 1. Level One.** The Designated Representatives of each Party will use their best efforts to resolve any disputes between the Parties related to or arising out of this Agreement. If an issue is not resolved by informal cooperative efforts, the Designated Representative will notify the other in writing of any issue or dispute they believe requires resolution. Upon receipt of written notification, the Designated Representatives will meet within three days to attempt to resolve the matter. Supporting documentation and information will be provided as requested.
- 2. Level Two.** In the event that a dispute or issue is not resolved by the Designated Representatives, the matter will be referred to the Sound Transit Executive Project Director – Lynnwood Link and the City's Public Works Director, or their designee. The Designated Representatives, individually or jointly, will provide written notice to the Directors that they were unable to resolve the dispute. The Directors will meet within seven (7) business days of the date of the written notice and in good faith attempt to resolve the matter.
- 3. Level Three.** In the event these persons are unable to resolve the matter, the matter will be referred to the Sound Transit Design and Engineering Construction Management Executive Director or Designee and the City of Shoreline City Manager. The Level 2 Directors, individually or jointly, will provide written notice to the Executive Director and City Manager that they were unable to resolve the dispute. The Executive Director and the City Manager will meet and in good faith attempt to resolve the matter within fourteen (14) business days of the date of the written notice.

4. **Exhaustion.** This Dispute Resolution process will be exhausted prior to initiating legal action, but will not be considered the exclusive opportunity or tool to resolve any issues prior to initiating legal action.

I. DESIGNATED REPRESENTATIVES

The Designated Representatives for each Party, as identified in **Exhibit C**, will be responsible for coordination of any notices or communications between the Parties and will act as the point of contact for each Party for all matters related to this Agreement. The Parties reserve the right to change Designated Representatives by providing written notice to the other Party during the term of this Agreement. Any correspondence or communications related to the Retaining Wall will be made exclusively by and through Sound Transit's Designated Representative or their designee.

J. RECORDS

1. **Records to be Maintained.** Sound Transit will maintain accounts and records, including contract and financial records, which sufficiently and properly reflect all costs of any nature incurred by Sound Transit and all monies paid by the City to Sound Transit. These records will be maintained for a period of six (6) years after termination or expiration of this Agreement unless permission to destroy the records is granted by the City and the destruction is authorized under RCW Chapter 40.14.
2. **Inspection.** All such Sound Transit's records and documents will be available during regular business hours, upon reasonable request, for inspection, review or audit by the City during the performance of this Agreement and for the required six (6) year period.
3. **Public Records Act.** The Parties are both public agencies subject to Washington's Public Records Act, chapter 42.56 RCW, and that all documents produced in connection with this Agreement may be deemed a public record as defined in the Public Records Act and that if either Party receives a public records request, unless a statute exempts disclosure, the Party must disclose the record to the requestor. Release of a public record pursuant to the Public Records Acts will not be considered a breach of this Agreement nor will the disclosing Party be liable for any cost or expense incurred by the other Party due to disclosure.

K. GENERAL PROVISIONS

1. **Governing Law and Exclusive Venue.** This Agreement will be interpreted, construed and enforced in accordance with the laws of the State of Washington. The exclusive venue for any action under this Agreement will be King County, Washington.
2. **Successors and Assigns.** This Agreement will be binding upon and inure to the benefit of the successors and assigns of the City and Sound Transit. Neither Party may assign the rights and responsibilities set forth in this Agreement without the express written consent of the other Party.
3. **Time.** Time is of the essence in every provision of this Agreement. Unless otherwise set forth in this Agreement, the reference to "days" will mean calendar days. If any time for action occurs on a weekend or legal holiday, then the time period will be extended automatically to the next business day.

4. **Notice.** All notices or correspondence related to this Agreement will be in writing, addressed to the appropriate Designated Representative. Any notice, request, demand or other communication made pursuant to this Agreement will be deemed received three days after it is mailed, or upon written confirmation by the recipient of receipt by email or by hand delivery.
5. **No Third-Party Beneficiaries.** This Agreement is made and entered into for the sole protection and benefit of the Parties hereto and their successors and assigns. No other person will have any right of action based upon any provision of this Agreement.
6. **No Joint Venture.** No joint venture or partnership is formed as a result of this Agreement. No employees, agents or subcontractors of one party will be deemed, or represent themselves to be, employees of any other party.
7. **Construction.** This Agreement has been reviewed and revised by legal counsel for all parties and no presumption or rule that ambiguity will be construed against the party drafting the document will apply to the interpretation or enforcement of this Agreement. The Parties intend this Agreement to be interpreted to the full extent authorized by applicable law.
8. **Costs.** Each Party will be responsible for its own costs, including legal fees, incurred in negotiating or finalizing this Agreement, unless otherwise agreed in writing by the Parties.
9. **Force Majeure.** Neither party will be liable to the other or deemed in breach or default for any failure or delay in performance under this Agreement during the time and to the extent its performance is prevented by reasons of Force Majeure. For the purposes of this Agreement, Force Majeure means an occurrence that is beyond the reasonable control of and without fault or negligence of the party claiming force majeure and which, by exercise of due diligence of such party, could not have been prevented or overcome. Force Majeure will include natural disasters, including fire, flood, earthquake, windstorm, avalanche, mudslide, and other similar events; acts of war or civil unrest when an emergency has been declared by appropriate governmental officials; acts of civil or military authority; freight embargoes; epidemics; quarantine restrictions; labor strikes; boycotts; terrorist acts; riots; insurrections; explosions; and nuclear accidents. A party claiming suspension or termination of its obligations due to force majeure will give the other party prompt written notice, but no more than five (5) working days after the event, of the impediment and its effect on the ability to perform; failure to provide such notice will preclude recovery under this provision.
10. **Amendments.** This Agreement may be amended only by a written instrument executed by each of the Parties hereto. The Designated Representatives may agree upon amendments to the design for the Retaining Wall and such amendments will be binding upon the Parties without the need for formal approval by the Sound Transit Board and the Shoreline City Council as long as the amendments do not materially alter the functionality or design of the Retaining Wall.
11. **Entire Agreement.** This Agreement constitutes the entire agreement of the Parties with respect to the subject matters of this Agreement, and supersedes any and all prior

negotiations (oral and written), understandings and agreements with respect hereto. However, the Parties will negotiate and execute such ancillary agreements as may be required to implement this Agreement.

12. **Headings.** Section headings are intended as information only and will not be construed with the substance of the section they caption.
13. **Exhibits.** All exhibits attached to this Agreement are hereby incorporated into and made part of this Agreement.
14. **Execution of this Agreement.** This Agreement may be executed electronically on a platform agreed to by the Parties. This Agreement may be executed in several counterparts, each of which will be deemed an original, and all counterparts together will constitute but one and the same instrument.
15. **Severability.** If any of the terms and conditions of this Agreement are determined to be invalid or unenforceable by a court of competent jurisdiction, the remaining terms and conditions thereby will remain in full force and effect.

**CENTRAL PUGET SOUND REGIONAL
TRANSIT AUTHORITY
(SOUND TRANSIT)**

THE CITY OF SHORELINE

By: _____
Kimberly Farley, Deputy Chief Executive
Officer

By: _____
Debbie Terry, City Manager

Date: _____

Date: _____

Authorized by Motion No. _____

Approved by City Council Motion on March
15, 2021

Approved as to form:

Approved as to form:

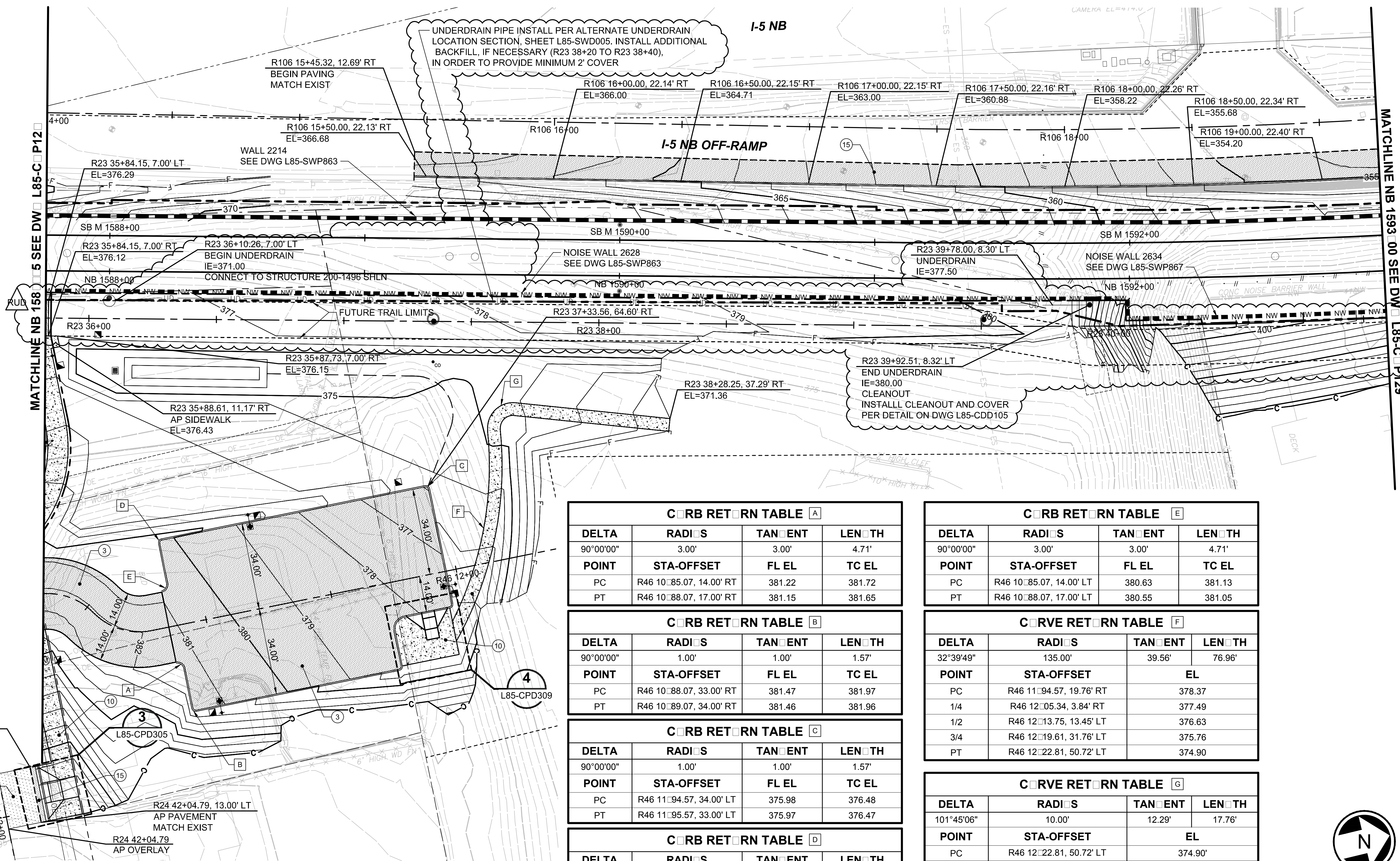
By: _____
Mattelyn Tharpe, Legal Counsel I

By: _____
City Attorney's Office

EXHIBITS:

- Exhibit A: Retaining Wall Scope of Work
- Exhibit B: Retaining Wall Cost Estimate
- Exhibit C: Designated Representatives

Xrefs:
 XL200-L85-eCAP100
 XL200-L85-KAP100
 XL200-L85-SP100
 XL200-L85-UCP300
 XL200-L85-UCP100
 XL200-L85-RPP100
 XLLE-SHLN-VSP
 XLLE-SHLN-VRX
 XL200-L85-CRP100
 XL200-L85-CDP100
 XLLE-SHLN-VCN
 XL200-L85-CGP100
 XL200-L85-eCAP101
 XL200-L85-KWP100
 XL200-L85-SWP100
 XL200-L85-SZP100
 GB-SEAL-JOM40855
 XL200-L85-IB22-34
 XL200-L85-CP
 XL200-L85-CLP100
 XL200-L85-eRPP100
 XL200-L85-eUCP100
 XL200-L85-eUCP300
 XL200-L85-TSP100
 XL200-L85-CAP200
 XL200-L85-CAP201
 XL200-L85-CPD200
 XL200-L85-CRP100
 XL200-L85-JOP100



UNDERDRAIN PIPE INSTALL PER ALTERNATE UNDERDRAIN LOCATION SECTION, SHEET L85-SWD005. INSTALL ADDITIONAL BACKFILL, IF NECESSARY (R23 38+20 TO R23 38+40), IN ORDER TO PROVIDE MINIMUM 2' COVER

R23 39+78.00, 8.30' LT UNDERDRAIN IE=377.50

R23 39+92.51, 8.32' LT END UNDERDRAIN IE=380.00 CLEANOUT INSTALL CLEANOUT AND COVER PER DETAIL ON DWG L85-CDD105

R24 41+82.79, 13.00' LT AP PAVEMENT MATCH EXIST

R24 41+82.79 AP OVERLAY

R24 42+04.79, 13.00' LT AP PAVEMENT MATCH EXIST

R24 42+04.79 AP OVERLAY

KEY NOTES

- 3. PARKING LOT HMA PAVEMENT, SEE DETAIL B/L85-CPD101.
- 4. HMA PLANE AND OVERLAY, SEE DETAIL H/L85-CPD101.
- 10. CEMENT CONCRETE SIDEWALK IN ACCORDANCE WITH CITY OF SHORELINE STD PLAN 309.
- 15. HMA PAVEMENT SECTION, SEE DETAIL A/L85-CPD101.

NOTES

- 1. FOR GRADING AND PAVING PLAN NOTES AND LEGEND, SEE SHEET L85-CGN001.

CORNER RETURN TABLE A

DELTA	RADIUS	TANGENT	LENGTH
90°00'00"	3.00'	3.00'	4.71'
POINT	STA-OFFSET	FL EL	TC EL
PC	R46 10+85.07, 14.00' RT	381.22	381.72
PT	R46 10+88.07, 17.00' RT	381.15	381.65

CORNER RETURN TABLE E

DELTA	RADIUS	TANGENT	LENGTH
90°00'00"	3.00'	3.00'	4.71'
POINT	STA-OFFSET	FL EL	TC EL
PC	R46 10+85.07, 14.00' LT	380.63	381.13
PT	R46 10+88.07, 17.00' LT	380.55	381.05

CORNER RETURN TABLE B

DELTA	RADIUS	TANGENT	LENGTH
90°00'00"	1.00'	1.00'	1.57'
POINT	STA-OFFSET	FL EL	TC EL
PC	R46 10+88.07, 33.00' RT	381.47	381.97
PT	R46 10+89.07, 34.00' RT	381.46	381.96

CURVE RETURN TABLE F

DELTA	RADIUS	TANGENT	LENGTH
32°39'49"	135.00'	39.56'	76.96'
POINT	STA-OFFSET	EL	
PC	R46 11+94.57, 19.76' RT	378.37	
1/4	R46 12+05.34, 3.84' RT	377.49	
1/2	R46 12+13.75, 13.45' LT	376.63	
3/4	R46 12+19.61, 31.76' LT	375.76	
PT	R46 12+22.81, 50.72' LT	374.90	

CORNER RETURN TABLE C

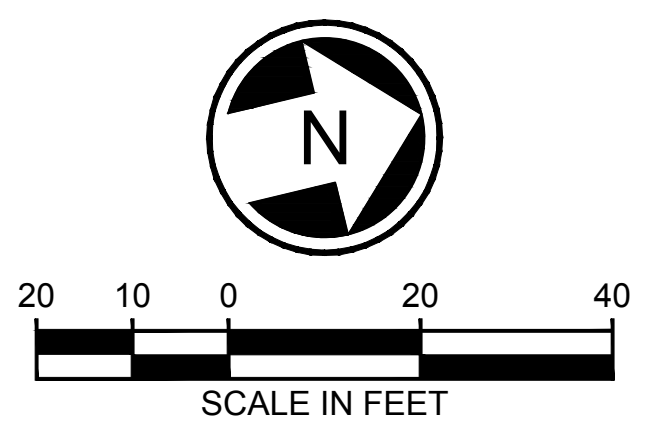
DELTA	RADIUS	TANGENT	LENGTH
90°00'00"	1.00'	1.00'	1.57'
POINT	STA-OFFSET	FL EL	TC EL
PC	R46 11+94.57, 34.00' LT	375.98	376.48
PT	R46 11+95.57, 33.00' LT	375.97	376.47

CURVE RETURN TABLE G

DELTA	RADIUS	TANGENT	LENGTH
101°45'06"	10.00'	12.29'	17.76'
POINT	STA-OFFSET	EL	
PC	R46 12+22.81, 50.72' LT	374.90'	
1/2	R46 12+27.22, 58.08' LT	374.50'	
PT	R46 12+35.73, 59.31' LT	374.10'	

CORNER RETURN TABLE D

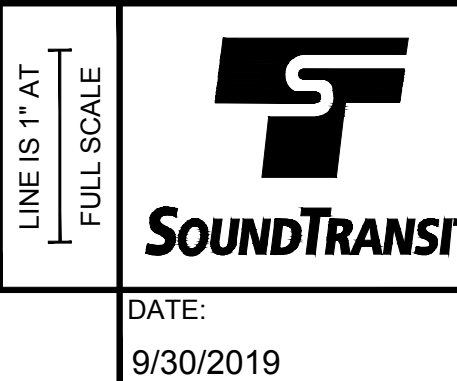
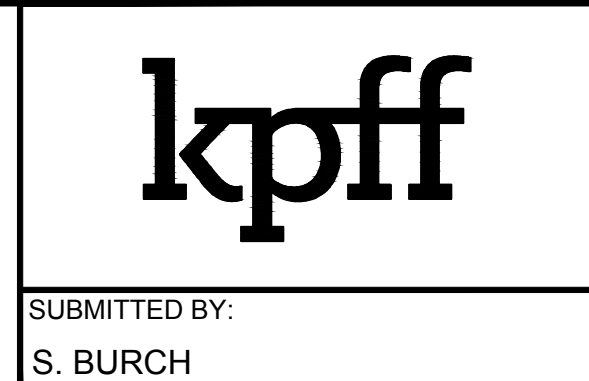
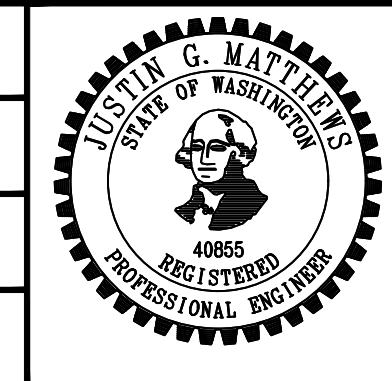
DELTA	RADIUS	TANGENT	LENGTH
90°00'00"	1.00'	1.00'	1.57'
POINT	STA-OFFSET	FL EL	TC EL
PC	R46 10+88.07, 33.00' LT	380.24	380.74
PT	R46 10+89.07, 34.00' LT	380.19	380.69



12/15/2019 1:23:23 PM | SBULL Z:\1600001-160099\160216 (LYNNWOOD LINK)CAD\DESIGN\DWG\DOWNLOAD\200-L85-CGP128.DWG

No.	DATE	DSN	CHK	APP	REVISION
RUD	12/07/20	JRG	JGM	JGM	REV UNDER DEVELOPMENT - SHORELINE TAR WALL
B	04/06/20	JRG	JGM	JGM	PR #025 - ZONE 7
A	03/06/20	KAI	JGM	JGM	CNWD #043
0	09/30/19				ISSUED FOR CONTRACT / CO 002

DESIGNED BY:
J. GOODMAN
 DRAWN BY:
T. JOHNSON
 CHECKED BY:
C. MONKEN
 APPROVED BY:
J. MATTHEWS

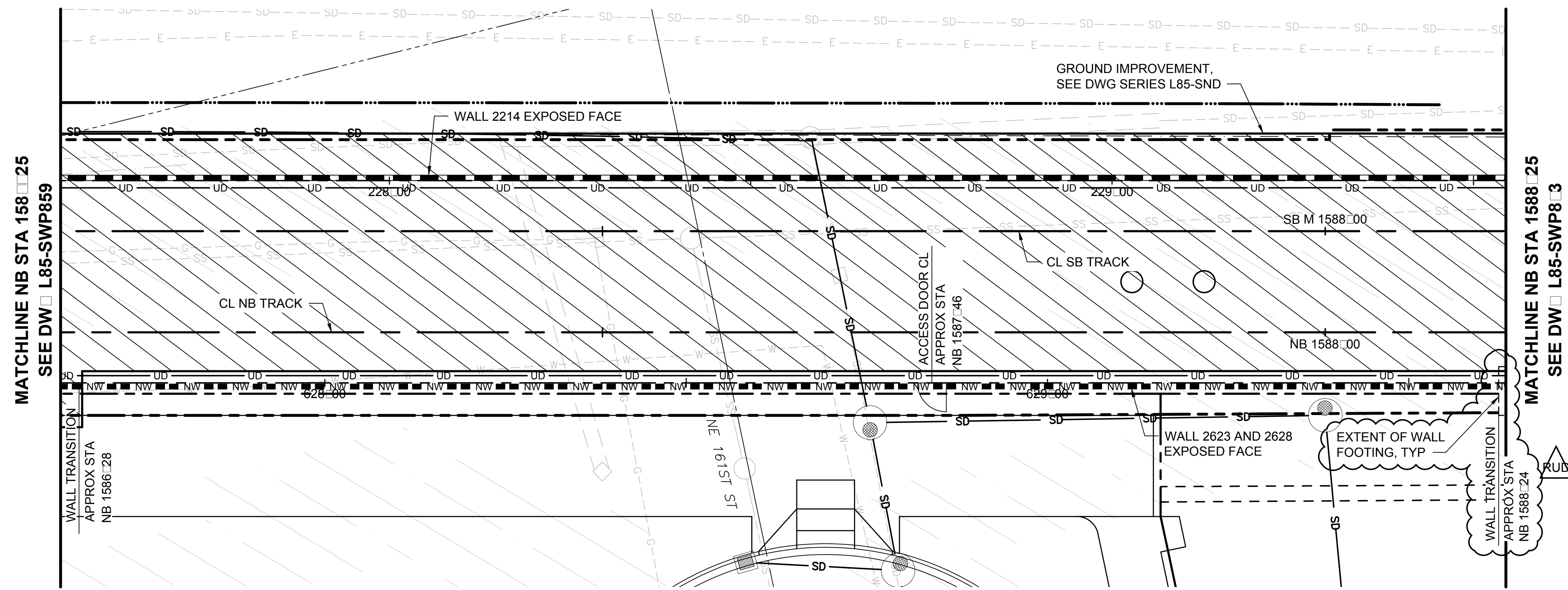


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L200-L85-CGP128
 CONTRACT No.:
RTA / CN 0079-15C
 DATE:
9/30/2019

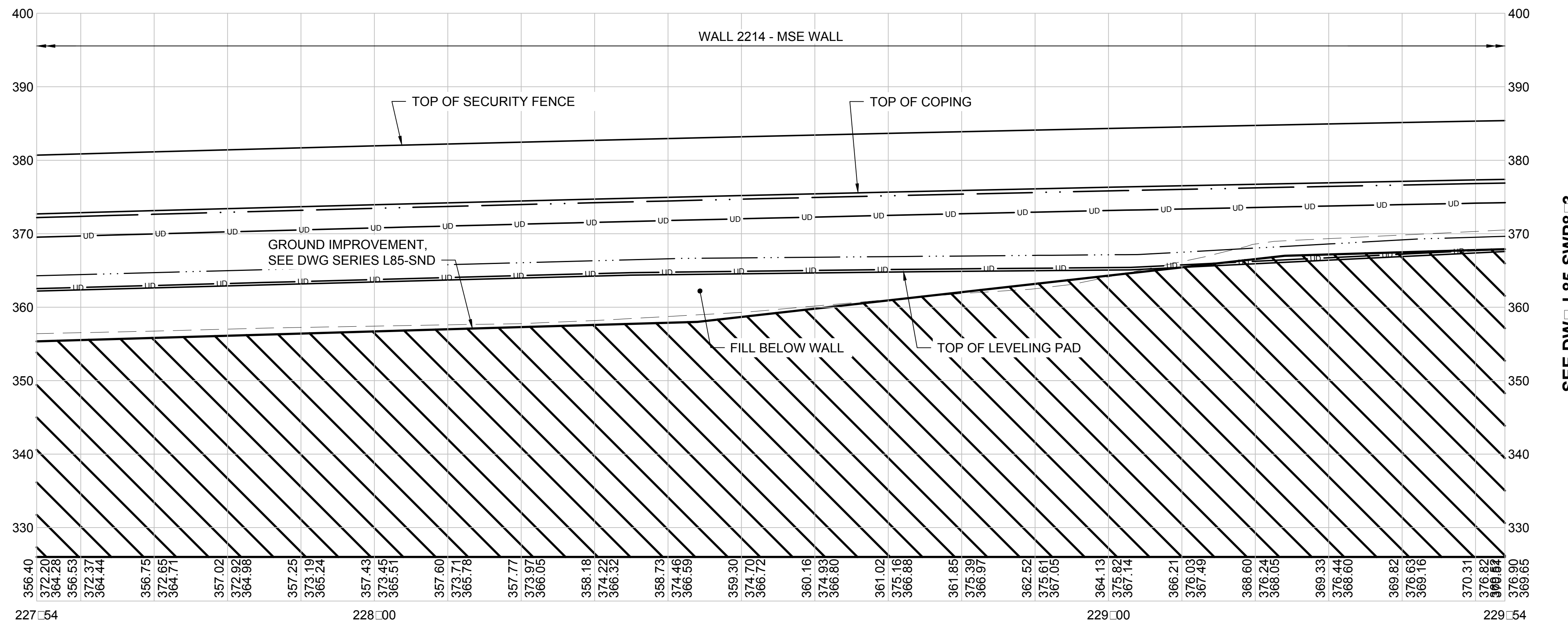
**LYNNWOOD LINK EXTENSION
 CONTRACT L200**
 NORTHGATE STATION TO NE 200TH STREET
 CIVIL
 GRADING AND PAVING PLAN
 NB 1587+75 TO NB 1593+00

DRAWING No.:
L85-C-P128
 LOCATION ID:
N16
 SHEET No.:
411
 REV:
RUD

Xrefs:
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 XL200-L85-CDP100
 XL200-L85-CP100
 XL200-L85-KAP100
 GB-SEAL-BVE26489
 XL200-L85-KW100
 XLLE-SHLN-VBP
 XLLE-SHLN-VRX
 XL200-L85-SWP901
 XL200-L85-SWP301
 XL200-L85-KWP110
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 XLLE-SHLN-CP
 XL200-L85-SNP100
 XL200-L85-ERPP100



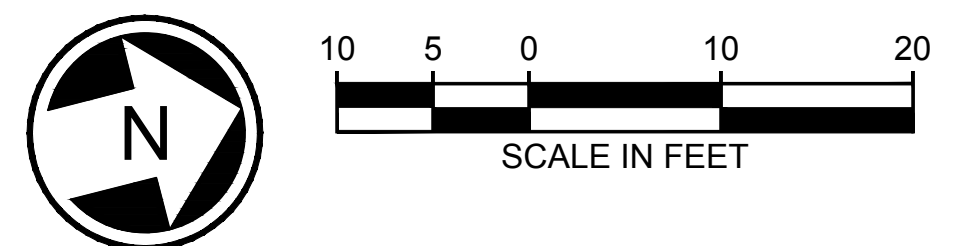
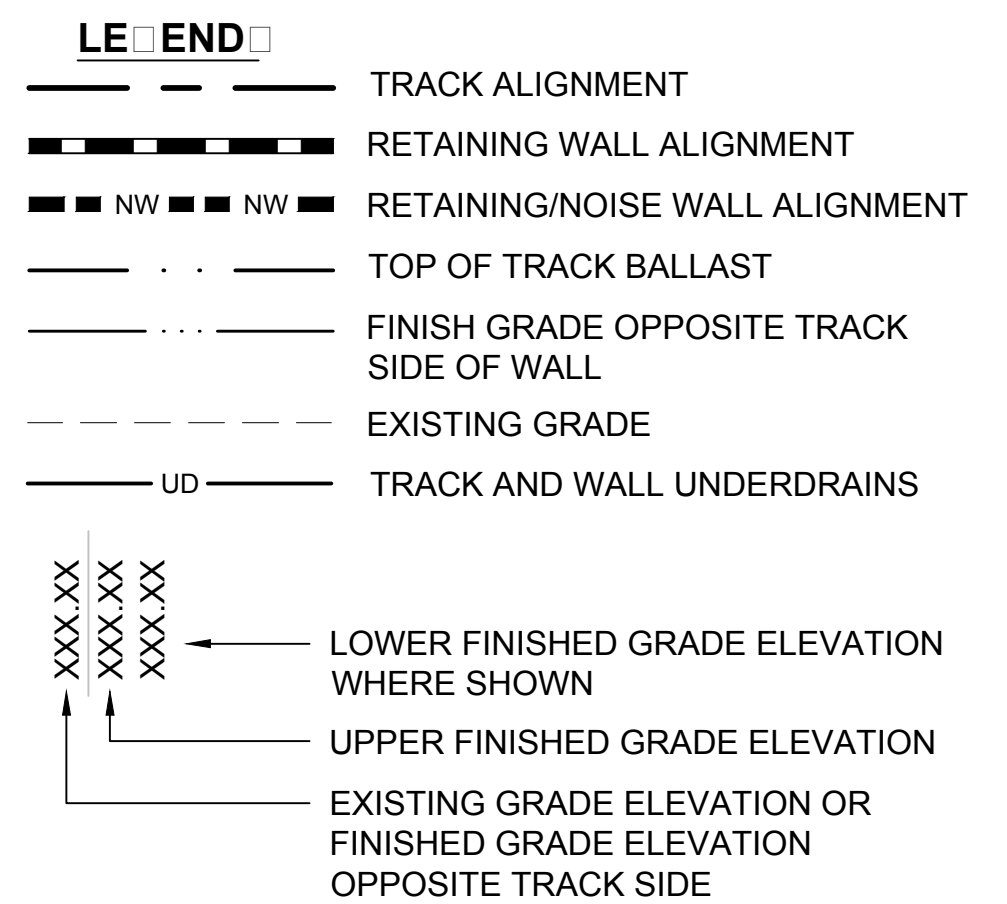
WALL PLAN - NB 158+25 TO NB 1588+25



SB WALL PROFILE - STA 22+54 TO STA 229+54

NOTES

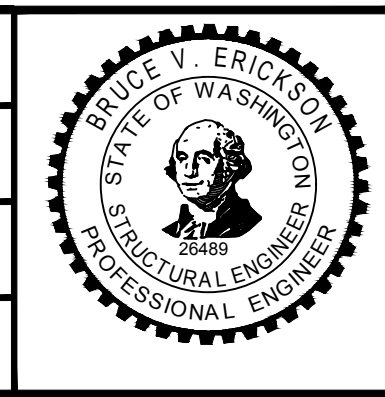
- SEE DRAWING L85-SWP800 FOR TYPICAL WALL PLAN AND PROFILE NOTES.
- SEE DRAWING L85-SWP862 FOR WALL GEOMETRY SCHEDULES.



11/09/20 | 3:32 PM | HAOYIS
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RUD	12/07/20	JS	BE	BE	REV UNDER DEVELOPMENT - SHORELINE TAR WALL
0	09/30/19				ISSUED FOR CONTRACT / CO 002
No.	DATE	DSN	CHK	APP	REVISION

DESIGNED BY:
D. EVANGER
 DRAWN BY:
H. SHI
 CHECKED BY:
B. ERICKSON
 APPROVED BY:
B. ERICKSON



kpff
 SUBMITTED BY:
S. BURCH

HNTB Jacobs
 trusted design partners
 DATE:
9/30/2019

REVIEWED BY:
F. CHIHAB
 DATE:
9/30/2019

LINE IS "AT" FULL SCALE
SOUNDTRANSIT
 DATE:
9/30/2019

SCALE:
1" = 10'
 FILENAME:
L200-L85-SWP861
 CONTRACT No.:
RTA / CN 0079-15C
 DATE:
9/30/2019

LYNNWOOD LINK EXTENSION
CONTRACT L200
 NORTHGATE STATION TO NE 200TH STREET
 STRUCTURES, WALLS
 PLAN, PROFILES & SCHEDULES
 NB 1586+25 TO NB 1588+25 SHT 1

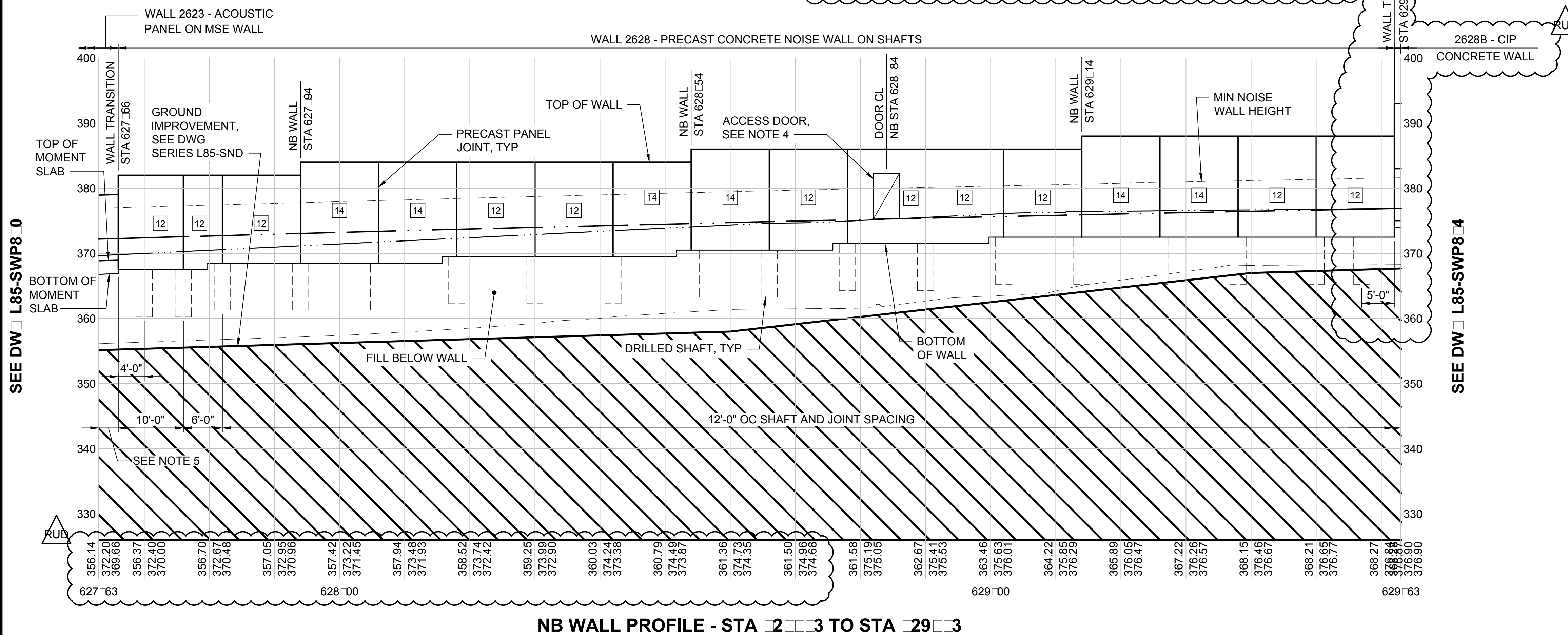
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 XL200-L85-KW101
 XL200-L85-SW301

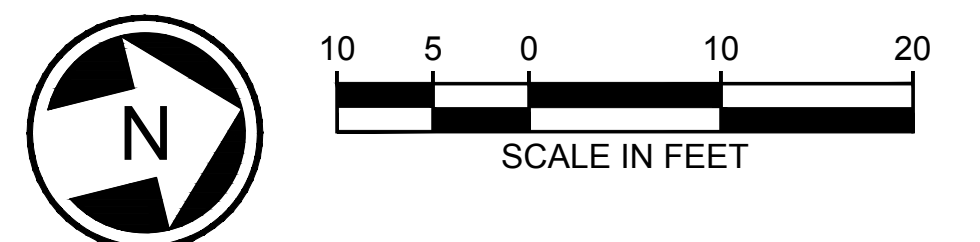
NB WALL SCHEDULE					
HORIZONTAL GEOMETRY					
POINT	WALL STATION	CONTROL LINE NORTH COORDINATE	CONTROL LINE EAST COORDINATE	DATA	OFFSET FROM CONTROL LINE TO WORKLINE
WALL TRANSITION	627+66.00	-	-	-	1'-0 1/2" LEFT 0'-0" RIGHT
VERTICAL GEOMETRY					
WALL STATION	TOP OF WALL ELEVATION	BOTTOM OF WALL ELEVATION			
627+66.00	379.00 ACOUSTIC PANEL 382.00 NOISE WALL	367.50 NOISE WALL			
627+79.75	382.000	367.50 LEFT 368.50 RIGHT			
627+94.00	382.00 LEFT 384.00 RIGHT	368.50			
628+15.75	384.00	368.50 LEFT 369.50 RIGHT			
628+51.75	384.00	369.50 LEFT 370.50 RIGHT			
628+54.00	384.00 LEFT 386.00 RIGHT	370.50			
628+75.75	386.00	370.50 LEFT 371.50 RIGHT			
628+99.75	386.00	371.50 LEFT 372.50 RIGHT			
629+14.00	386.00 LEFT 388.00 RIGHT	372.50			
629+62.00	388.00 LEFT 383.00 RIGHT	372.50 LEFT 375.00 RIGHT			

NOTES

- SEE DRAWING L85-SWP800 FOR TYPICAL WALL PLAN AND PROFILE NOTES.
- SEE DRAWING L85-SWP861 FOR WALL PLAN.
- INDICATES EXPOSED WALL HEIGHT, H, PER DRAWING L85-SWD041
- SEE DRAWING L85-SWD110 FOR FOR ACCESS DOOR DETAILS.
- AT CONTRACTOR'S OPTION, OMIT MSE WALL PANELS AT THIS LOCATION AND THICKEN MOMENT SLAB TO ACHIEVE MINIMUM EMBEDMENT AS SHOWN.



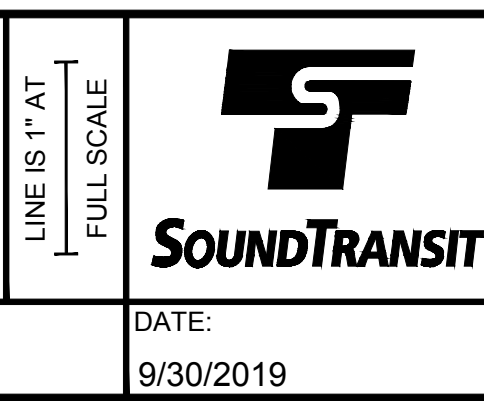
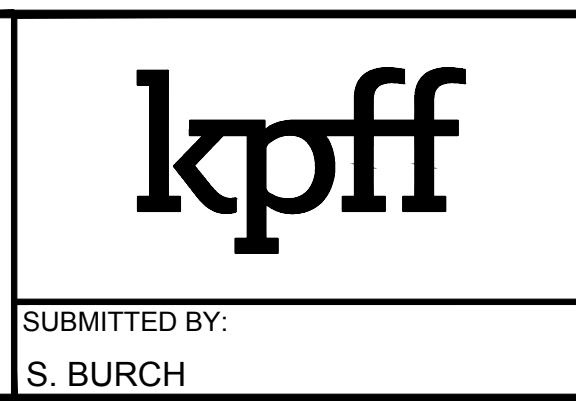
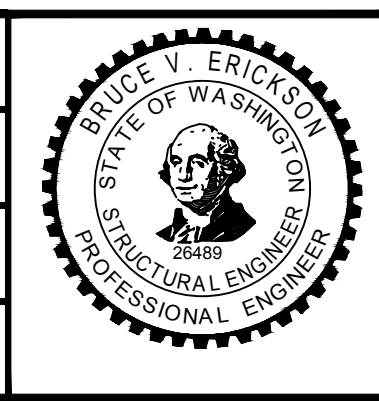
- LEGEND**
- TRACK ALIGNMENT
 - RETAINING WALL ALIGNMENT
 - RETAINING/NOISE WALL ALIGNMENT
 - TOP OF TRACK BALLAST
 - FINISH GRADE OPPOSITE TRACK SIDE OF WALL
 - EXISTING GRADE
 - TRACK AND WALL UNDERDRAINS
 - LOWER FINISHED GRADE ELEVATION WHERE SHOWN
 - UPPER FINISHED GRADE ELEVATION
 - EXISTING GRADE ELEVATION OR FINISHED GRADE ELEVATION OPPOSITE TRACK SIDE



12/15/20 | 10:18 AM | HAQYIS
 C:\CADD\BIP\W\H\WEST\DM\863012\L200-L85-SWP862.DWG

No.	DATE	DSN	CHK	APP	REVISION
RUD	12/07/20	JS	BE	BE	REV UNDER DEVELOPMENT-SHORELINE TAR WALL
A	01/17/20	DE	BE	BE	PR 021
0	09/30/19				ISSUED FOR CONTRACT / CO 002

DESIGNED BY:
D. EVANGER
 DRAWN BY:
H. SHI
 CHECKED BY:
B. ERICKSON
 APPROVED BY:
B. ERICKSON

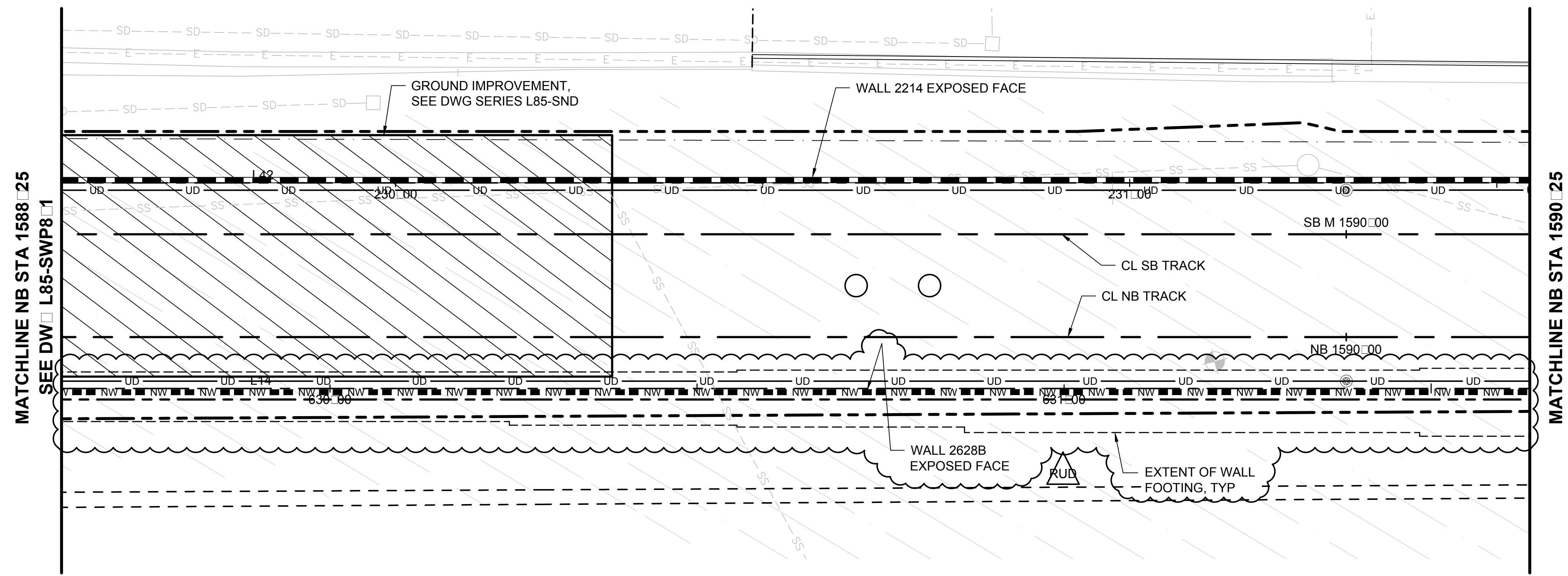


SCALE:
1" = 10'
 FILENAME:
L200-L85-SWP862
 CONTRACT No.:
RTA / CN 0079-15C
 DATE:
9/30/2019

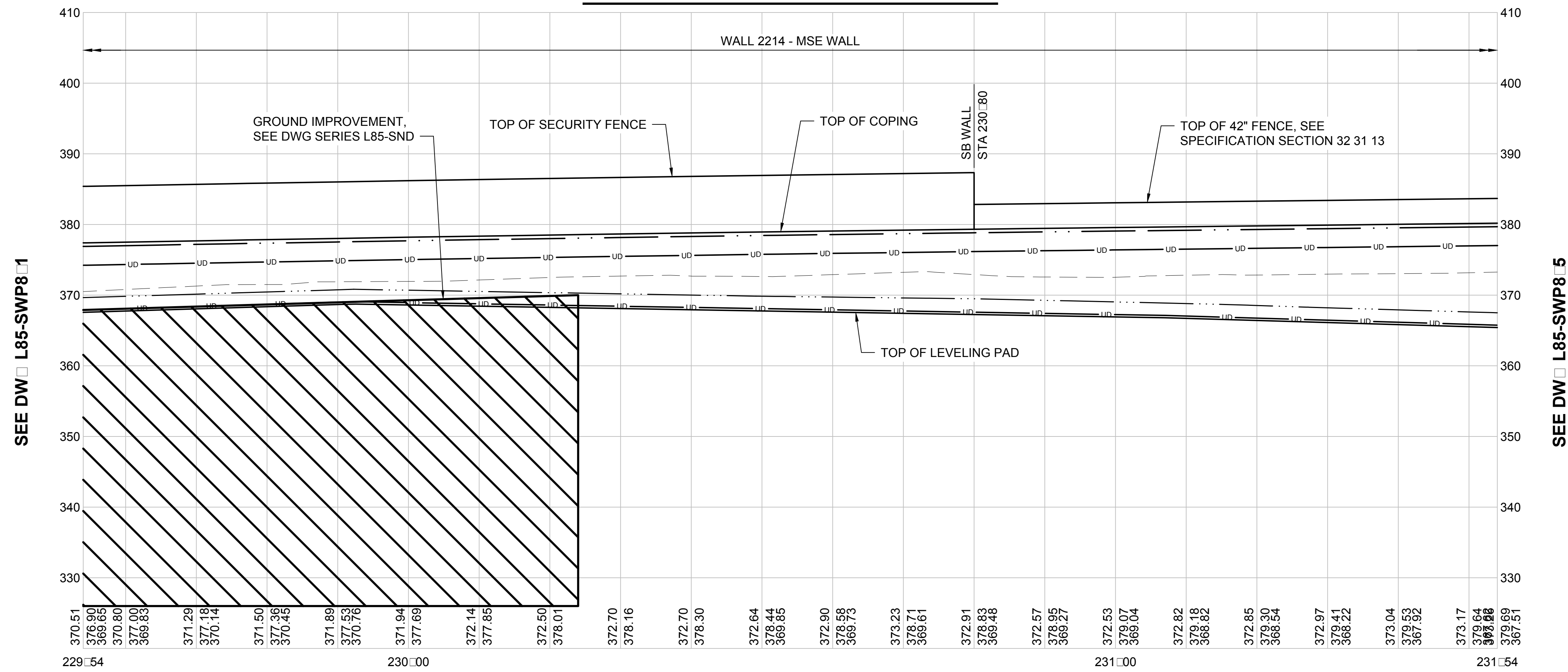
**LYNNWOOD LINK EXTENSION
 CONTRACT L200**
 NORTHGATE STATION TO NE 200TH STREET
 STRUCTURES, WALLS
 PLAN, PROFILES & SCHEDULES
 NB 1586+25 TO NB 1588+25 SHT 2

DRAWING No.:
L85-SWP802
 LOCATION ID:
N16
 SHEET No.:
1581
 REV:
RUD

Xrefs:
 XL200-GB-TB22x34
 XL200-L85-CDP100
 XL200-L85-CRP100
 XL200-L85-KAP100
 GB-SEAL-BVE26489
 XL200-L85-KWV100
 XLLE-SHLN-VSP
 XLLE-SHLN-VRX
 XL200-L85-SWP901
 XL200-L85-SWV301
 XL200-L85-KWP110
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 XLLE-SHLN-CP
 XL200-L85-SNP100
 XL200-L85-eRPP100



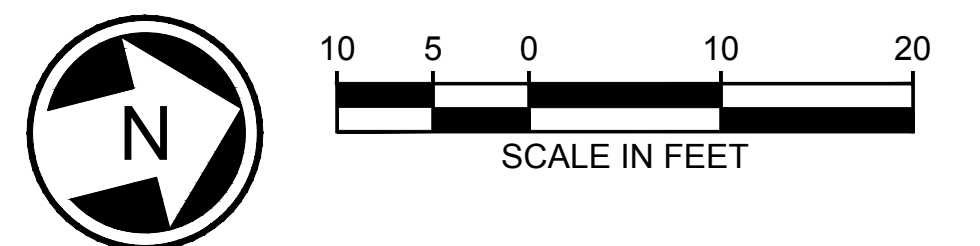
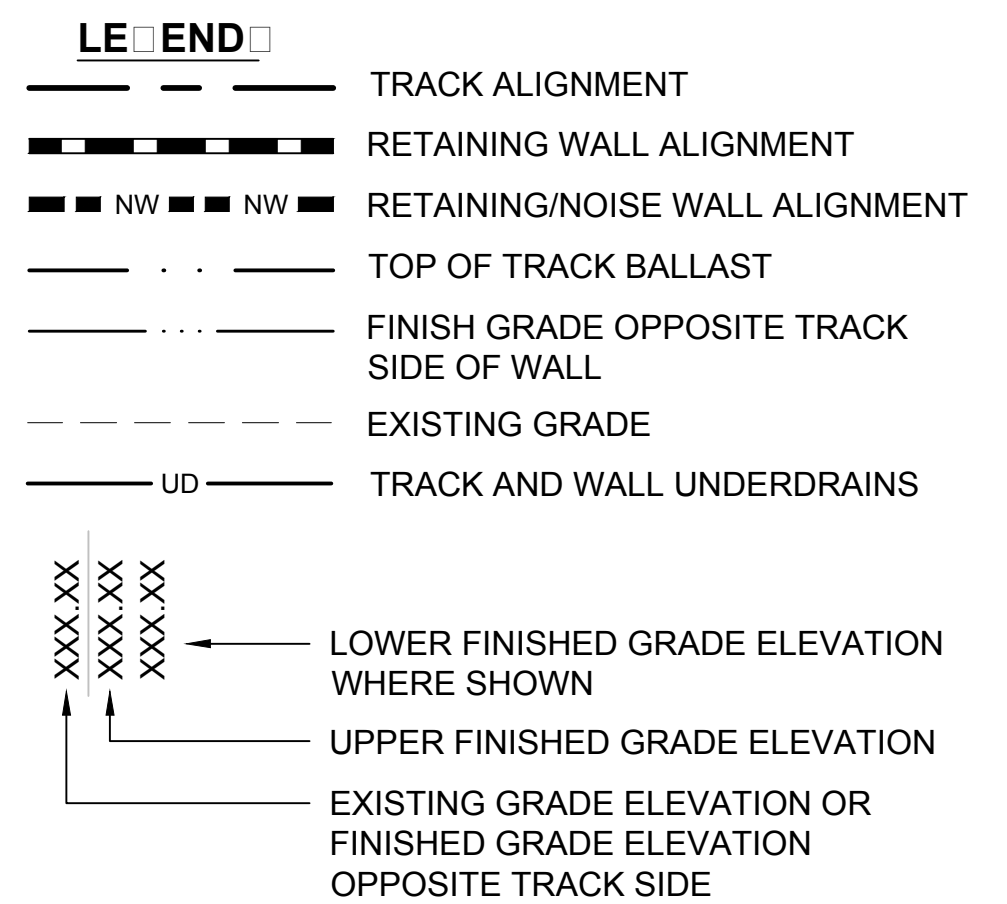
WALL PLAN - NB 1588 25 TO NB 1590 25



SB WALL PROFILE - STA 229 54 TO STA 231 54

NOTES

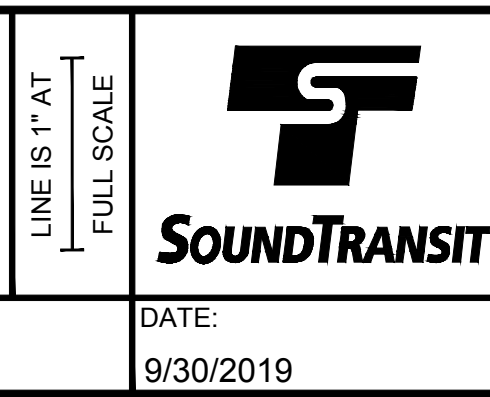
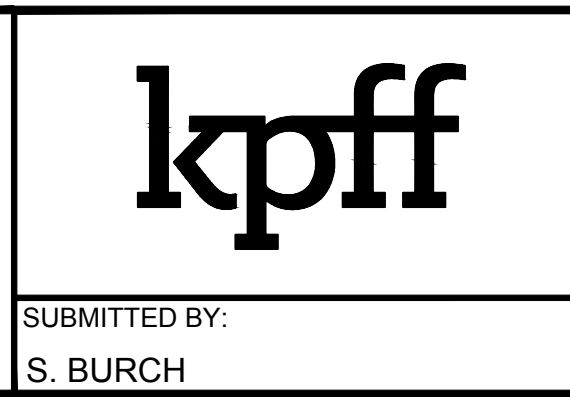
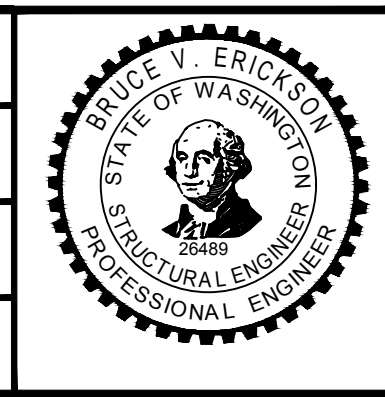
- SEE DRAWING L85-SWP800 FOR TYPICAL WALL PLAN AND PROFILE NOTES.
- SEE DRAWING L85-SWP864 FOR WALL GEOMETRY SCHEDULES.



11/09/20 | 4:04 PM | HAOYIS
 C:\CAD\BIP\W\H\WEST\DM\863012\L200-L85-SWP863.DWG

DESIGNED BY:	D. EVANGER				
DRAWN BY:	H. SHI				
CHECKED BY:	B. ERICKSON				
APPROVED BY:	B. ERICKSON				
REV	DATE	DSN	CHK	APP	REVISION
RUD	12/07/20	JS	BE	BE	REV UNDER DEVELOPMENT - SHORELINE TAR WALL
0	09/30/19				ISSUED FOR CONTRACT / CO 002

DESIGNED BY:
D. EVANGER
 DRAWN BY:
H. SHI
 CHECKED BY:
B. ERICKSON
 APPROVED BY:
B. ERICKSON



SCALE:
1" = 10'
 FILENAME:
L200-L85-SWP863
 CONTRACT No.:
RTA / CN 0079-15C
 DATE:
9/30/2019

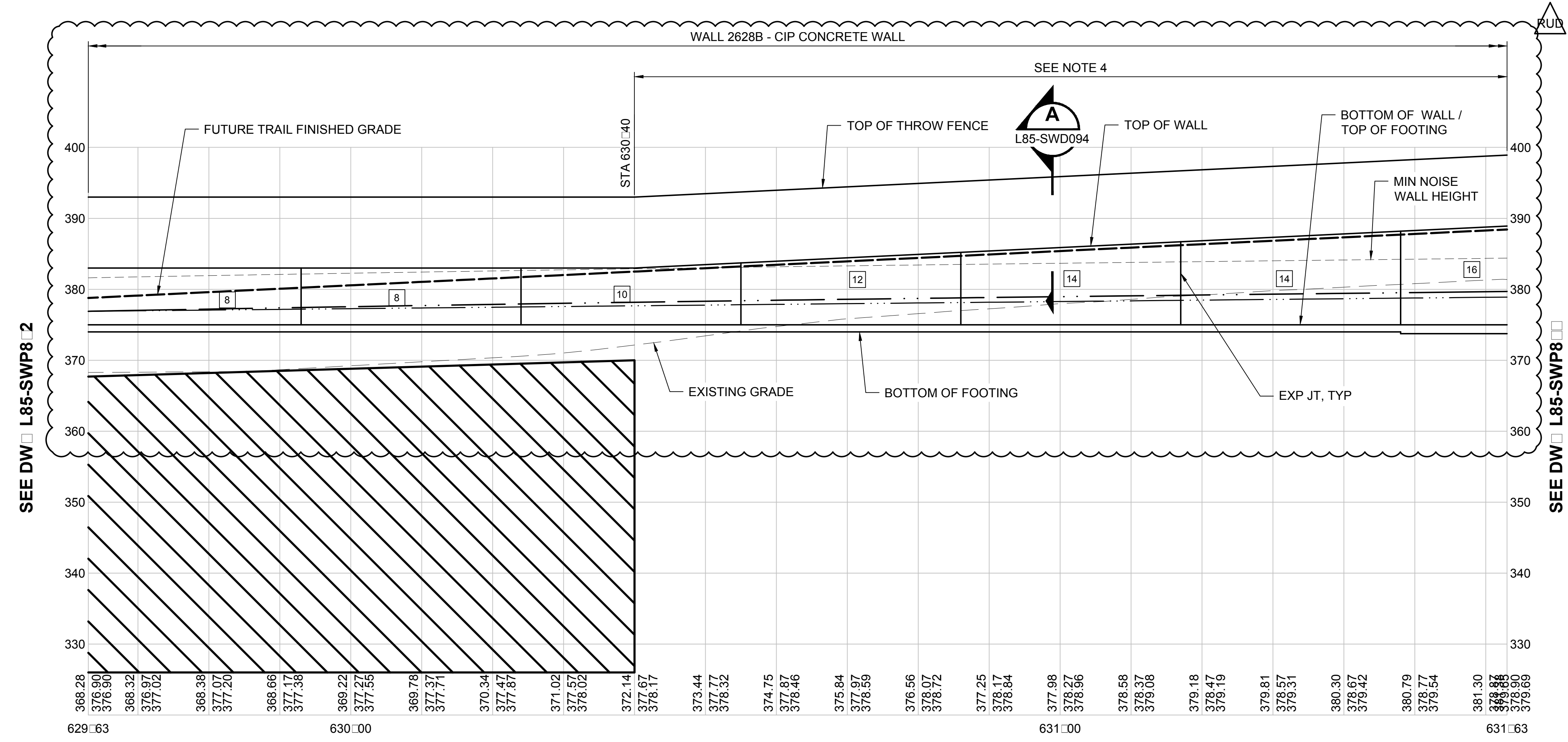
**LYNNWOOD LINK EXTENSION
 CONTRACT L200**
 NORTHGATE STATION TO NE 200TH STREET
 STRUCTURES, WALLS
 PLAN, PROFILES & SCHEDULES
 NB 1588 25 TO NB 1590 25 SHT 1

DRAWING No.:
L85-SWP8 3
 LOCATION ID:
N16
 SHEET No.:
1582
 REV:
RUD

Xrefs:
 xl200-GB-TB22x34
 xl200-L85-KAP100
 GB-SCAL-SWE26489
 xl200-L85-KW100
 xl200-L85-SWP901
 xl200-L85-SW301
 xl200-L85-KWP110
 xl200-L85-KW101

NB WALL SCHEDULE		
VERTICAL GEOMETRY		
WALL STATION	TOP OF WALL ELEVATION	BOTTOM OF WALL ELEVATION
630+40.00	383.00	375.00

- NOTES**
- SEE DRAWING L85-SWP800 FOR TYPICAL WALL PLAN AND PROFILE NOTES.
 - SEE DRAWING L85-SWP863 FOR WALL PLAN.
 - INDICATES EXPOSED WALL HEIGHT, H, PER DRAWING L85-SWD041.
 - NO FORMLINER REQUIRED ON EAST (NON-TRACK) SIDE OF WALL OVER STATIONS INDICATED.



LEGEND

- TRACK ALIGNMENT
- RETAINING WALL ALIGNMENT
- RETAINING/NOISE WALL ALIGNMENT
- TOP OF TRACK BALLAST
- FINISH GRADE OPPOSITE TRACK SIDE OF WALL
- EXISTING GRADE
- TRACK AND WALL UNDERDRAINS

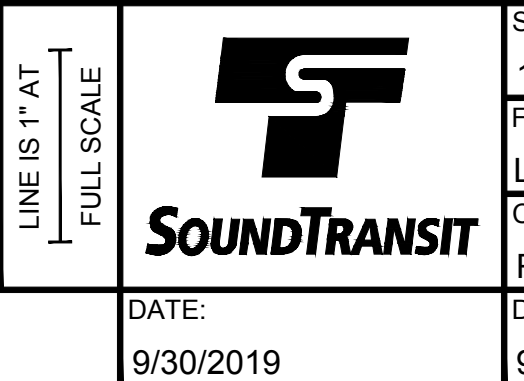
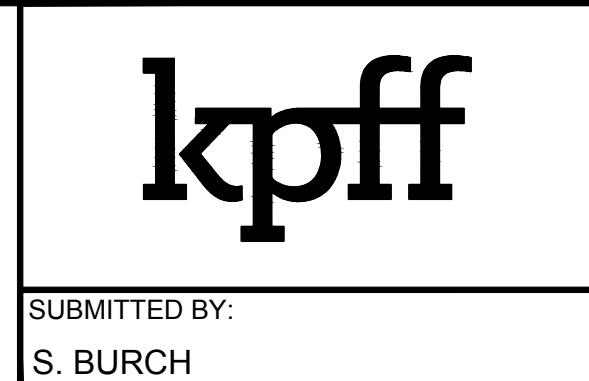
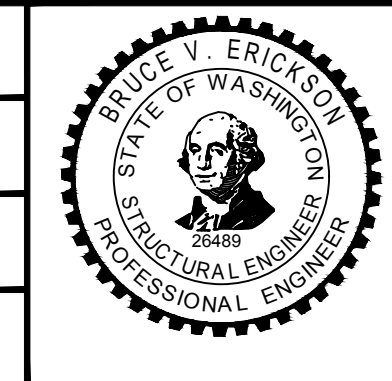
XXX XX
 XXX XX
 XXX XX
 ← LOWER FINISHED GRADE ELEVATION WHERE SHOWN
 ← UPPER FINISHED GRADE ELEVATION
 ← EXISTING GRADE ELEVATION OR FINISHED GRADE ELEVATION OPPOSITE TRACK SIDE

10 5 0 10 20
 SCALE IN FEET

NB WALL PROFILE - STA 29+3 TO STA 31+3

RUD	12/07/20	JS	BE	BE	REV UNDER DEVELOPMENT-SHORELINE TAR WALL
0	09/30/19				ISSUED FOR CONTRACT / CO 002
No.	DATE	DSN	CHK	APP	REVISION

DESIGNED BY:
D. EVANGER
 DRAWN BY:
H. SHI
 CHECKED BY:
B. ERICKSON
 APPROVED BY:
B. ERICKSON



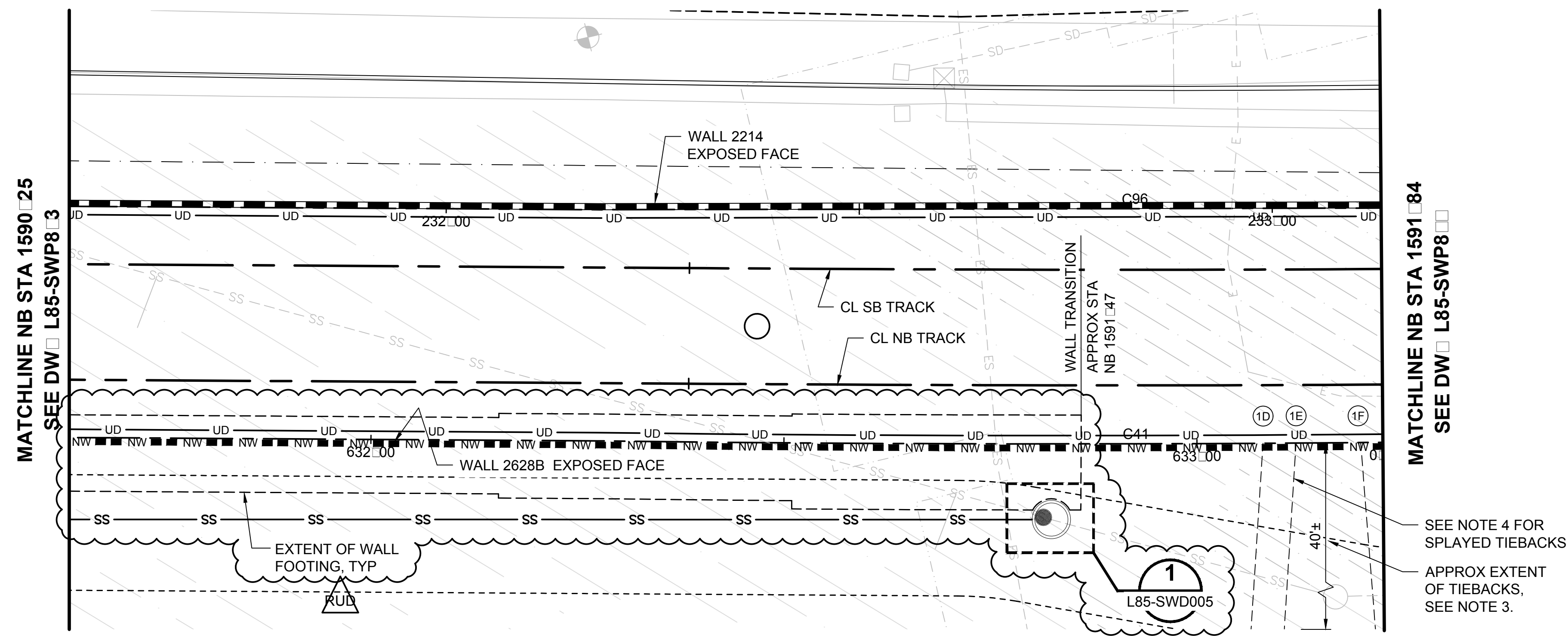
SCALE:
1" = 10'
 FILENAME:
L200-L85-SWP864
 CONTRACT No.:
RTA / CN 0079-15C
 DATE:
9/30/2019

**LYNNWOOD LINK EXTENSION
 CONTRACT L200**
 NORTHGATE STATION TO NE 200TH STREET
 STRUCTURES, WALLS
 PLAN, PROFILES & SCHEDULES
 NB 1588+25 TO NB 1590+25 SHT 2

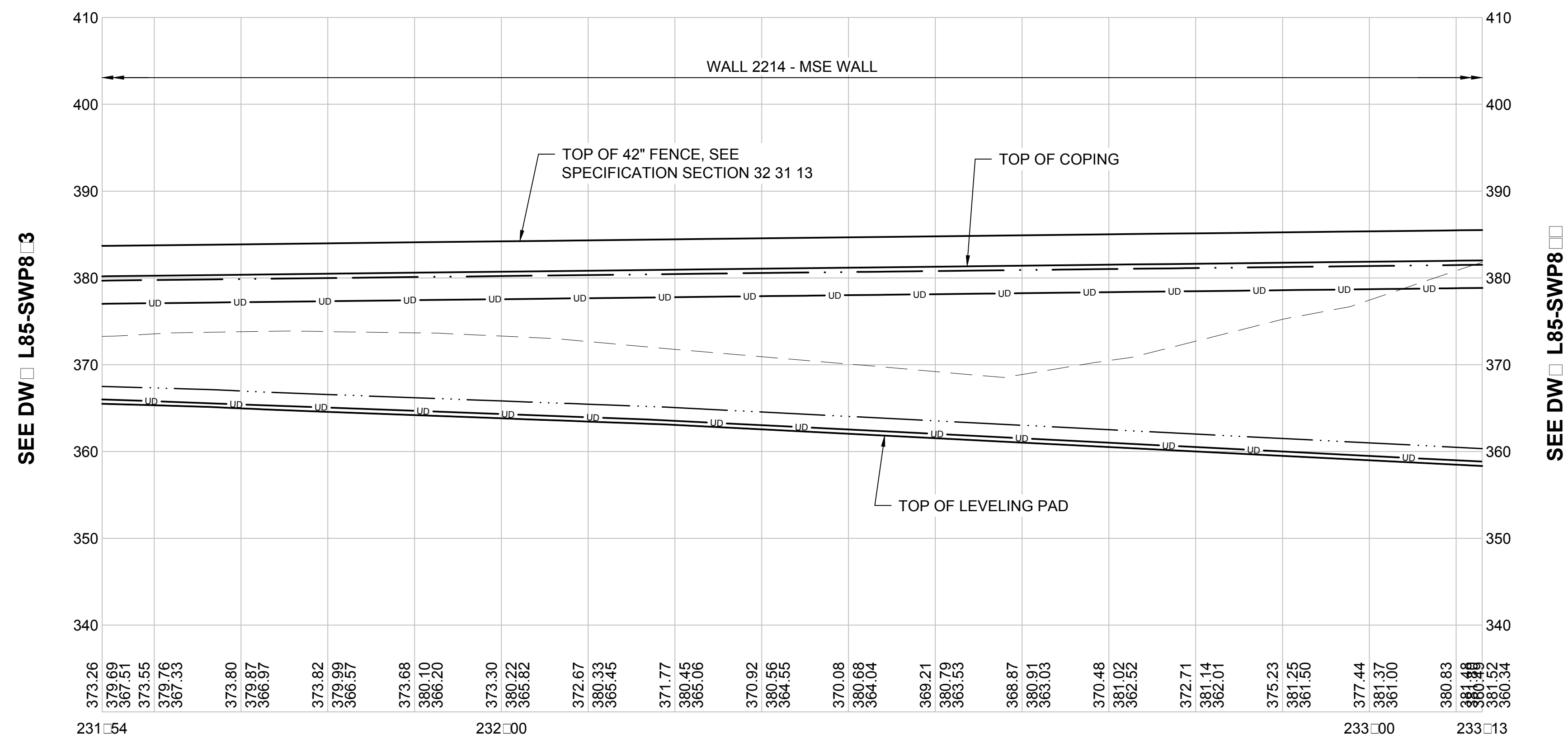
DRAWING No.:
L85-SWP804
 LOCATION ID:
N16
 SHEET No.:
1583
 REV:
RUD

12/03/20 | 9:21 AM | HAOYIS
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Xrefs:
 XL200-GB-TB22x34
 XL200-L85-CDP100
 XL200-L85-CRP100
 XL200-L85-KAP100
 GB-SEAL-BVE26489
 XL200-L85-KW100
 XLLE-SHLN-VBP
 XLLE-SHLN-VRX
 XL200-L85-SWP901
 XL200-L85-SW301
 XL200-L85-KWP110
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 XL200-L85-KW101
 XLLE-SHLN-CBP
 XL200-L85-eUCP100
 XL200-L85-eRPP100



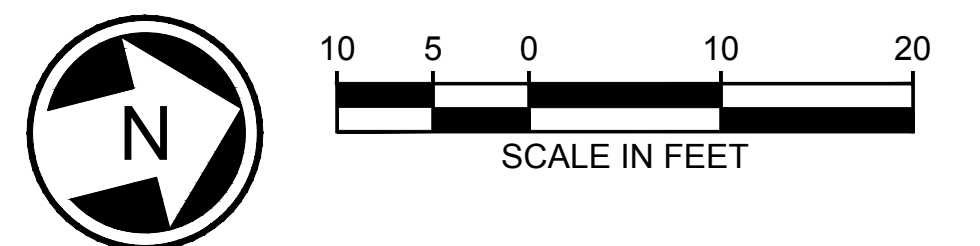
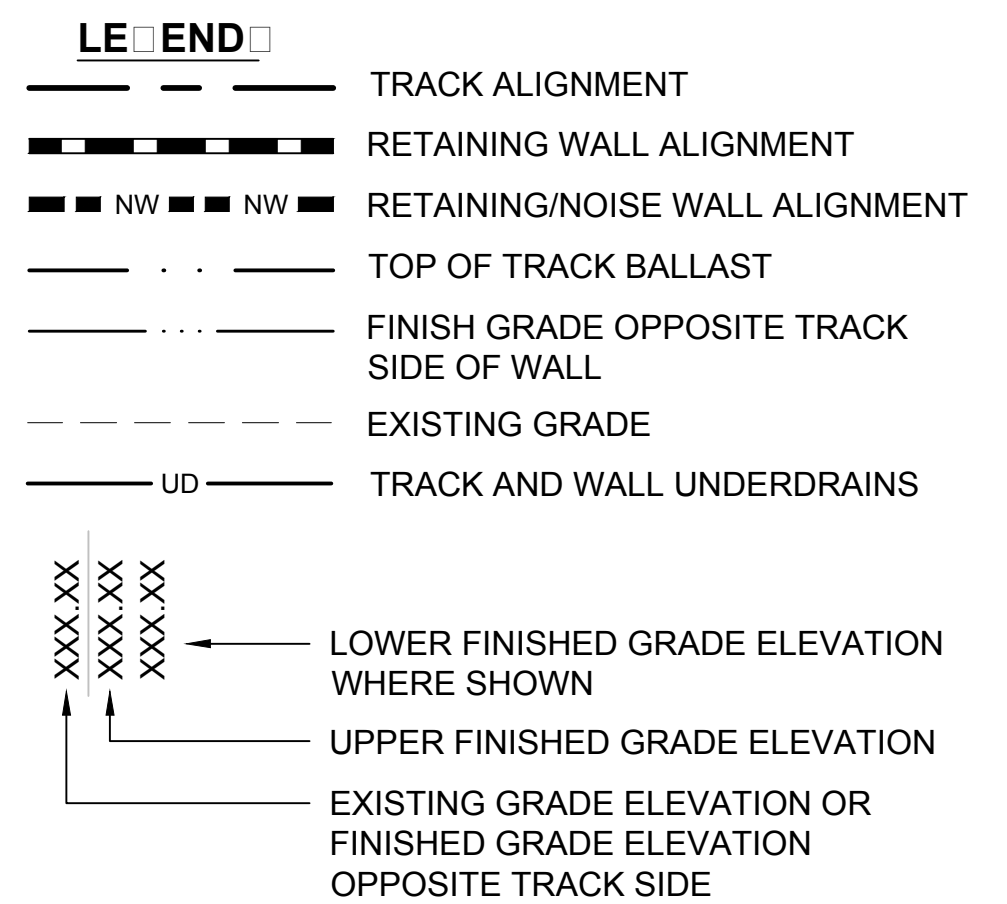
WALL PLAN - NB 1590 25 TO NB 1591 84



SB WALL PROFILE - STA 231 54 TO STA 233 13

NOTES

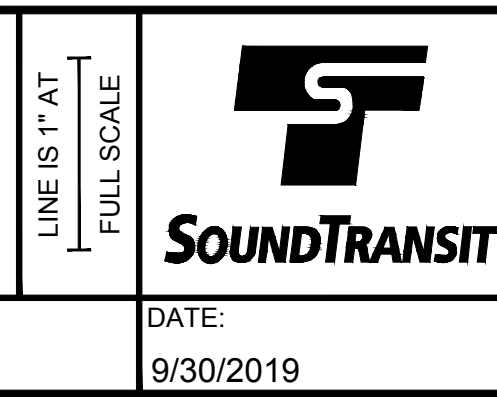
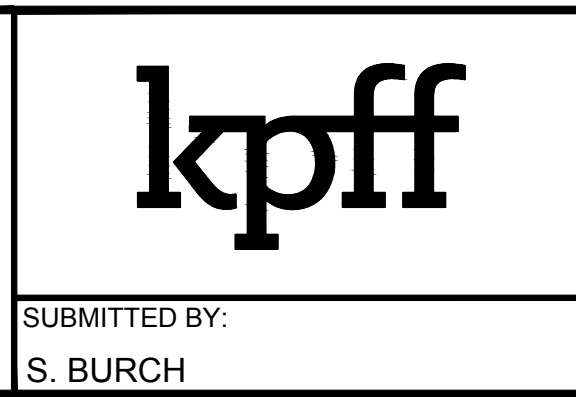
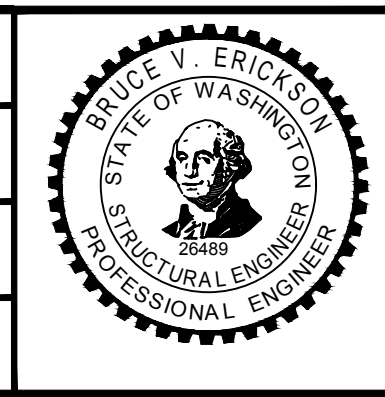
1. SEE DRAWING L85-SWP800 FOR TYPICAL WALL PLAN AND PROFILE NOTES.
2. SEE DRAWING L85-SWP866 FOR WALL GEOMETRY SCHEDULES.
3. TIEBACK LENGTHS VARY ALONG RANGE SHOWN. APPROXIMATE LENGTH INDICATED REPRESENTS MAXIMUM LENGTH OVER THAT RANGE. LENGTHS ARE NOT DRAWN TO SCALE.
4. PILE 1D, 1E, AND 1F TIEBACKS TO BE SPLAYED 2 DEG HORIZONTALLY AS SHOWN TO AVOID EXISTING MANHOLE.



11/11/20 | 1:36 PM | HAOYIS
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RUD	12/07/20	JS	BE	BE	REV UNDER DEVELOPMENT - SHORELINE TAR WALL
A	02/19/20	DE	BE	BE	CNWD #033
0	09/30/19				ISSUED FOR CONTRACT / CO 002
No.	DATE	DSN	CHK	APP	REVISION

DESIGNED BY:
D. EVANGER
 DRAWN BY:
H. SHI
 CHECKED BY:
B. ERICKSON
 APPROVED BY:
B. ERICKSON



SCALE:
1" = 10'
 FILENAME:
L200-L85-SWP865
 CONTRACT No.:
RTA / CN 0079-15C
 DATE:
9/30/2019

**LYNNWOOD LINK EXTENSION
 CONTRACT L200**
 NORTHGATE STATION TO NE 200TH STREET
 STRUCTURES, WALLS
 PLAN, PROFILES & SCHEDULES
 NB 1590 25 TO NB 1591 84 SHT 1

DRAWING No.:
L85-SWP8 5
 LOCATION ID:
N16
 SHEET No.:
1584
 REV:
RUD

Xrefs:
 xl200-GB-TB22x34
 xl200-L85-KAP100
 GB-SCAL-SWE26489
 xl200-L85-KW100
 xl200-L85-SWP901
 xl200-L85-KWP110
 xl200-L85-KW101
 xl200-L85-SW301

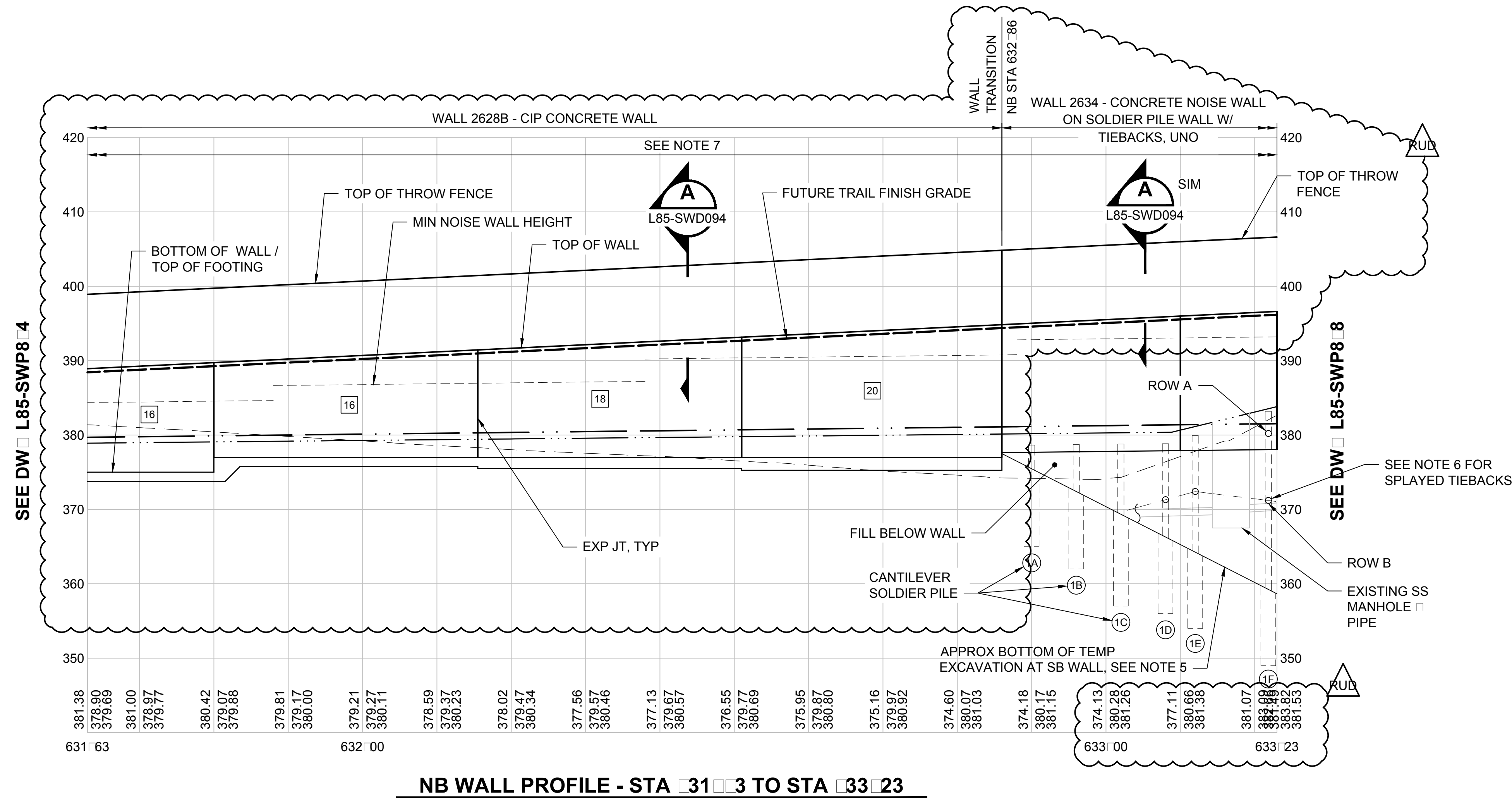
SB WALL SCHEDULE					
HORIZONTAL GEOMETRY					
POINT	WALL STATION	CONTROL LINE NORTH COORDINATE	CONTROL LINE EAST COORDINATE	DATA	OFFSET FROM CONTROL LINE TO WORKLINE
PC	232+18.69	375881.80	1372599.64	-	-
PI	232+83.40	375944.72	1372614.76	▲ = 000°02'44" LC = 129.40 R = 163068.78 T = 64.70	-

NB WALL SCHEDULE					
HORIZONTAL GEOMETRY					
POINT	WALL STATION	CONTROL LINE NORTH COORDINATE	CONTROL LINE EAST COORDINATE	DATA	OFFSET FROM CONTROL LINE TO WORKLINE
PC	632+27.42	375874.84	1372626.76	-	-
PI	632+74.97	375920.90	1372638.57	▲ = 001°17'39" LC = 95.10 R = 4210.03 T = 47.55	-
PT	633+22.52	375967.22	1372649.33	-	-
WALL TRANSITION	632+86.00	375931.68	1372640.91	-	0'-0" LEFT 0'-0" RIGHT

VERTICAL GEOMETRY		
WALL STATION	TOP OF WALL ELEVATION	BOTTOM OF WALL ELEVATION
631+80.00	-	375.00 LEFT 377.00 RIGHT
632+86.00	394.84	377.00 LEFT 377.63 RIGHT

NOTES

- SEE DRAWING L85-SWP800 FOR TYPICAL WALL PLAN AND PROFILE NOTES.
- SEE DRAWING L85-SWP865 FOR WALL PLAN.
- INDICATES EXPOSED WALL HEIGHT, H, PER DRAWING L85-SWD041.
- HORIZONTAL WALL GEOMETRY PROVIDED FOR CURVED WALL SEQUENCES DOES NOT REPRESENT TANGENCY BETWEEN ADJACENT SEGMENTS. CURVE SEGMENTS ARE NOT TANGENT TO ADJACENT SEGMENTS.
- SOLDIER PILE WALL DESIGNED FOR ASSUMED DEPTH OF TEMPORARY EXCAVATION SHOWN. CONTRACTOR TO NOTIFY ENGINEER IF REQUIRED TEMPORARY EXCAVATION EXCEEDS DEPTH SHOWN ON PROFILE.
- PILE 1D, 1E, AND 1F TIEBACKS TO BE SPLAYED 2 DEG HORIZONTALLY AS SHOWN ON SHEET L85-SWP865 WALL PLAN TO AVOID EXISTING MANHOLE.
- NO FORMLINER REQUIRED ON EAST (NON-TRACK) SIDE OF WALL OVER STATIONS INDICATED.



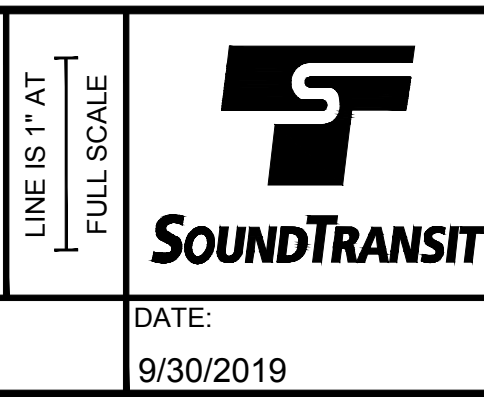
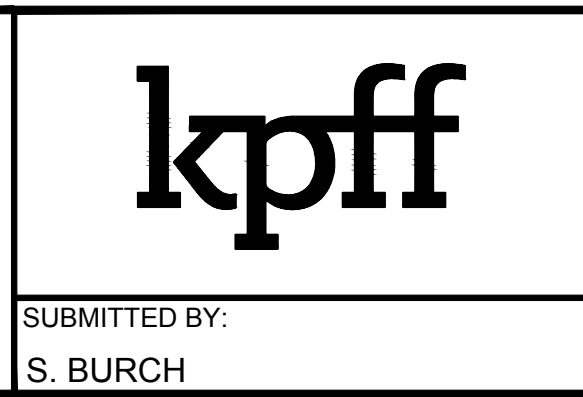
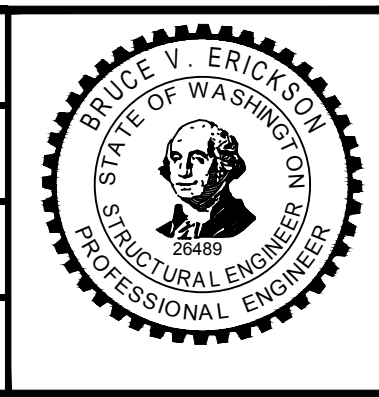
LEGEND

- TRACK ALIGNMENT
- RETAINING WALL ALIGNMENT
- RETAINING/NOISE WALL ALIGNMENT
- TOP OF TRACK BALLAST
- FINISH GRADE OPPOSITE TRACK SIDE OF WALL
- EXISTING GRADE
- TRACK AND WALL UNDERDRAINS
- LOWER FINISHED GRADE ELEVATION WHERE SHOWN
- UPPER FINISHED GRADE ELEVATION
- EXISTING GRADE ELEVATION OR FINISHED GRADE ELEVATION OPPOSITE TRACK SIDE

12/15/20 | 10:25 AM | HA0YIS
 C:\CADD\BIP\W\H\WEST\DM\863012\L200-L85-SWP866.DWG

No.	DATE	DSN	CHK	APP	REVISION
RUD	12/07/20	JS	BE	BE	REV UNDER DEVELOPMENT-SHORELINE TAR WALL
C	02/19/20	DE	BE	BE	CNWD #033
B	01/24/20	DE	BE	BE	PR #024
A	01/17/20	DE	BE	BE	PR #021
0	09/30/19				ISSUED FOR CONTRACT / CO 002

DESIGNED BY:
D. EVANGER
 DRAWN BY:
H. SHI
 CHECKED BY:
B. ERICKSON
 APPROVED BY:
B. ERICKSON



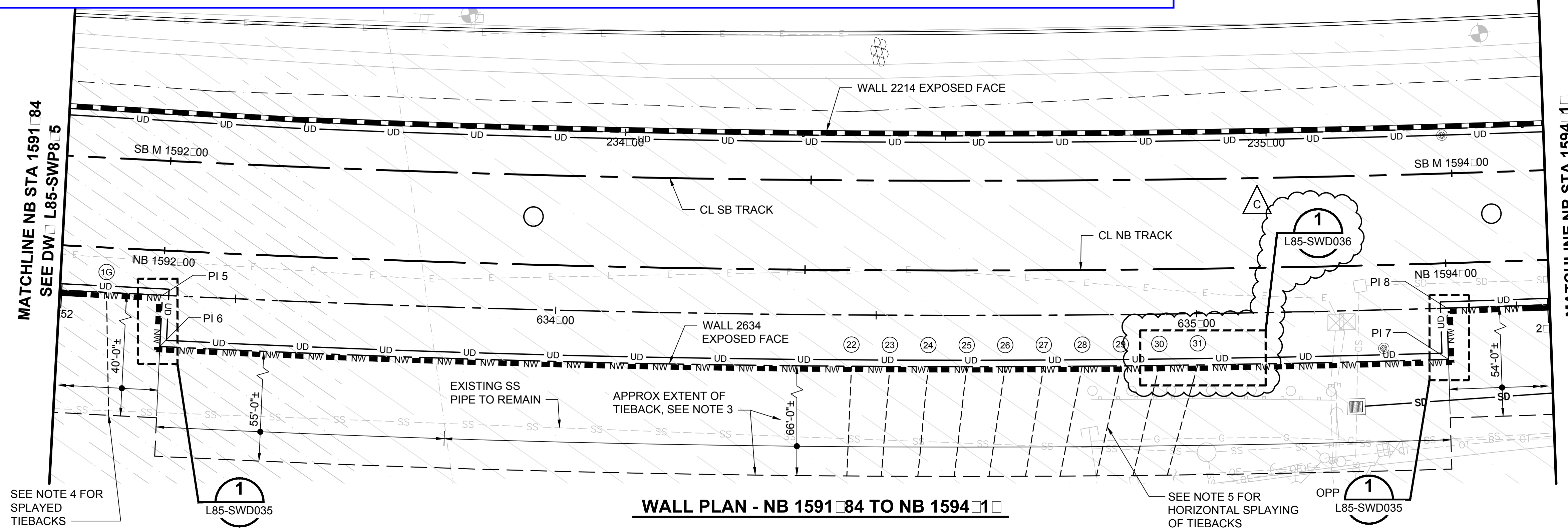
SCALE:
1" = 10'
 FILENAME:
L200-L85-SWP866
 CONTRACT No.:
RTA / CN 0079-15C
 DATE:
9/30/2019

**LYNNWOOD LINK EXTENSION
 CONTRACT L200**
 NORTHGATE STATION TO NE 200TH STREET
 STRUCTURES, WALLS
 PLAN, PROFILES & SCHEDULES
 NB 1590+25 TO NB 1591+84 SHT 2

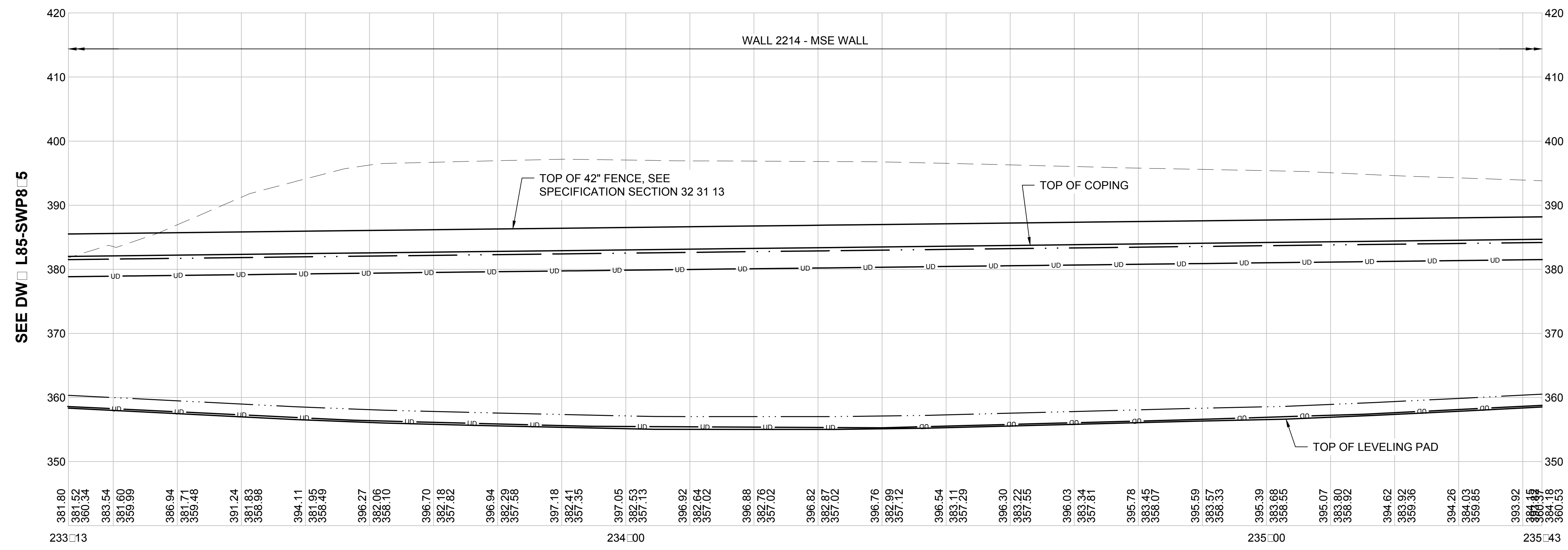
DRAWING No.:
L85-SWP8
 LOCATION ID:
N16
 SHEET No.:
1585
 REV:
RUD

NO CHANGES TO SHEET - INCLUDED FOR REFERENCE

Xrefs:
 XL200-GB-TB22x34
 XL200-L85-CDP100
 XL200-L85-CRP100
 XL200-L85-KAP100
 GB-SEAL-BVE26489
 XL200-L85-KW100
 XLLE-SHLN-YEP
 XLLE-SHLN-VRX
 XL200-L85-SWP901
 XL200-L85-SW301
 XL200-L85-KWP110
 XL200-L85-JOP100
 XL200-L85-KW101
 XLLE-SHLN-CSP
 XL200-L85-eRPP100



- NOTES**
- SEE DRAWING L85-SWP800 FOR TYPICAL WALL PLAN AND PROFILE NOTES.
 - SEE DRAWING L85-SWP868 FOR WALL GEOMETRY SCHEDULES.
 - TIEBACK LENGTHS VARY ALONG RANGE SHOWN. APPROXIMATE LENGTH INDICATED REPRESENTS MAXIMUM LENGTH OVER THAT RANGE. LENGTHS ARE NOT DRAWN TO SCALE.
 - PILE 1G TIEBACKS TO BE SPLAYED 2 DEG HORIZONTALLY AS SHOWN TO AVOID EXISTING MANHOLE.
 - PILE 31 TIEBACKS TO BE SPLAYED 15 DEGREES HORIZONTALLY AS SHOWN TO AVOID EXISTING MANHOLE. THE HORIZONTAL SPLAY OF PILE 22-30 TIEBACKS TO BE DECREASED LINEARLY SUCH THAT MINIMUM 4 FEET DISTANCE IS PROVIDED BETWEEN ADJACENT PILE TIEBACKS.



LEGEND

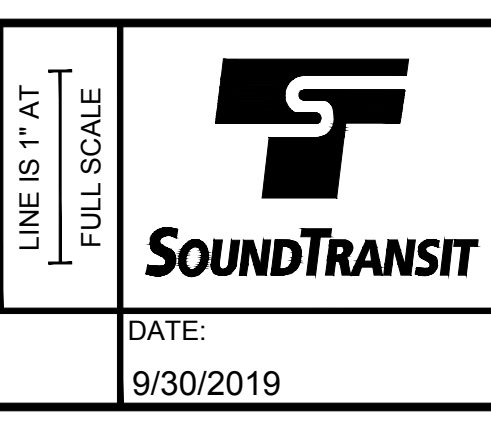
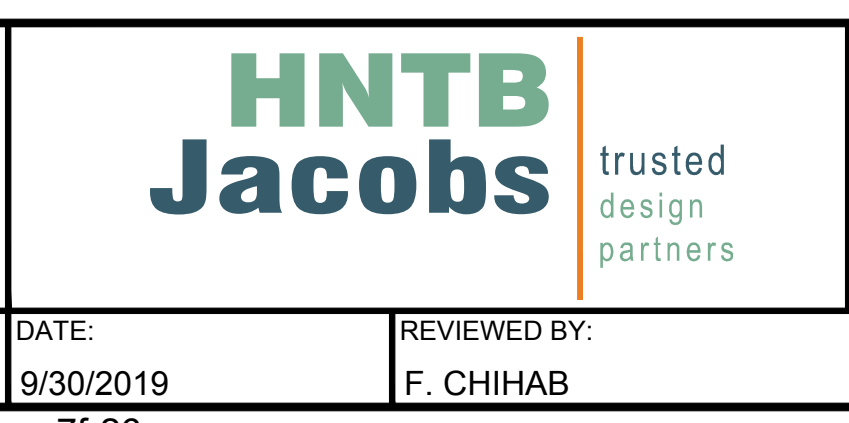
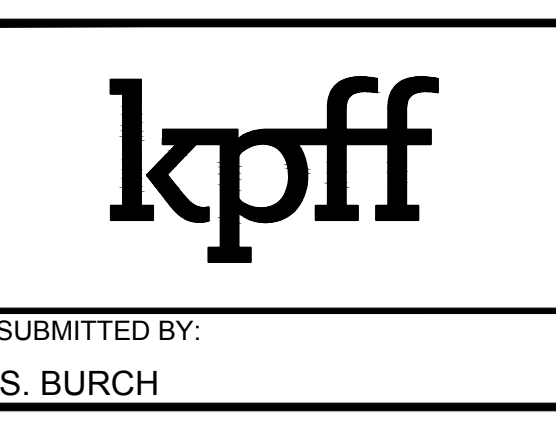
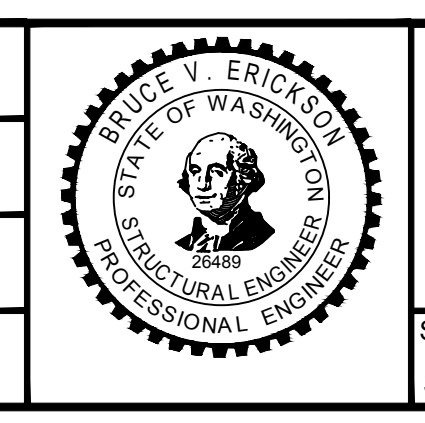
- TRACK ALIGNMENT
- RETAINING WALL ALIGNMENT
- NW / NW RETAINING/NOISE WALL ALIGNMENT
- TOP OF TRACK BALLAST
- FINISH GRADE OPPOSITE TRACK SIDE OF WALL
- EXISTING GRADE
- UD TRACK AND WALL UNDERDRAINS
- XXX XX LOWER FINISHED GRADE ELEVATION WHERE SHOWN
- XXX XX UPPER FINISHED GRADE ELEVATION
- EXISTING GRADE ELEVATION OR FINISHED GRADE ELEVATION OPPOSITE TRACK SIDE

10 5 0 10 20
SCALE IN FEET

03/19/20 | 11:43 AM | HA0YIS
 C:\CADD\BIP\WHS\WEST\DM\863012\L200-L85-SWP867.DWG

No.	DATE	DSN	CHK	APP	REVISION
C	03/23/20	DE	BE	BE	CNWD #043 REV 1
B	02/26/20	DE	BE	BE	CNWD #043
A	02/19/20	DE	BE	BE	CNWD #033
0	09/30/19				ISSUED FOR CONTRACT / CO 002

DESIGNED BY:
D. EVANGER
 DRAWN BY:
H. SHI
 CHECKED BY:
B. ERICKSON
 APPROVED BY:
B. ERICKSON



SCALE:
1" = 10'
 FILENAME:
L200-L85-SWP867
 CONTRACT No.:
RTA / CN 0079-15C
 DATE:
9/30/2019

**LYNNWOOD LINK EXTENSION
 CONTRACT L200**
 NORTHGATE STATION TO NE 200TH STREET
 STRUCTURES, WALLS
 PLAN, PROFILES & SCHEDULES
 NB 1591 84 TO NB 1594 16 SHT 1

DRAWING No.:
L85-SWP8
 LOCATION ID:
N16
 SHEET No.:
1586
 REV:
C

Xrefs:
 XL200-G8-TB22x34
 XL200-L85-KAP100
 G8-SCAL-SW226489
 XL200-L85-KW100
 XL200-L85-SWP901
 XL200-L85-KWP110
 XL200-L85-KW101
 XL200-L85-SW301

NB WALL SCHEDULE					
HORIZONTAL GEOMETRY					
POINT	WALL STATION	CONTROL LINE NORTH COORDINATE	CONTROL LINE EAST COORDINATE	DATA	OFFSET FROM CONTROL LINE TO WORKLINE
WALL TRANSITION	0+44.20	375967.51	1372649.40	-	0'-0"
PI 5	0+59.93	375982.84	1372652.93	-	0'-0"
PI 6/PC	0+67.93	375981.05	1372660.73	-	8'-0"
PI	1+68.58	376079.15	1372683.27	Δ = 004°35'53" LC = 201.20 R = 2507.04 T = 100.65	-
PI 7/PT	2+69.13	376178.74	1372697.87	-	8'-0"
PI 8	2+77.13	376179.90	1372689.96	-	0'-0"
WALL TRANSITION	2+92.86	376195.47	1372692.19	-	0'-0"

NB VERTICAL GEOMETRY		
WALL STATION	TOP OF WALL ELEVATION	BOTTOM OF WALL ELEVATION
WALL TRANSITION / 0+44.20	396.62	-
PI 5 = 0+59.93	397.38 LEFT 407.50 RIGHT	-
1+01.00	407.50 LEFT 411.50 RIGHT	-
1+09.00	411.50 LEFT 415.50 RIGHT	-
1+17.00	415.50 LEFT 419.50 RIGHT	-
1+97.00	419.50 LEFT 417.50 RIGHT	-

NOTES

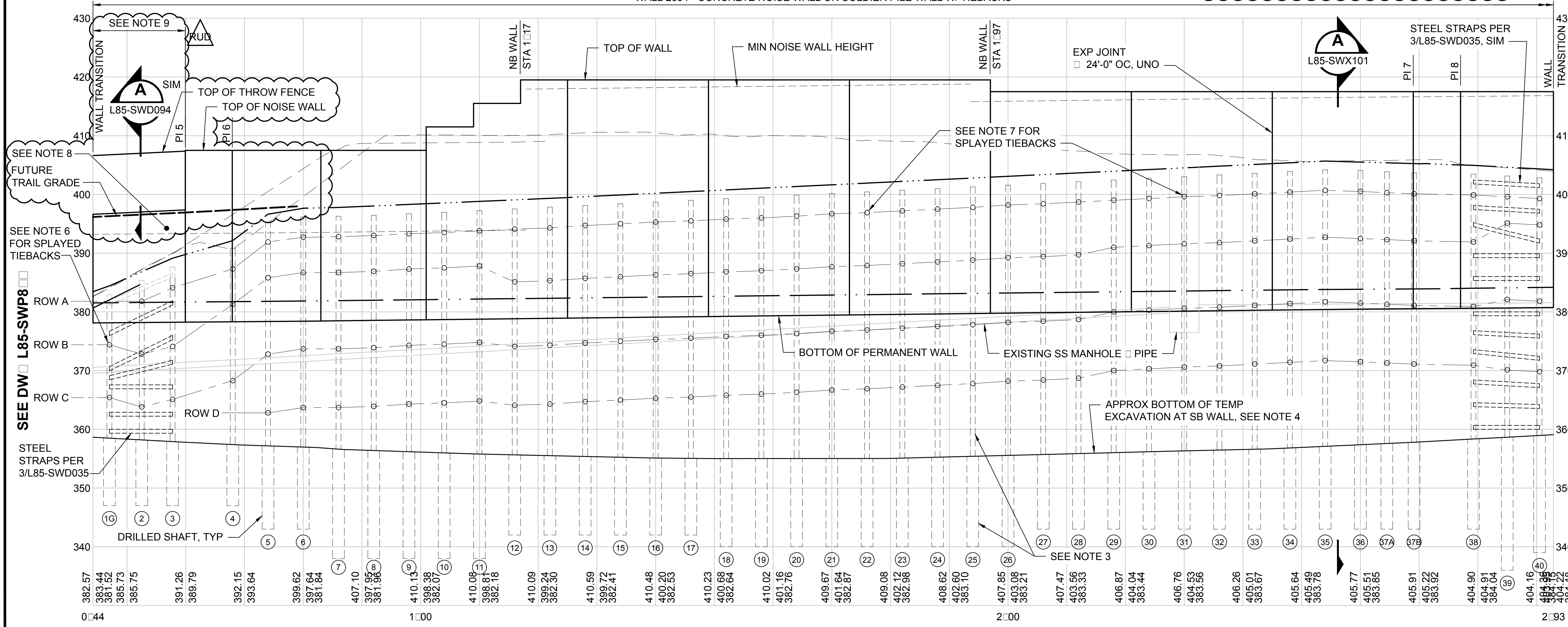
- SEE DRAWING L85-SWP800 FOR TYPICAL WALL PLAN AND PROFILE NOTES.
- SEE DRAWING L85-SWP867 FOR WALL PLAN.
- SEE DRAWING L85-SWS107 AND L85-SWS108 FOR SOLDIER PILES, SHAFT, AND TIEBACK SCHEDULE.
- SOLDIER PILE WALL DESIGNED FOR ASSUMED DEPTH OF TEMPORARY EXCAVATION SHOWN. CONTRACTOR TO NOTIFY ENGINEER IF REQUIRED TEMPORARY EXCAVATION EXCEEDS DEPTH SHOWN ON PROFILE.
- HORIZONTAL WALL GEOMETRY PROVIDED FOR CURVED WALL SEQUENCES DOES NOT REPRESENT TANGENCY BETWEEN ADJACENT SEGMENTS. CURVE SEGMENTS ARE NOT TANGENT TO ADJACENT SEGMENTS.
- PILE 1G TIEBACKS TO BE SPLAYED 2 DEGREES HORIZONTALLY AS SHOWN ON SHEET L85-SWP867 WALL PLAN TO AVOID EXISTING MANHOLE.
- PILE 31 TIEBACKS TO BE SPLAYED 15 DEGREES HORIZONTALLY AS SHOWN ON SHEET L85-SWP867 WALL PLAN TO AVOID EXISTING MANHOLE. THE HORIZONTAL SPLAY OF PILE 22-30 TIEBACKS TO BE DECREASED LINEARLY SUCH THAT MINIMUM 4 FEET DISTANCE IS PROVIDED BETWEEN ADJACENT PILE TIEBACKS.
- PROVIDE #5 9" VERTICAL NW REINF EACH FACE FROM WALL TRANSITION TO PI 5.
- NO FORMLINER REQUIRED ON EAST (NON-TRACK) SIDE OF WALL OVER STATIONS INDICATED.

LEGEND

- TRACK ALIGNMENT
- RETAINING WALL ALIGNMENT
- RETAINING/NOISE WALL ALIGNMENT
- TOP OF TRACK BALLAST
- FINISH GRADE OPPOSITE TRACK SIDE OF WALL
- EXISTING GRADE
- TRACK AND WALL UNDERDRAINS
- LOWER FINISHED GRADE ELEVATION WHERE SHOWN
- UPPER FINISHED GRADE ELEVATION
- EXISTING GRADE ELEVATION OR FINISHED GRADE ELEVATION OPPOSITE TRACK SIDE

SB WALL SCHEDULE					
HORIZONTAL GEOMETRY					
POINT	WALL STATION	CONTROL LINE NORTH COORDINATE	CONTROL LINE EAST COORDINATE	DATA	OFFSET FROM CONTROL LINE TO WORKLINE
PT/PC	233+48.10	376007.64	1372629.83	-	-

WALL 2634 - CONCRETE NOISE WALL ON SOLDIER PILE WALL W/ TIEBACKS

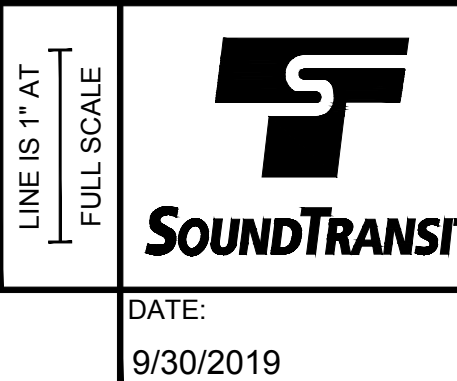
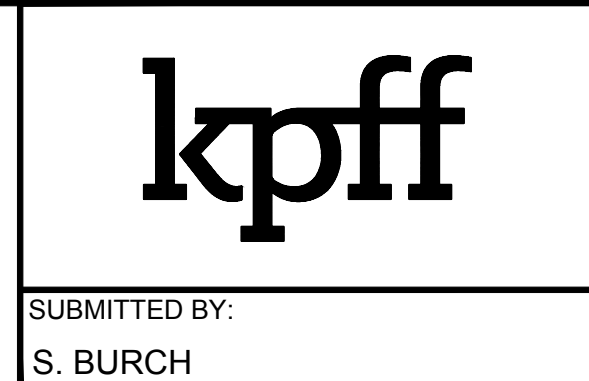
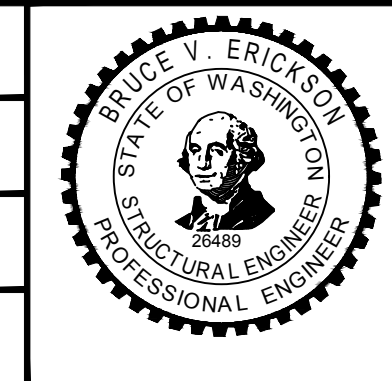


NB WALL PROFILE - STA 0+50 TO STA 2+8

12/03/20 | 9:42 AM | HAOYIS
 C:\CADD\BIP\W\H\WEST\DM\863012\L200-L85-SWP868.DWG

No.	DATE	DSN	CHK	APP	REVISION
RUD	12/07/20	JS	BE	BE	REV UNDER DEVELOPMENT-SHORELINE TAR WALL
C	02/26/20	DE	BE	BE	CNWD #043
B	02/19/20	DE	BE	BE	CNWD #033
A	01/24/20	DE	BE	BE	PR #024
0	09/30/19				ISSUED FOR CONTRACT / CO 002

DESIGNED BY:
D. EVANGER
 DRAWN BY:
H. SHI
 CHECKED BY:
B. ERICKSON
 APPROVED BY:
B. ERICKSON



SCALE:
1" = 10'
 FILENAME:
L200-L85-SWP868
 CONTRACT No.:
RTA / CN 0079-15C
 DATE:
9/30/2019

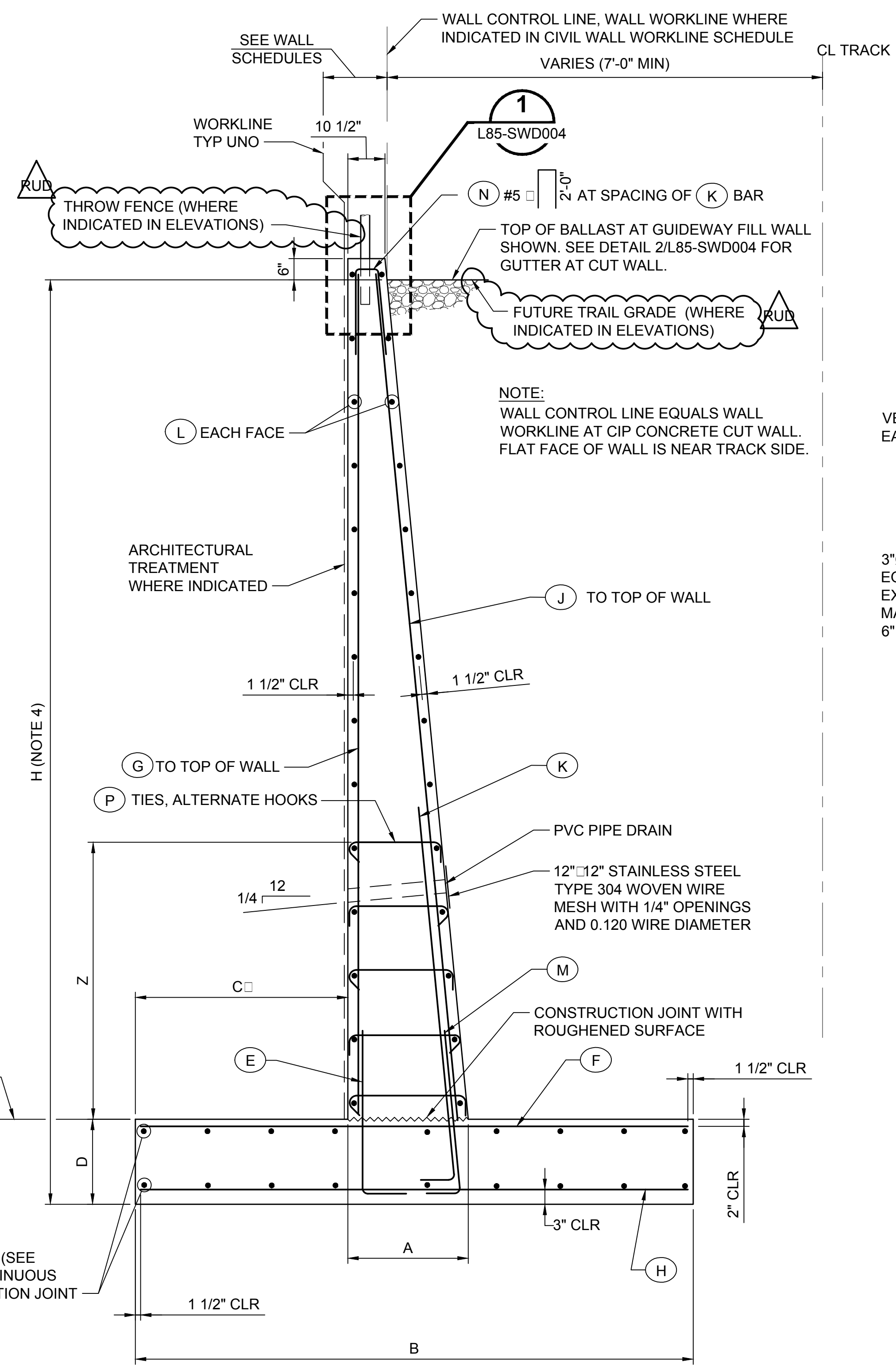
**LYNNWOOD LINK EXTENSION
 CONTRACT L200**
 NORTHGATE STATION TO NE 200TH STREET
 STRUCTURES, WALLS
 PLAN, PROFILES & SCHEDULES
 NB 1591+84 TO NB 1594+16 SHT 2

DRAWING No.:
L85-SWP808
 LOCATION ID:
N16
 SHEET No.:
1587
 REV:
RUD

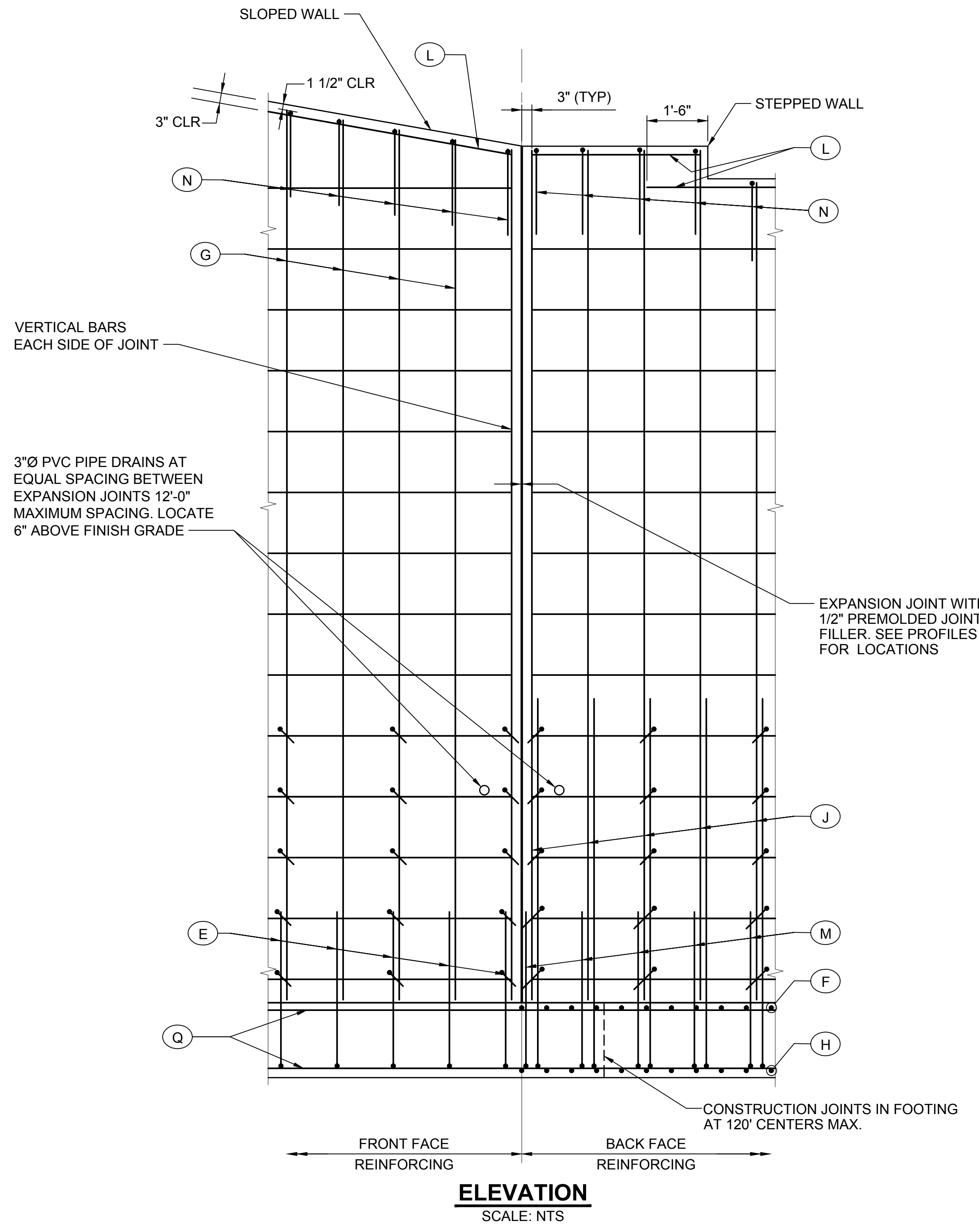
GENERAL NOTES:

- FOR BACKFILL REQUIREMENTS, SEE DRAWING L85-SWD005.
- FOR TYPICAL WALL AND FOOTING DETAILS SEE DRAWING L85-SWD004.
- CONCRETE SECTIONS BETWEEN EXPANSION JOINTS SHALL BE PLACED SEPARATELY WITH A 24 HOUR MINIMUM PERIOD BEFORE PLACING CONCRETE IN THE ADJACENT SECTION.
- DESIGN HEIGHT H, CONSTRUCT TO PROJECT PLAN GEOMETRY. SEE TABLE 1 ON DRAWING L85-SWD003 FOR WALL SCHEDULES.
- CONTINUOUSLY COAT ALL WALL SURFACES PERMANENTLY EXPOSED TO VIEW TO A MINIMUM OF 1 FOOT BELOW FINAL GRADE WITH PIGMENTED SEALER. SEE DRAWING L85-SWD082 FOR EXTENTS OF ANTI-GRAFFITI COATING.
- ALIGN FACE OF CIP NOISE WALL WITH FLAT FACE OF PRECAST PANELS.

L200 CIVIL WALL WORKLINE SCHEDULE	
WALL	WORKLINE LOCATION
R03-1R	BACK FACE □ FINISH GRADE
R21-2L	BACK FACE □ FINISH GRADE
N15-1	FRONT FACE
R26-1R	FRONT FACE
NW 1554	SEE NOTE 6



TYPICAL SECTION
SCALE: NTS

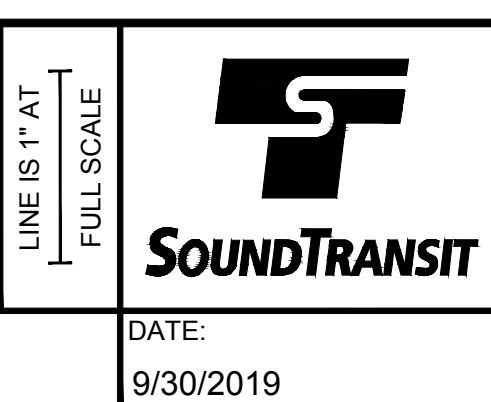
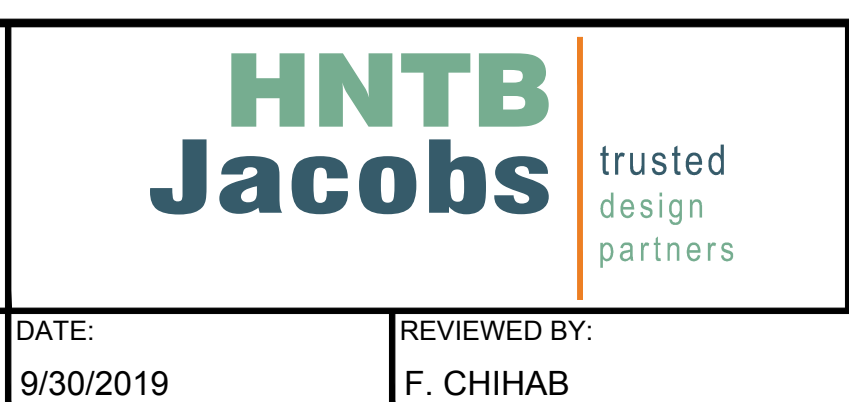
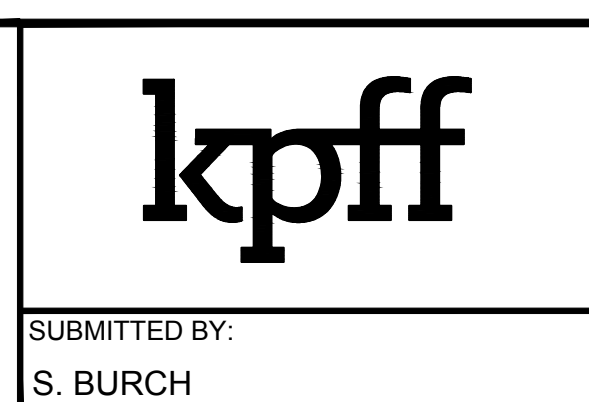
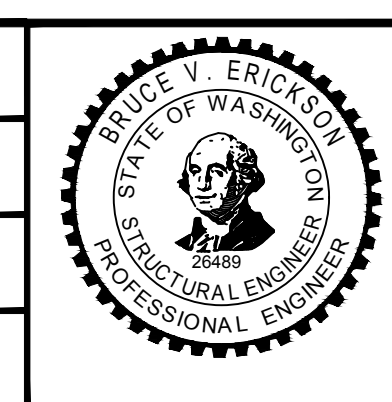


ELEVATION
SCALE: NTS

10/27/20 | 2:10 PM | HAOYI | C:\CADD\BIP\W\H\WEST\DM\83012\L200-L85-SWD001.DWG

RUD	12/07/20	JS	BE	BE	REV UNDER DEVELOPMENT - SHORELINE TAR WALL
0	09/30/19				ISSUED FOR CONTRACT / CO 002
No.	DATE	DSN	CHK	APP	REVISION

DESIGNED BY:
D. EVANGER
 DRAWN BY:
H. SHI
 CHECKED BY:
B. ERICKSON
 APPROVED BY:
B. ERICKSON

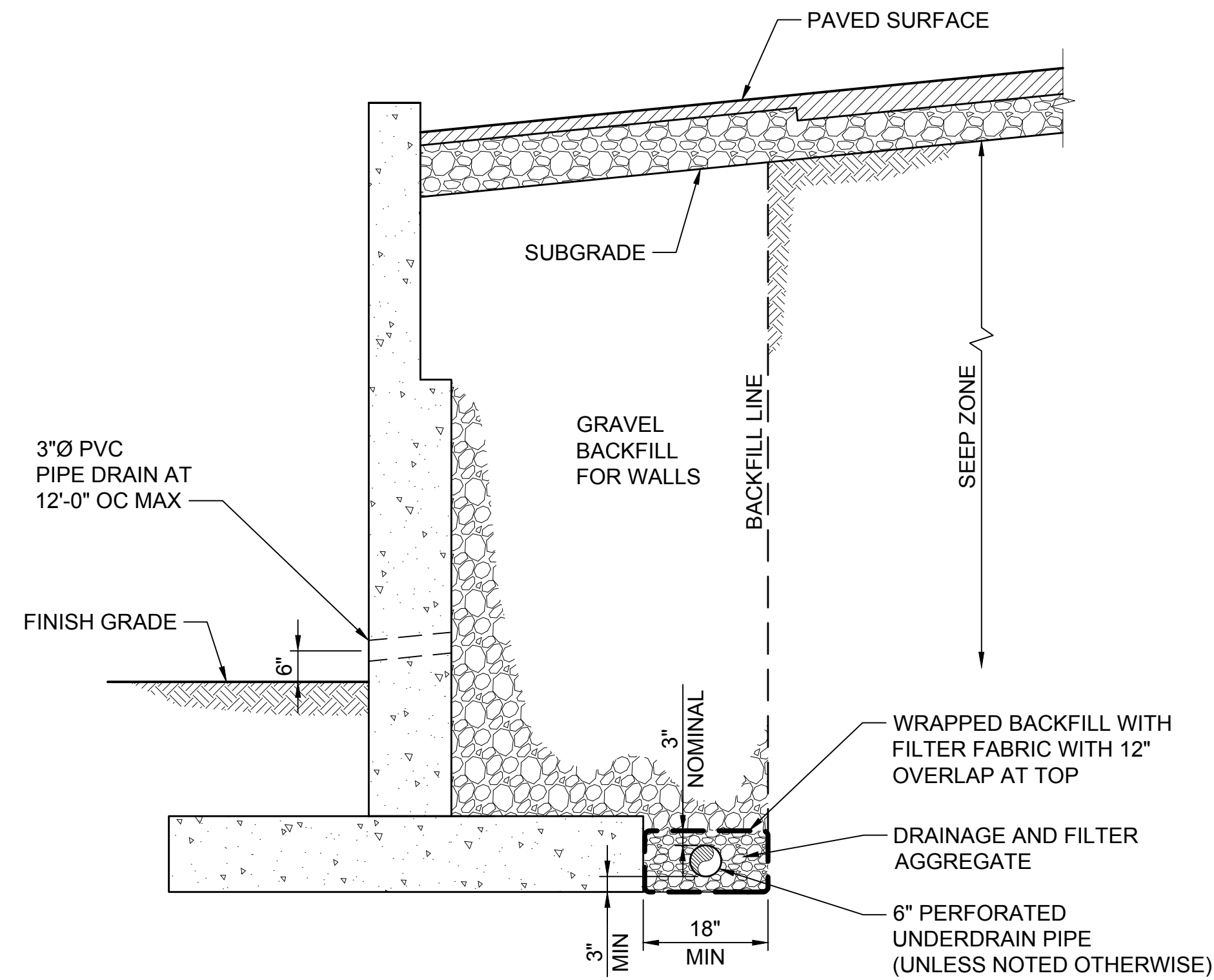


SCALE:
NTS
 FILENAME:
L200-L85-SWD001
 CONTRACT No.:
RTA / CN 0079-15C
 DATE:
9/30/2019

LYNNWOOD LINK EXTENSION
CONTRACT L200
 NORTHGATE STATION TO NE 200TH STREET
 STRUCTURES, WALLS
 CAST-IN-PLACE CONCRETE WALLS
 STANDARD DETAILS

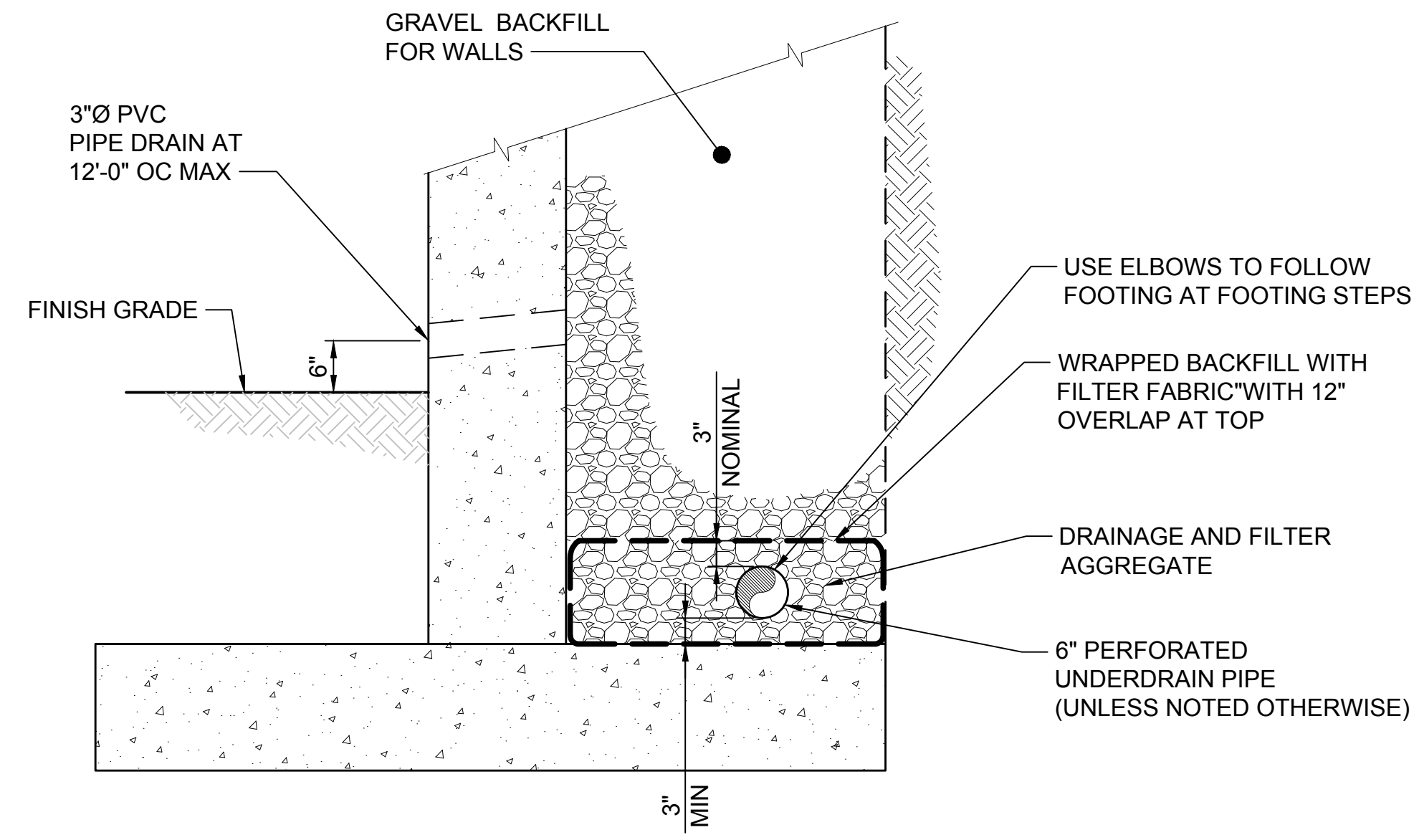
DRAWING No.:
L85-SWD001
 LOCATION ID:
 SHEET No.:
1704
 REV:
RUD

Xrefs:
 XL200-GB-TB22x34
 xLE-STD-SWD001
 GB-SEAL-BVC26489



TYPICAL SECTION - CONDITION A

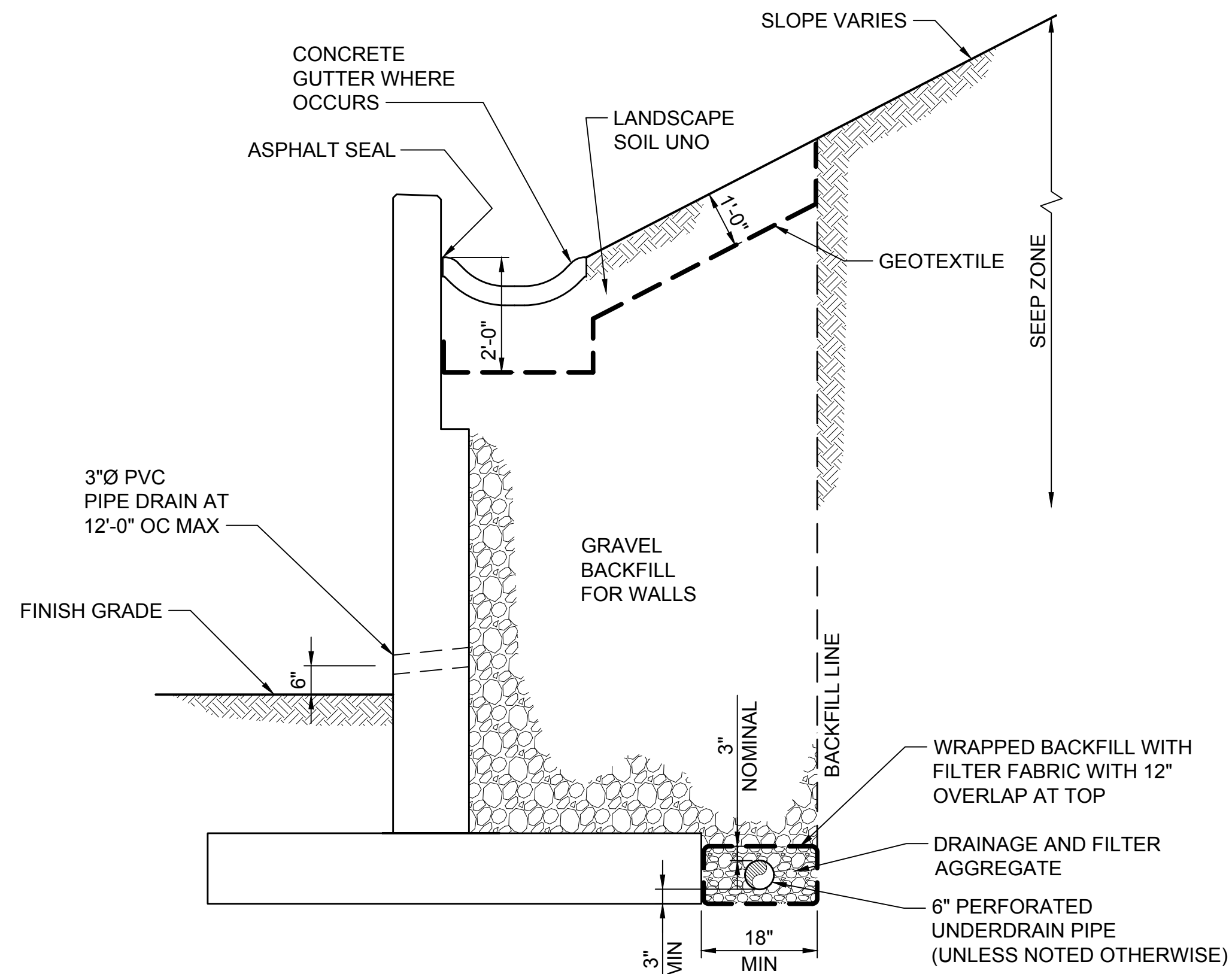
SCALE: NTS



ALTERNATE UNDERDRAIN LOCATION SECTION

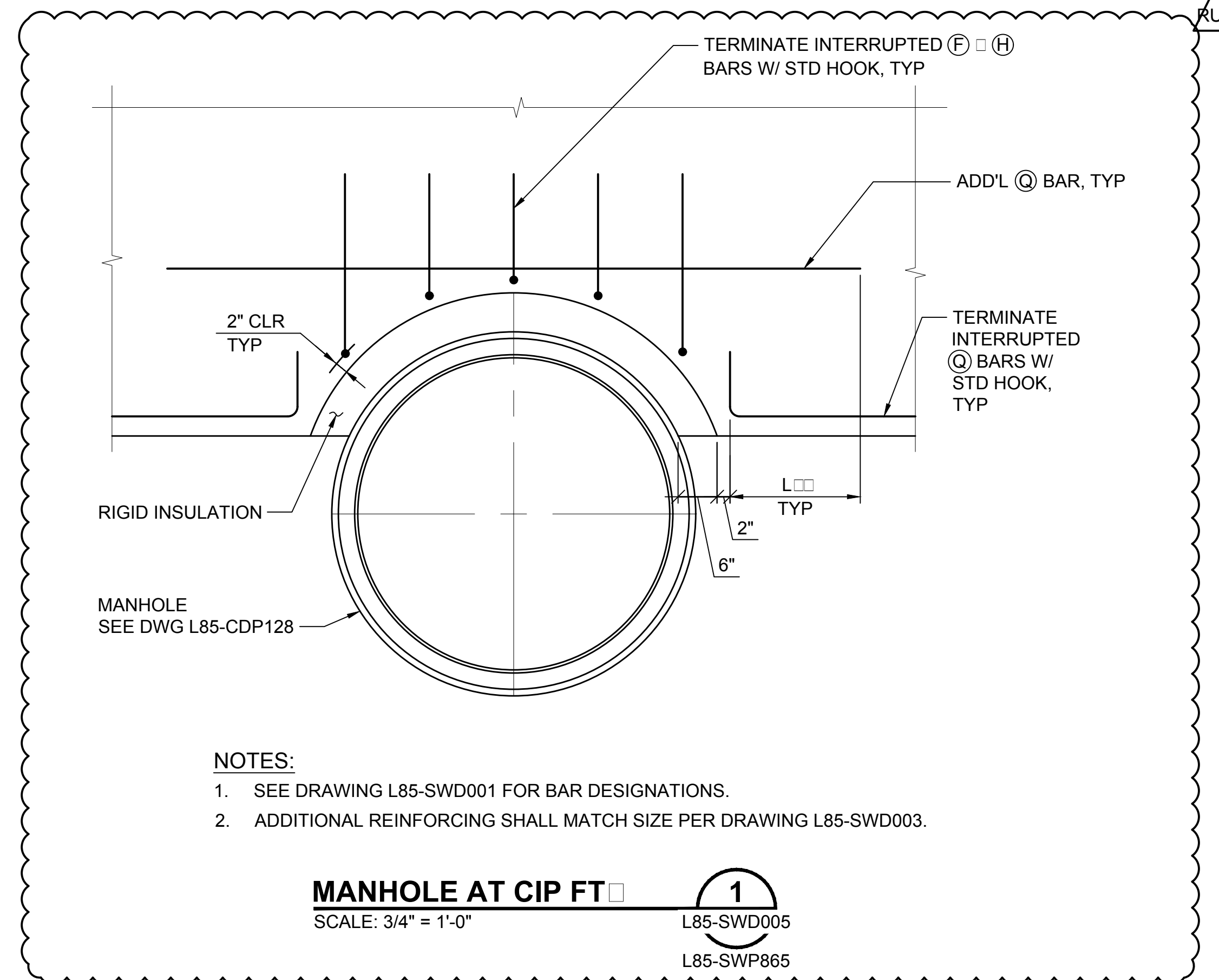
SCALE: NTS

NOTES
 1. SEE CONTRACT DRAWINGS AND SPECIFICATIONS FOR BACKFILL LIMITS AND GEOTEXTILE CLASS.



TYPICAL SECTION - CONDITION B

SCALE: NTS



NOTES:
 1. SEE DRAWING L85-SWD001 FOR BAR DESIGNATIONS.
 2. ADDITIONAL REINFORCING SHALL MATCH SIZE PER DRAWING L85-SWD003.

MANHOLE AT CIP FT

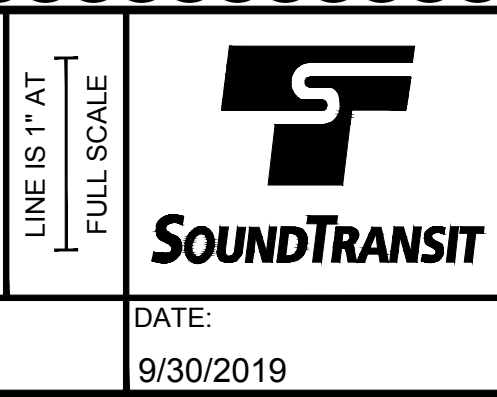
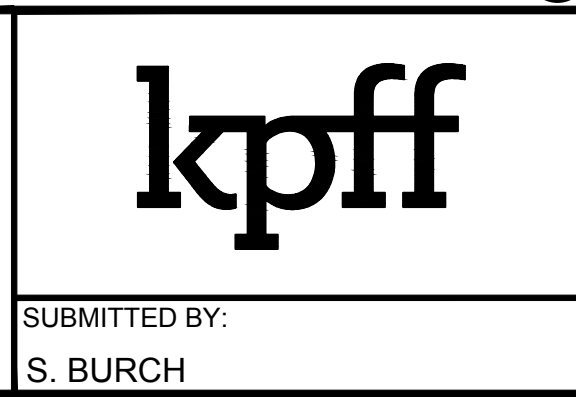
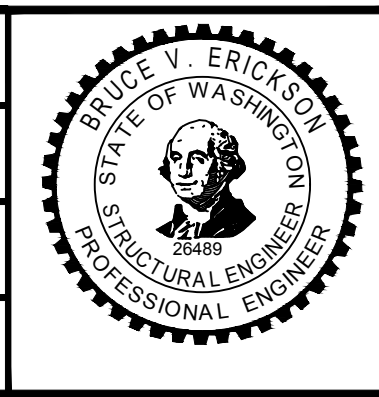
SCALE: 3/4" = 1'-0"

1
 L85-SWD005
 L85-SWP865

12/03/20 12:32 PM | HAOYI
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No.	DATE	DSN	CHK	APP	REVISION
RUD	12/07/20	JS	BE	BE	REV UNDER DEVELOPMENT - SHORELINE TAR WALL
0	09/30/19				ISSUED FOR CONTRACT / CO 002

DESIGNED BY: D. EVANGER
DRAWN BY: H. SHI
CHECKED BY: B. ERICKSON
APPROVED BY: B. ERICKSON

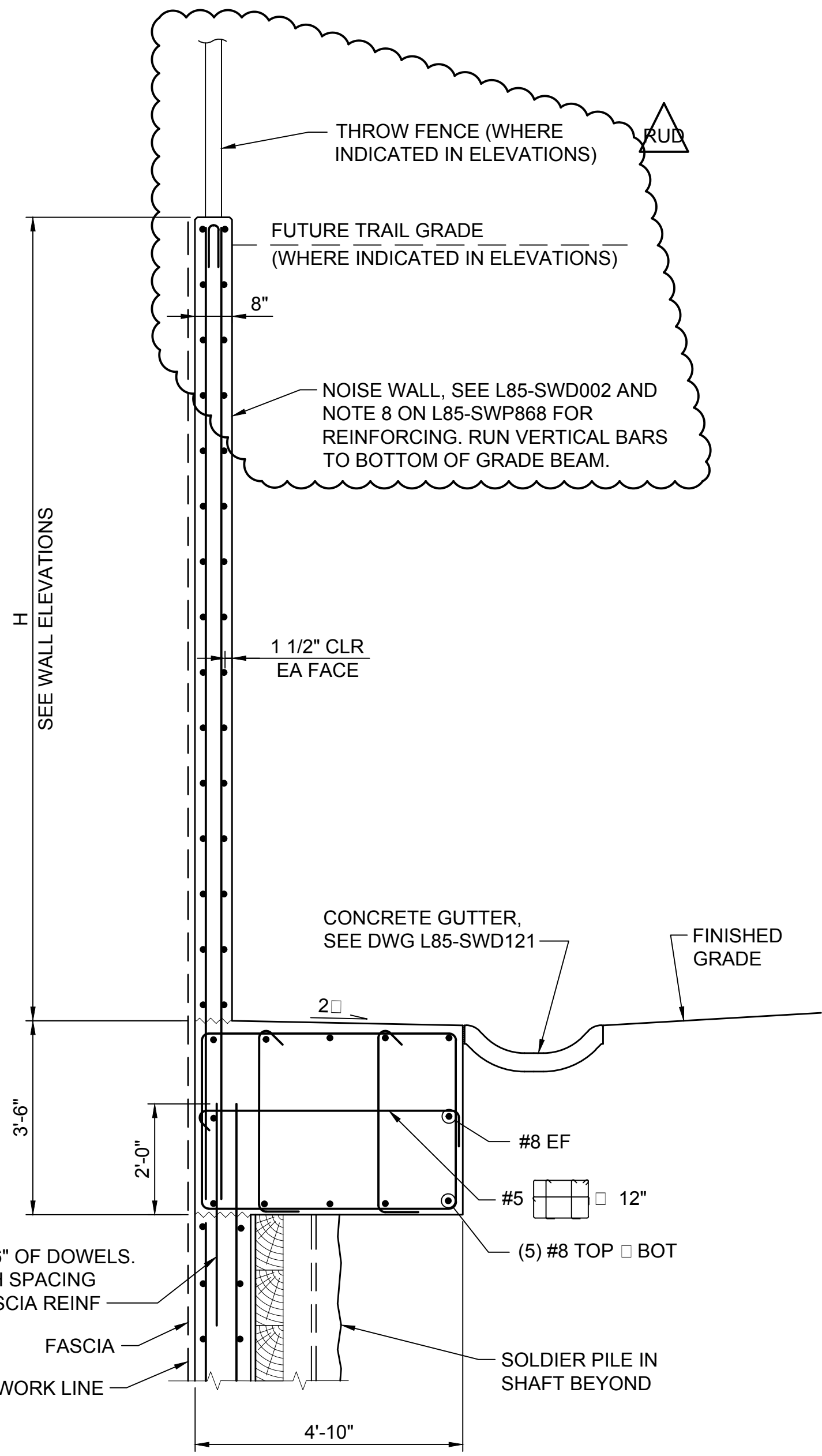


SCALE: NTS
FILENAME: L200-L85-SWD005
CONTRACT No.: RTA / CN 0079-15C
DATE: 9/30/2019

LYNNWOOD LINK EXTENSION CONTRACT L200	
NORTHGATE STATION TO NE 200TH STREET	
STRUCTURES, WALLS CAST-IN-PLACE CONCRETE WALLS STANDARD DETAILS	

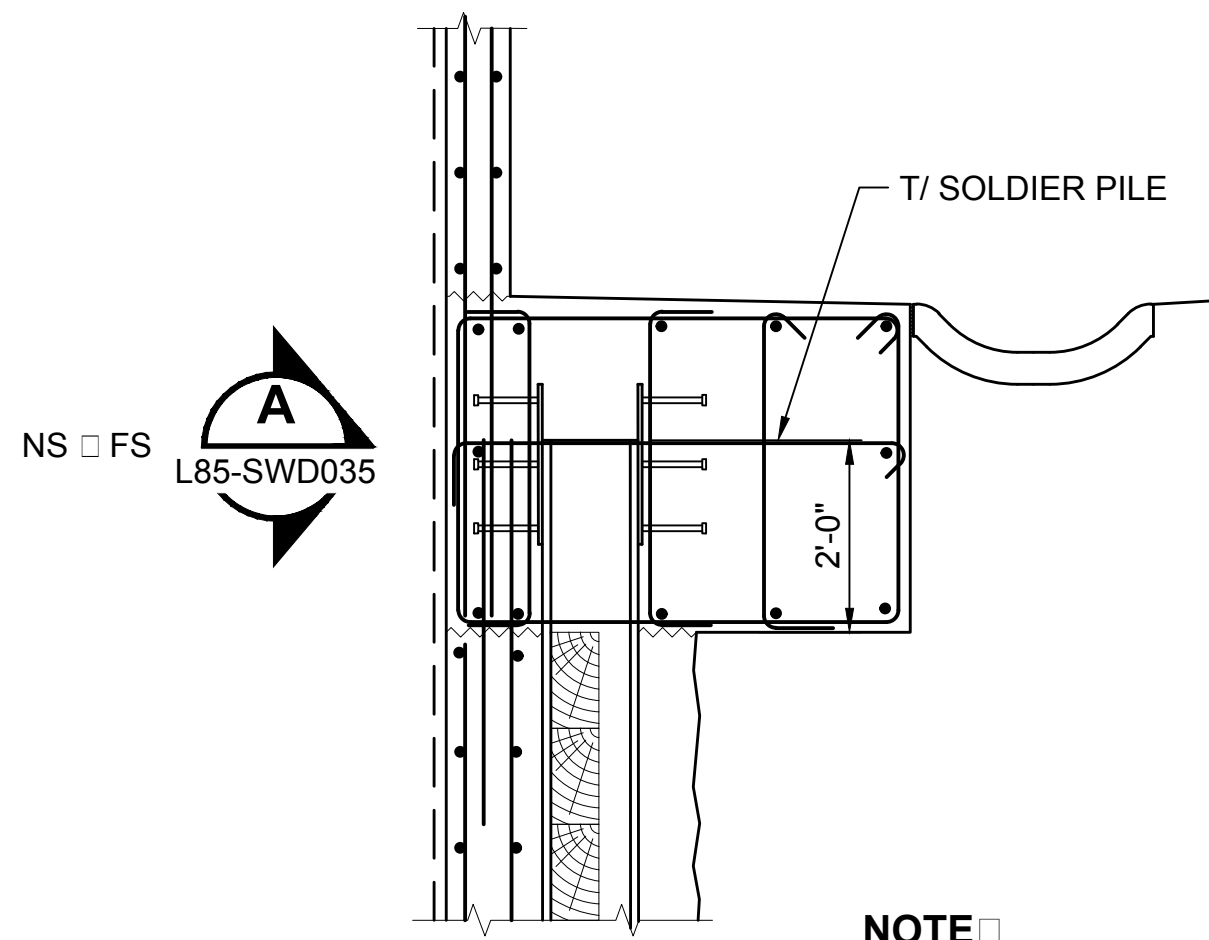
DRAWING No.:	L85-SWD005
LOCATION ID:	
SHEET No.:	1708
REV:	RUD

Xrefs:
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 GB-SEAL-BW226489
 XLLE-STD-SWD018

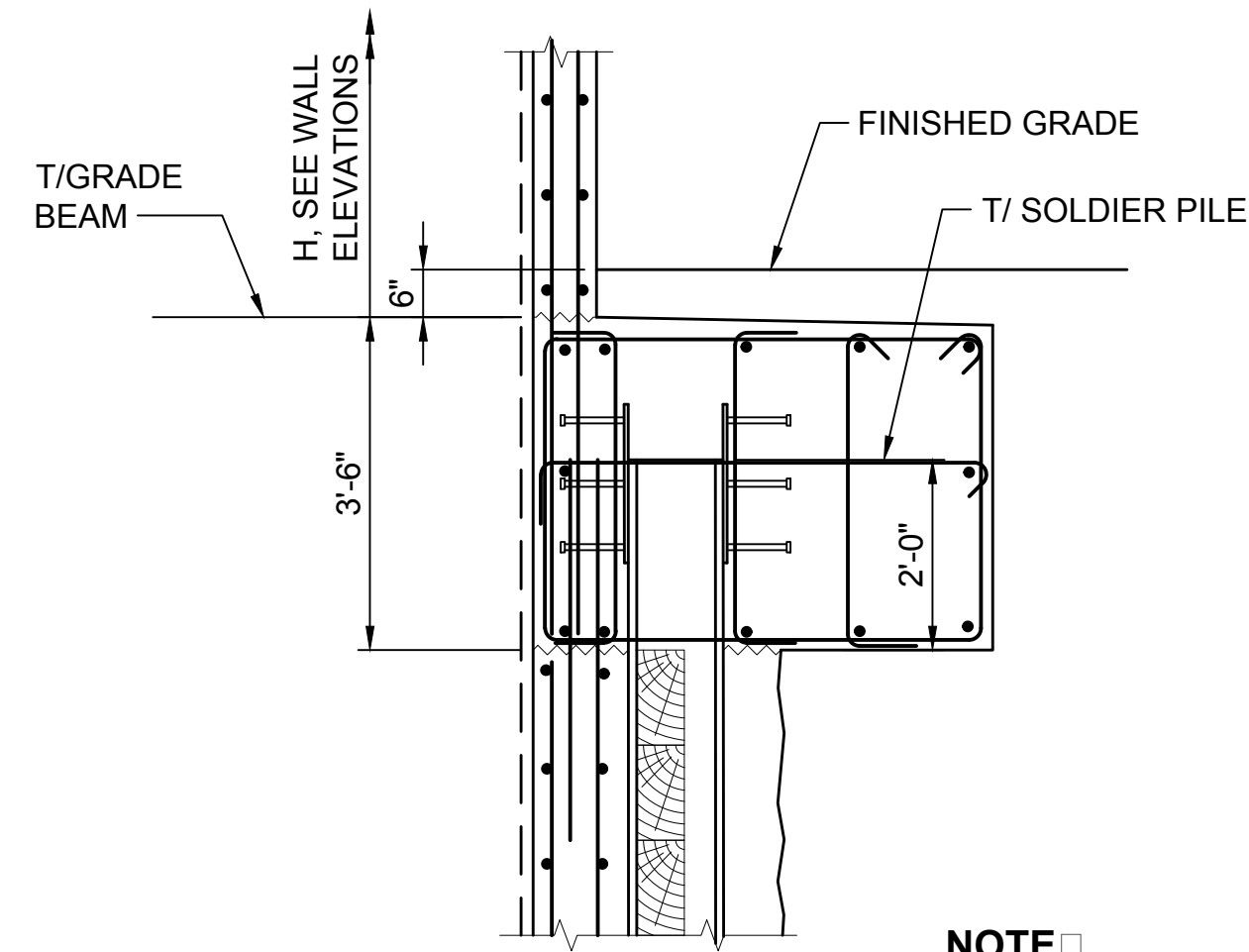


- NOTES:
- SEE DWG SERIES L85-CGP FOR GUTTER PLAN LOCATIONS.
 - SEE 2/L85-SWD034 FOR CONNECTION DETAILS AT SOLDIER PILE.

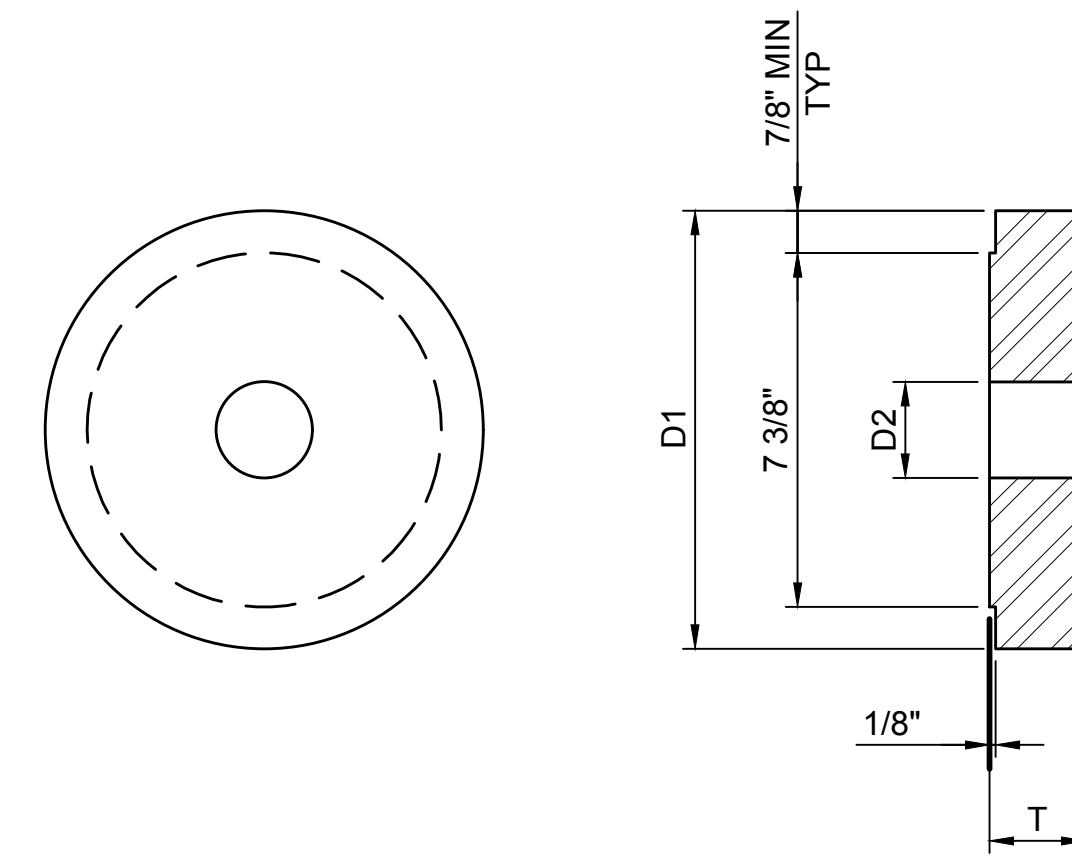
SECTION - NOISE WALL AND GRADE BEAM AT SOLDIER PILE WALL
 SCALE: NTS
 L85-SWD034
 L85-SWX101



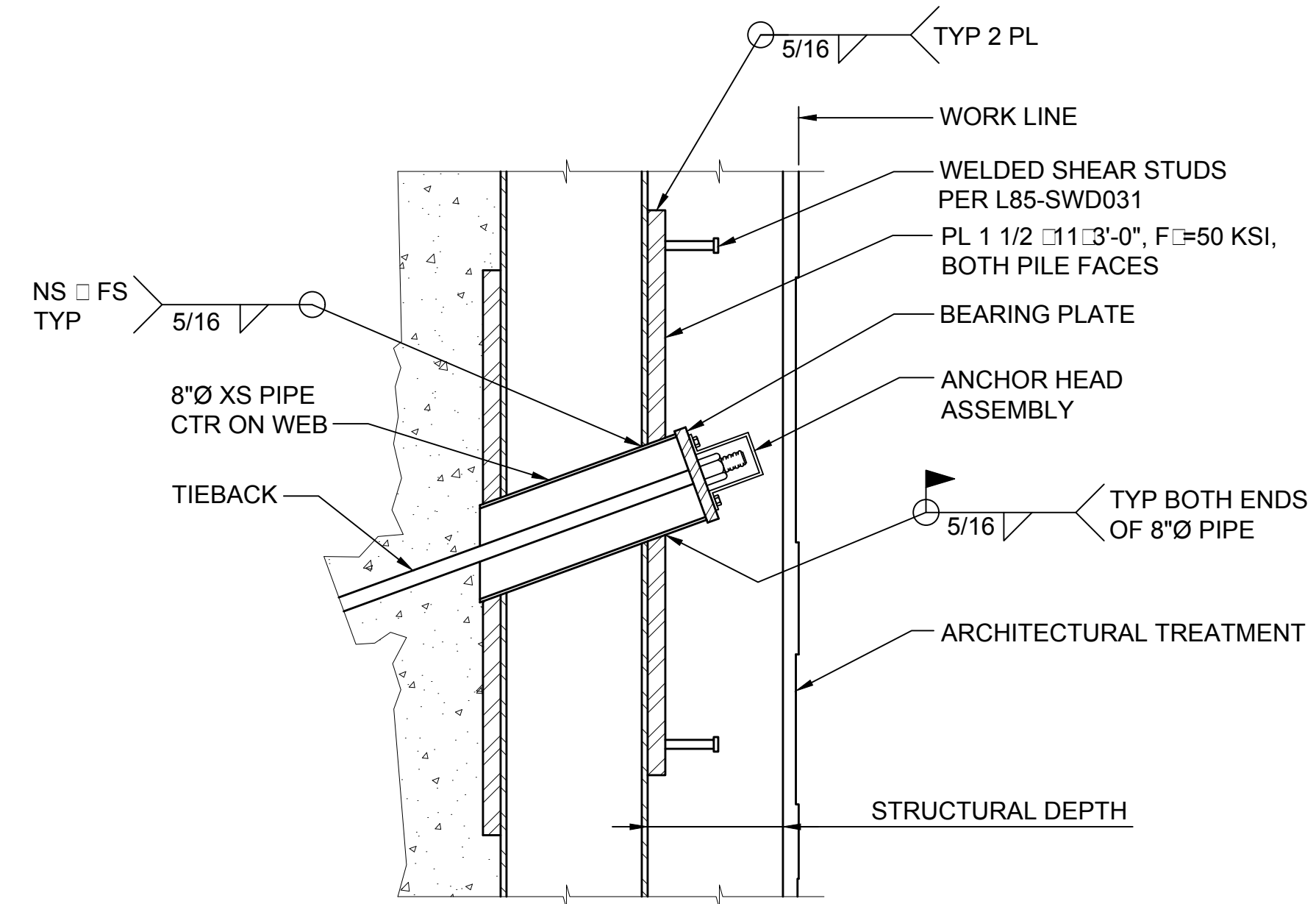
CONNECTION DETAILS AT SOLDIER PILE
 SCALE: NTS
 L85-SWD034



CONNECTION DETAILS AT LOWERED GRADE BEAM
 SCALE: NTS
 L85-SWD034
 L85-SWP812
 L85-SWP814
 L85-SWP892
 L85-SWP894



BEARING PLATE
 SCALE: NTS

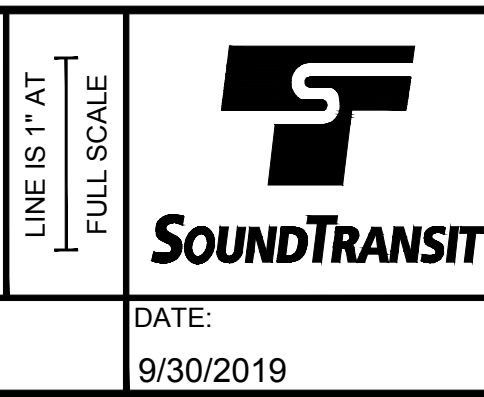
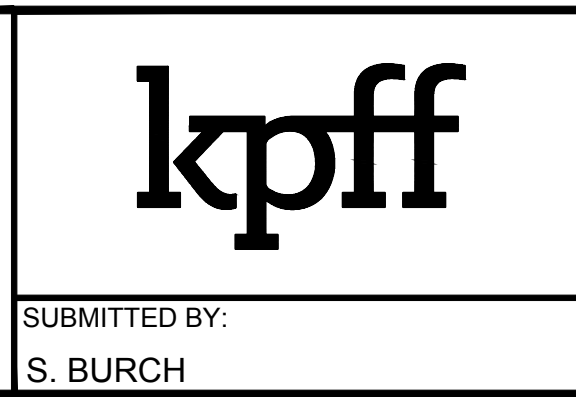
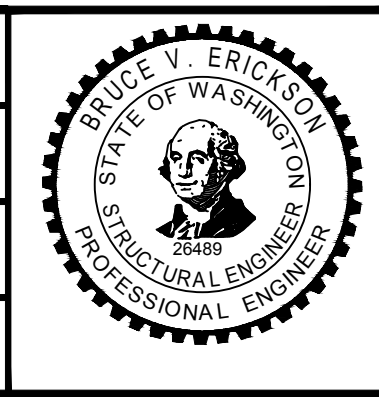


SECTION - SOLDIER PILE WITH TIEBACK ANCHOR THROUGH WEB
 SCALE: NTS
 L85-SWD034

12/04/20 10:09 AM HAOYIS
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RUD	12/07/20	JS	BE	BE	REV UNDER DEVELOPMENT - SHORELINE TAR WALL
0	09/30/19				ISSUED FOR CONTRACT / CO 002
No.	DATE	DSN	CHK	APP	REVISION

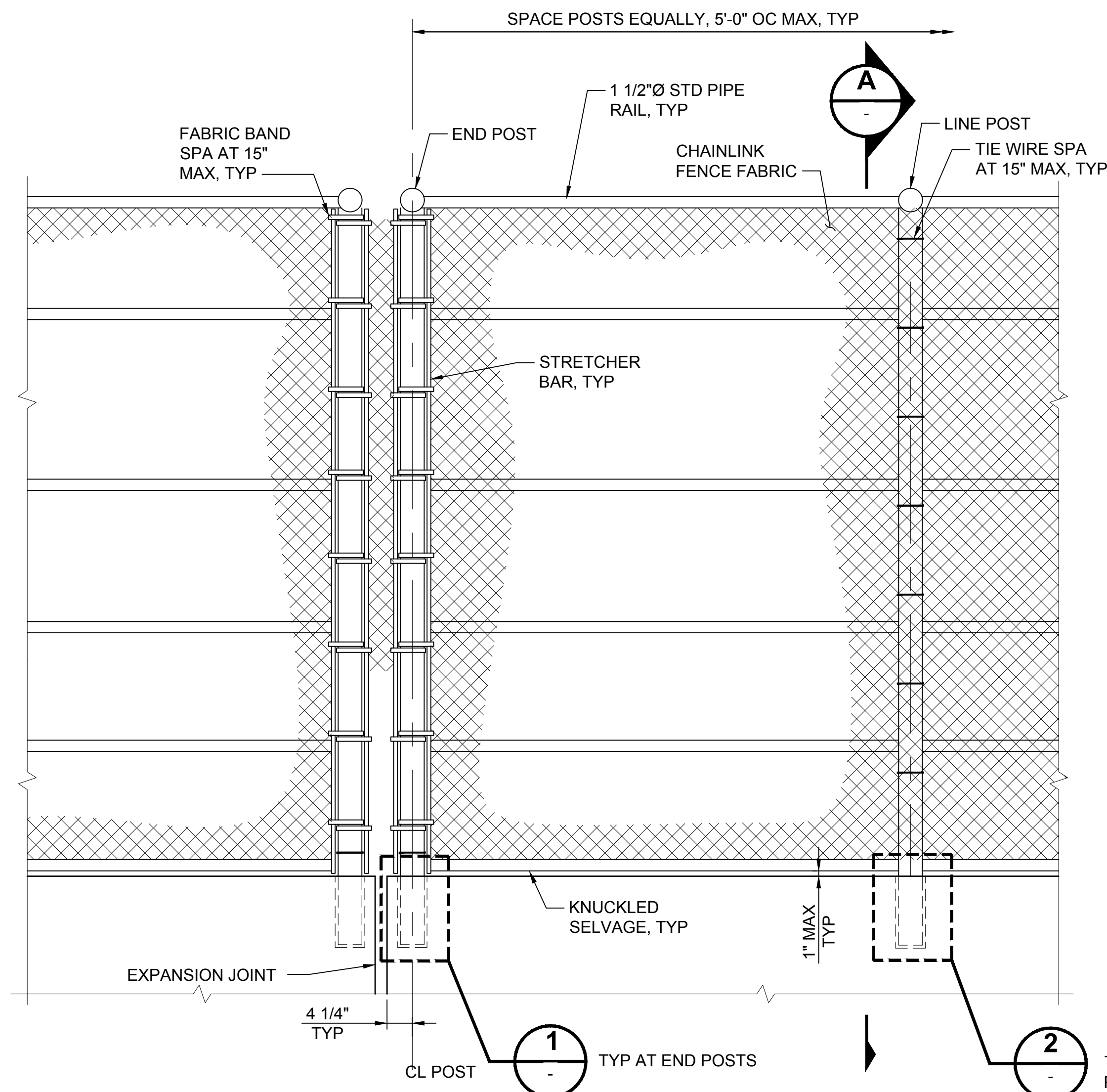
DESIGNED BY:	D. EVANGER
DRAWN BY:	H. SHI
CHECKED BY:	B. ERICKSON
APPROVED BY:	B. ERICKSON



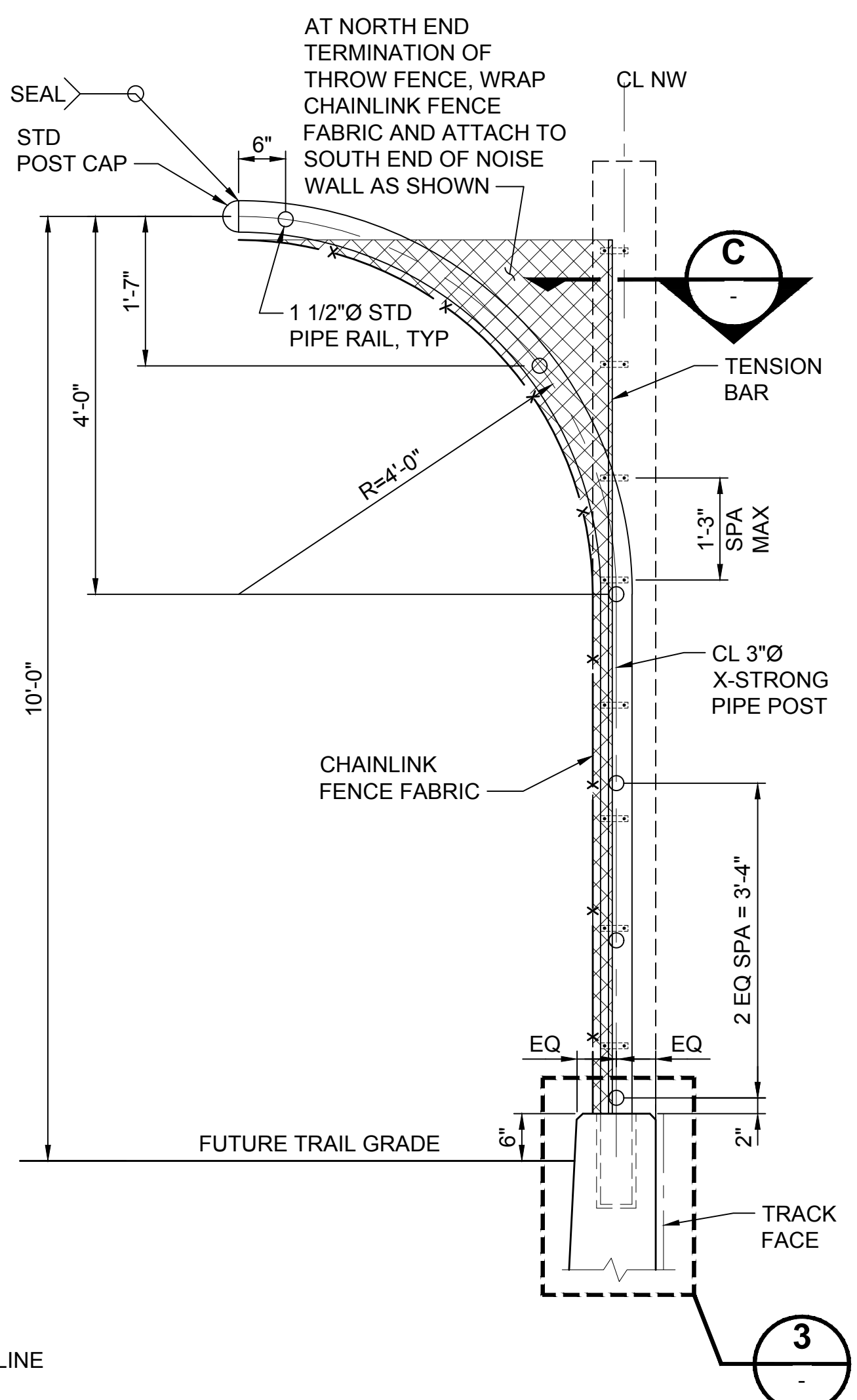
SCALE:	NTS
FILENAME:	L200-L85-SWD034
CONTRACT No.:	RTA / CN 0079-15C
DATE:	9/30/2019

LYNNWOOD LINK EXTENSION CONTRACT L200	
NORTHGATE STATION TO NE 200TH STREET	
STRUCTURES, WALLS SOLDIER PILE/TIEBACK WALLS STANDARD DETAILS	

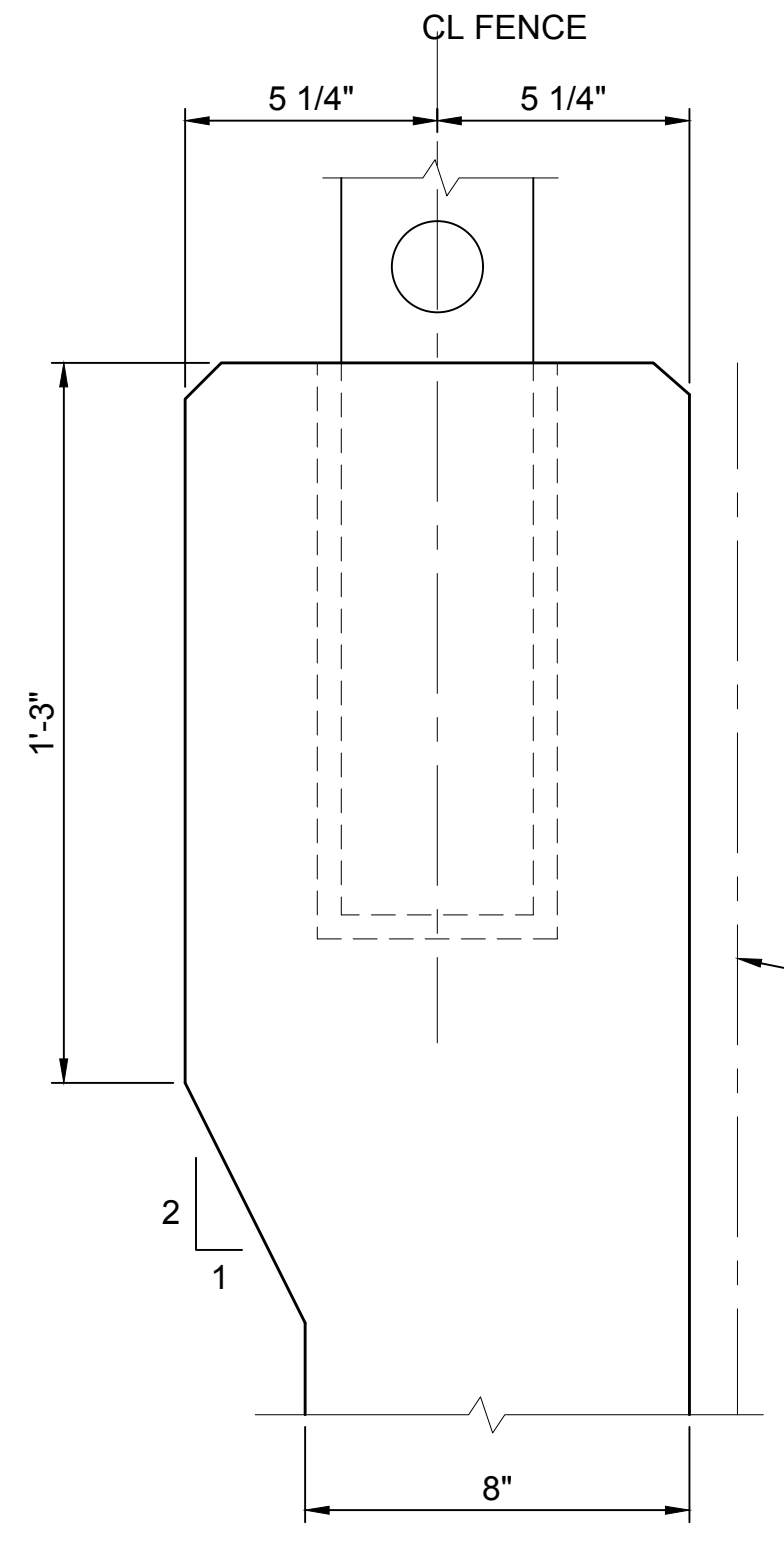
DRAWING No.:	L85-SWD034
LOCATION ID:	
SHEET No.:	1719
REV:	RUD



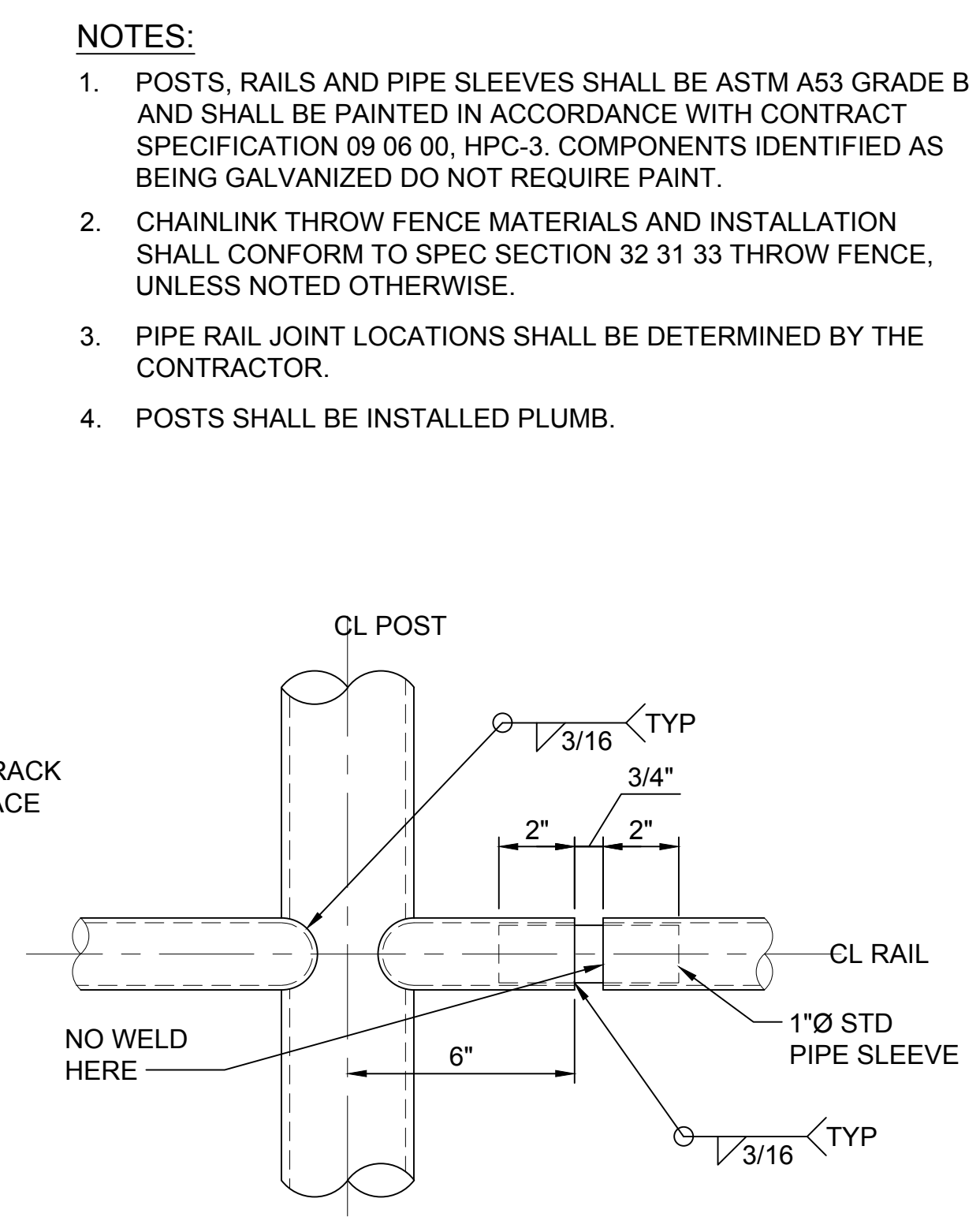
INSIDE ELEVATION - THROW FENCE
 SCALE: 3/4" = 1'-0"



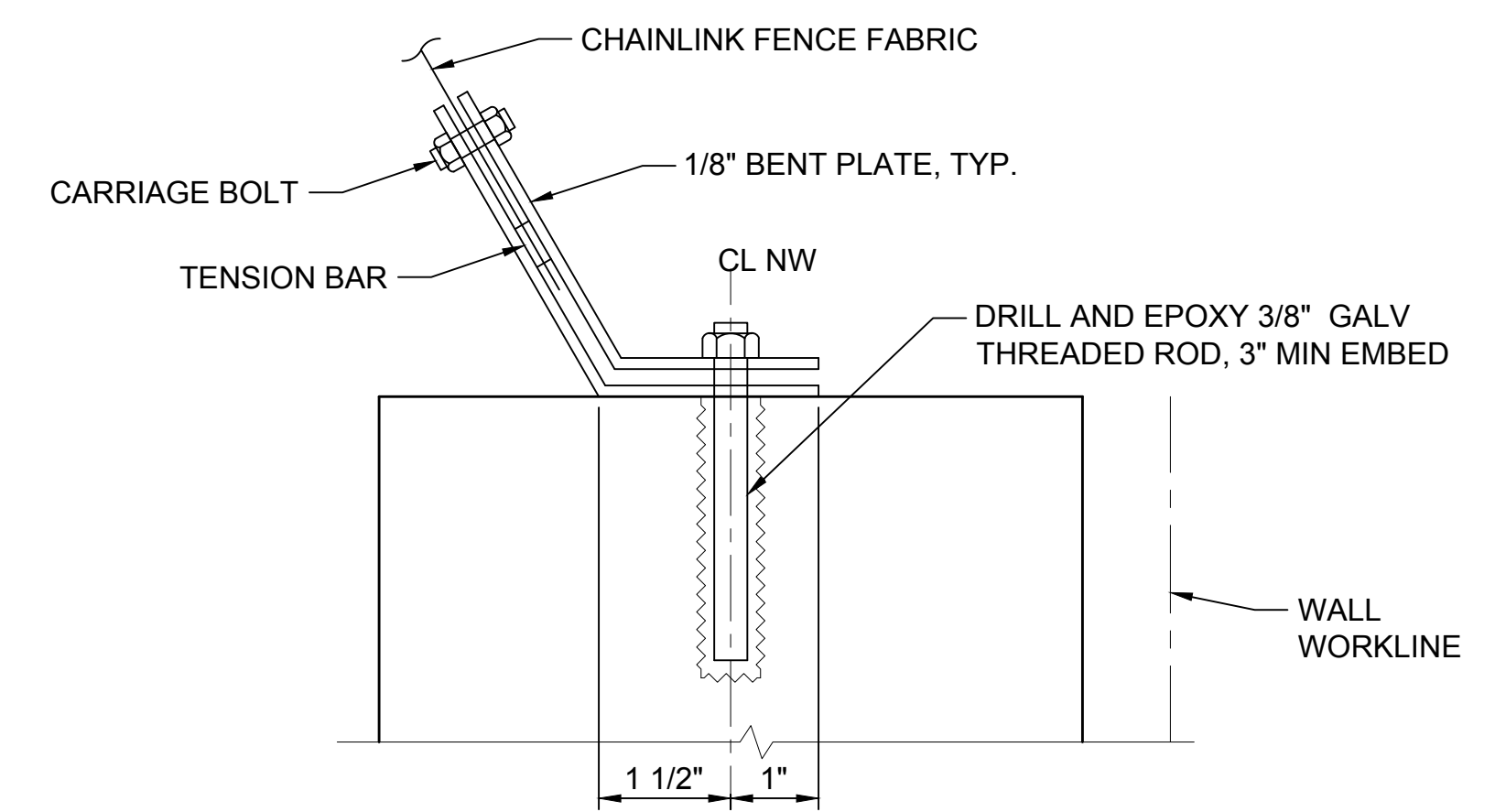
SECTION A
 SCALE: 3/4" = 1'-0"
 L85-SWD094
 L85-SWP864
 L85-SWP866
 L85-SWP868



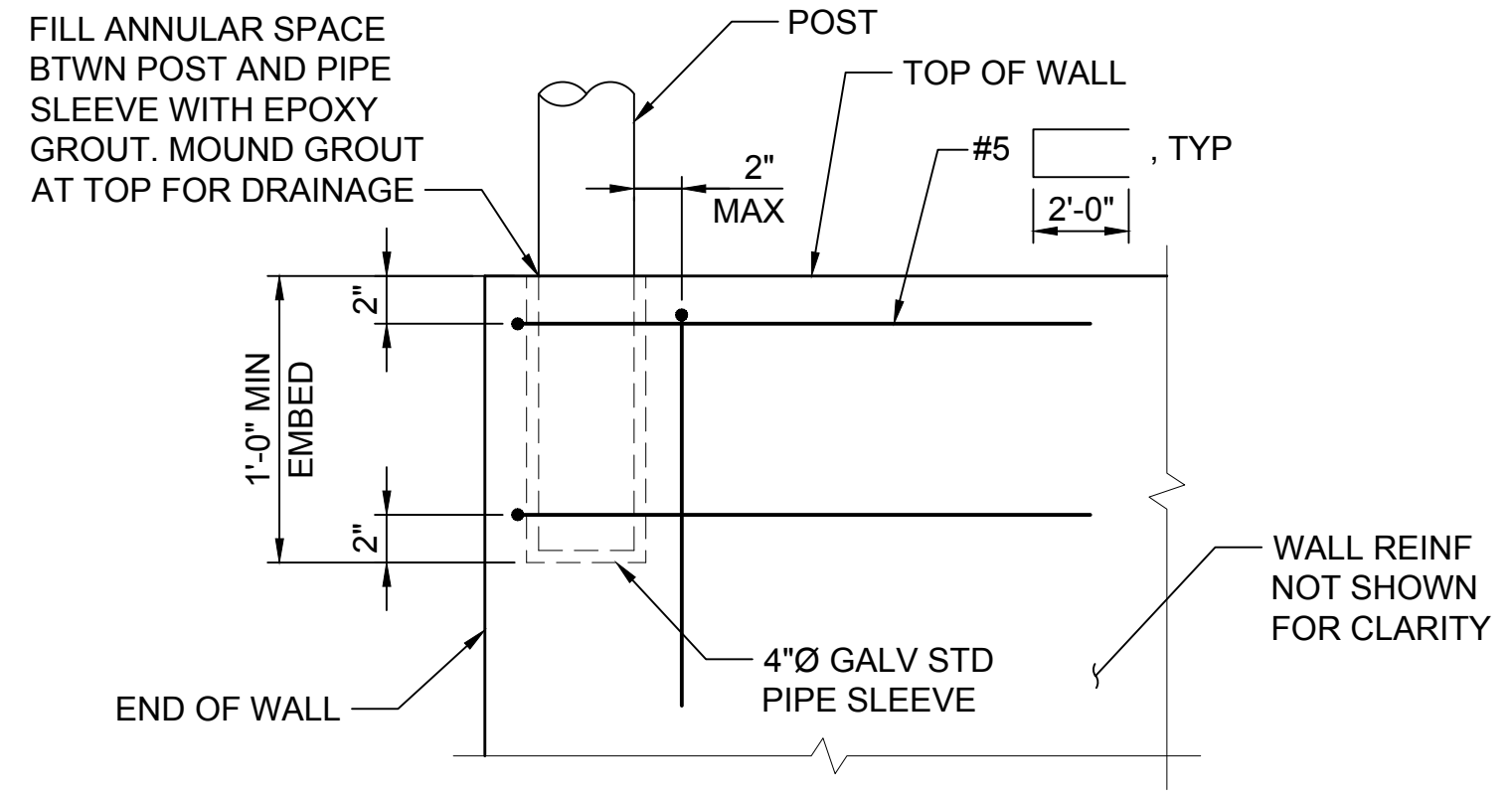
DETAIL 3
 SCALE: 3" = 1'-0"
 L85-SWD094



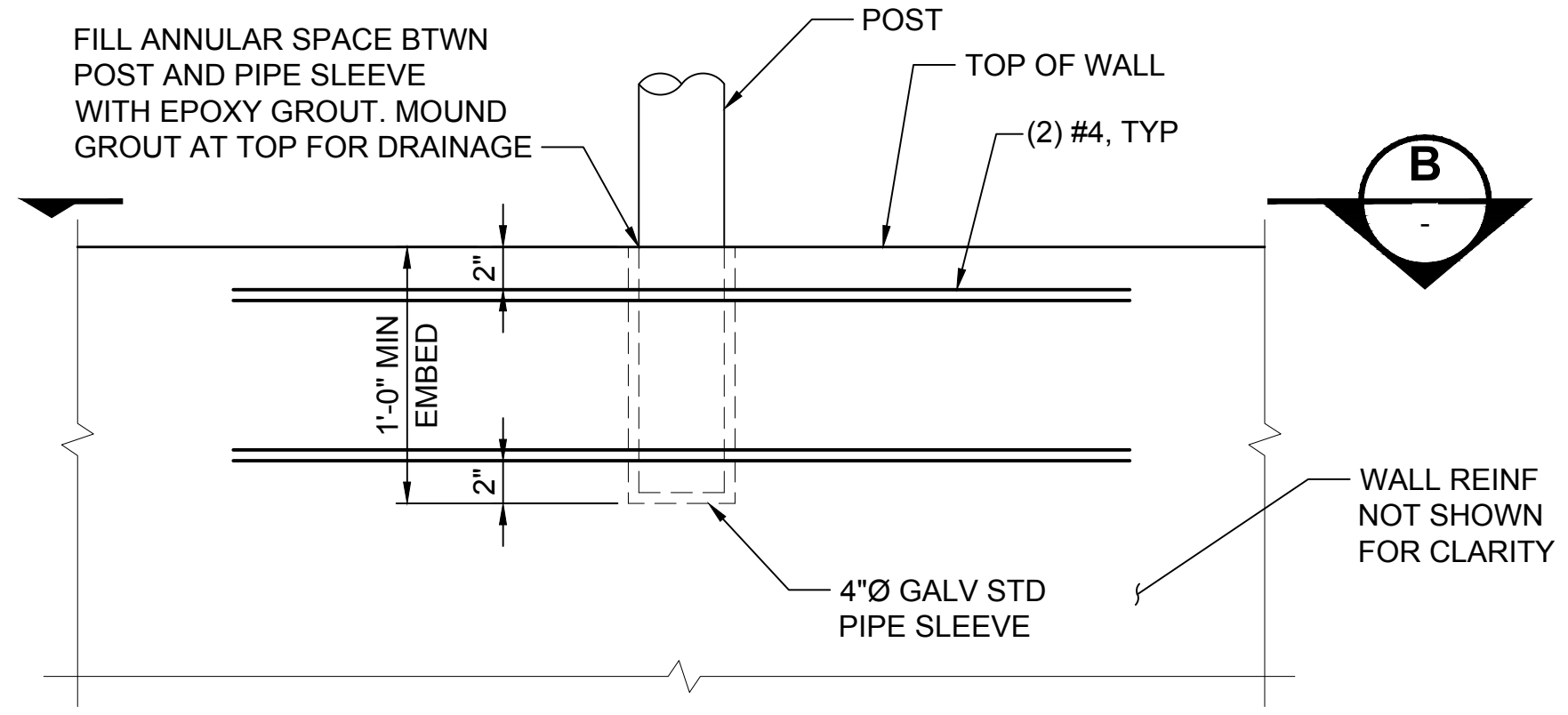
PIPE RAIL JOINT DETAIL
 SCALE: 3" = 1'-0"



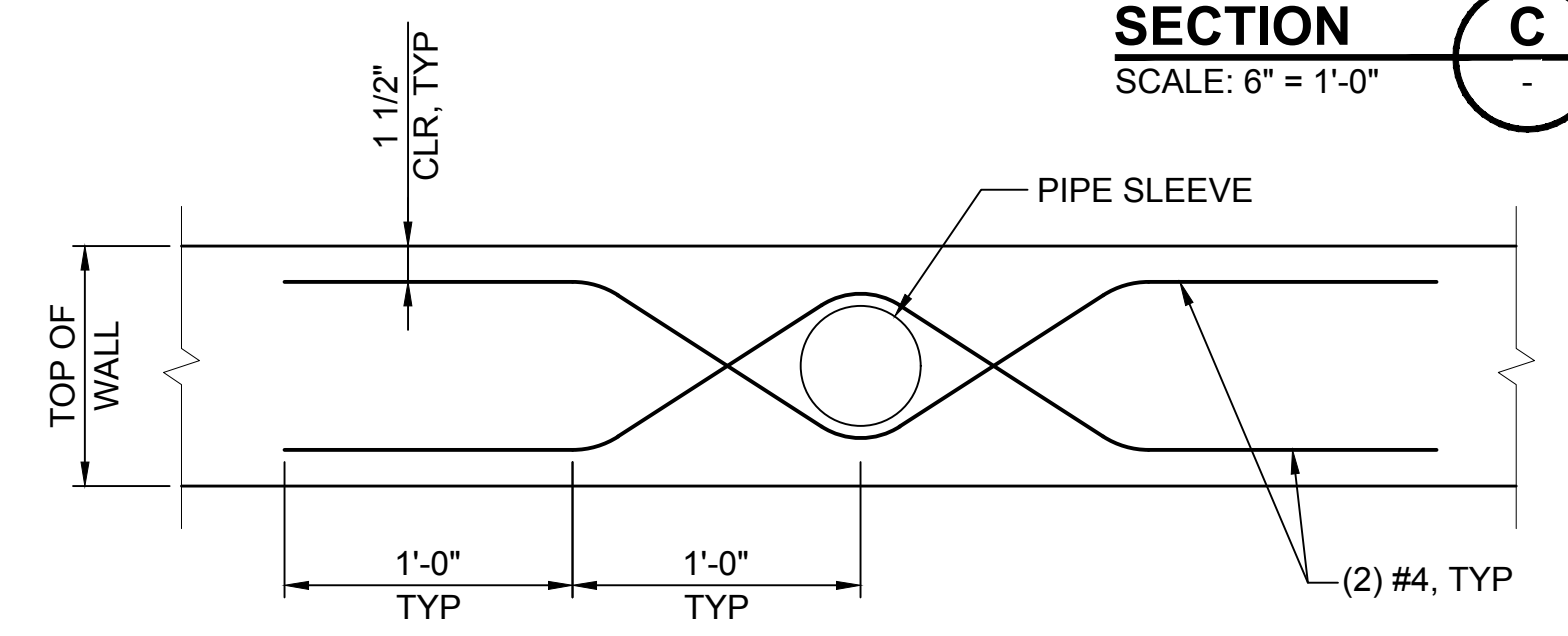
SECTION C
 SCALE: 6" = 1'-0"



DETAIL 1
 SCALE: 1 1/2" = 1'-0"

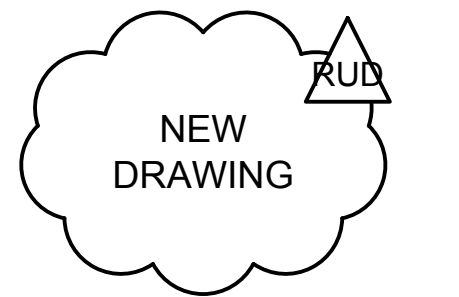


DETAIL 2
 SCALE: 1 1/2" = 1'-0"



SECTION B
 SCALE: 1 1/2" = 1'-0"

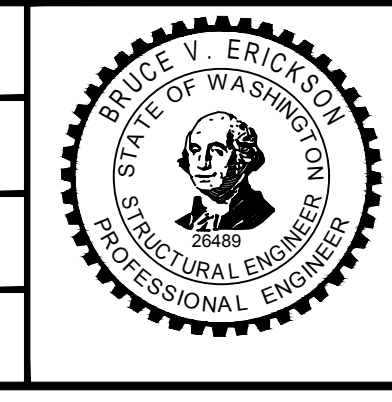
NOTE: OTHER WALL REINFORCEMENT NOT SHOWN FOR CLARITY.



12/04/20 10:44 AM HAOYIS
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No.	DATE	DSN	CHK	APP	REVISION
RUD	12/07/20				REV UNDER DEVELOPMENT - SHORELINE TAR WALL

DESIGNED BY:
 J. STABLER
 DRAWN BY:
 H. SHI
 CHECKED BY:
 B. ERICKSON
 APPROVED BY:
 B. ERICKSON



kpff
 SUBMITTED BY:
 S. BURCH

HNTB Jacobs
 trusted design partners
 DATE:
 9/30/2019

REVIEWED BY:
 F. CHIHAB
 DATE:
 9/30/2019

LINE IS "AT FULL SCALE"

 DATE:
 9/30/2019

SCALE:
 AS NOTED
 FILENAME:
 L200-L85-SWD094
 CONTRACT No.:
 RTA / CN 0079-15C
 DATE:
 9/30/2019

LYNNWOOD LINK EXTENSION
CONTRACT L200
 NORTHGATE STATION TO NE 200TH STREET
 STRUCTURES, WALLS
 MISCELLANEOUS
 DETAILS

DRAWING No.:
L85-SWD094
 LOCATION ID:
 N16
 SHEET No.:
 1743B
 REV:
 RUD

Exhibit B - Retaining Wall Cost Estimate

L200 RFP 012 SHORELINE TAR WALL rev. 1													
HCSS PRICING													
Krebs Corporation 20-304-R2 Mike Weaver		L200 Shoreline TAR Wall READ 2 Rev1			ESTIMATE SUMMARY - COSTS & BID PRICES								
Bid#	Client# Bid Description	Quantity	Unit	Manhours	Direct Labor	Perm Matl	Constr Matl	Equip- Ment	Sub- Contr	Direct Total	Indirect Charge	Total Cost	Total Cost Unit Price
1000	WALL 2628 PC NOISEWALL ON SHAFT	-324.00	LF	-366 1.13	-29,105	-190,203	-3,733	-11,231	-36,478	-270,750		-270,750	835.65
1010	EX / BF / SET PANELS (BP-28)	-4,716.00	SF	-361 0.08	-28,761	-190,203	-3,703	-11,099		-233,766			
1020	DRILLED SHAFTS	-230.00	LF						-23,727	-23,727			
1030	SHAFT REINFORCING	-6,150.00	LB	-4	-344		-30	-132	-8,035	-8,541			
1040	PIGMENTED SEALER	-4,716.00	SF						-4,716	-4,716			
2000	WALL 2628 B CIP WALL	3,825.00	SF	3,269 0.85	268,897	85,611	135,137	120,217	119,270	729,132		729,132	190.62
2010	EXCAVATION	707.00	CY	37 0.05	4,992		35,376	5,080		45,448			
2020	BACKFILL	626.00	CY	134 0.21	10,397	37,289	1,964	5,463		55,313			
2030	CIP CONC WALL FTG	129.00	CY	488 3.79	39,664	16,617	7,285	16,261	16,724	96,552			
2040	CIP CONC WALL	231.00	CY	2,389 11.21	213,644	31,704	90,512	93,413	102,546	531,818			
3000	WALL 2634 NOISE WALL ON SP WALL	119.00	SF	88 0.74	6,902	453	1,677	1,735	10,309	21,076		21,076	177.11
4000	21% SELF PERFORM FEE	1.00	LS				81,135			81,135		81,135	81,134.97
4100	27% SUBCONTRACT FEE	1.00	LS				25,137			25,137		25,137	25,137.12
Totals:				2,990	246,694	-104,138	239,352	110,720	93,100	585,729		585,729 *	[585,730]

* Following comparison of this Internal Cost Estimate with the cost estimate prepared by Sound Transit's L200 Contractor - SKH Joint Venture, a final price of \$590,000 was negotiated and agreed to by the City and SKH Joint Venture.

EXHIBIT C - DESIGNATED REPRESENTATIVES

Pursuant to Section I of the Agreement, the following individuals are the Parties' Designated Representatives:

SOUND TRANSIT

Barbara Hinkle

Project Manager – Lynnwood Link Ext.

Phone: (206) 370 - 5698

Email: barbara.hinkle@soundtransit.org

CITY OF SHORELINE

Tricia Juhnke, P.E.

City Engineer

Phone: (206) 801-2471

Email: tjuhnke@shorelinewa.gov

Council Meeting Date: March 15, 2021

Agenda Item: 8(a)

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Action on Resolution No. 470 - Amending the Council Rules of Procedure
DEPARTMENT:	City Manager's Office
PRESENTED BY:	Jessica Simulcik Smith, City Clerk
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:

On March 1, 2021, the City Council discussed proposed Resolution No. 470 (Attachment A), which contains amendments to the Council Rules of Procedure pertaining to the Order of Business for Regular Meetings and for various housekeeping edits throughout the Council Rules to reflect current business practice, fix grammar, and provide clarity and consistency. Following this discussion, Council requested that proposed Resolution No. 470 be brought back for potential action tonight.

RESOURCE/FINANCIAL IMPACT:

There are no resource or financial impacts in amending the Council Rules of Procedure.

RECOMMENDATION

Staff recommends that Council adopt proposed Resolution No. 470.

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

BACKGROUND

The City Council's Rules of Procedure were initially adopted by Council Resolution No. 183 on February 11, 2002, and have been amended on multiple occasions, most recently in September 2019 by [Resolution No. 445](#).

At Council's March 1 meeting, staff presented a series of Rule of Procedure amendments to Council. The link to the staff report for this discussion can be accessed at following this link:

<http://cosweb.ci.shoreline.wa.us/uploads/attachments/cck/council/staffreports/2021/staffreport030121-8b.pdf>.

DISCUSSION

On March 1, 2021, Council discussed and expressed support for moving forward with the following Rule of Procedure amendments. These amendments are reflected in Exhibit A of proposed Resolution No. 470.

- **Section 5.3A - Council Meetings Order of Business**
Move "Approval of the Agenda" from the sixth item in the order of business up to the third item.
- **Section 3 - Agenda Preparation**
Amend 3.2(B) to bring it into conformance with current business operations.
 - 3.2 An item for a Council meeting may be placed on the agenda by any of the following methods:
 - B. By any two Councilmembers, in writing to the City Manager or City Clerk ~~or with phone confirmation, with signatures by fax allowed for confirmation of support,~~ no later than 12:00 p.m. five (5) days prior to the meeting. The names of the requesting Councilmembers shall be set forth ~~on~~ in the staff report supporting the agenda item.
- **Section 5.4 - Community Presentations**
Strike 5.4(H) which would effectively require other organizations, that may have alternative or opposing viewpoints to organizations presenting Community Group Presentations, to go through the same scheduling procedures as the underlying organization.
 - ~~H. Organizations which may have alternative, controversial positions or information will be scheduled at the next available Regular Meeting.~~

- **Other Housekeeping Items**

Amend other areas throughout the Rules of Procedure to provide clarity, grammatical, and/or consistency corrections, such as striking the word “Chair” and replacing it with “Presiding Officer” and referring to members of Council as “Councilmembers” consistently throughout.

In addition to discussing the proposed amendments highlighted above, Council discussed all of Section 3 related to Agenda Preparation, and specifically what the process could be for individual Councilmembers placing items on a Council agenda. Ultimately, there was support to move forward with action on proposed Resolution No. 470 as drafted in proposed Resolution No. 470, and to add agenda preparation as a discussion item for the next Rules of Procedure amendment cycle.

The attached set of Council Rules of Procedure (Attachment A, Exhibit A) sets forth all of the proposed amendments discussed on March 1. Additions to the Rules are shown in double-underline with deletions in ~~strikethrough~~.

RESOURCE/FINANCIAL IMPACT

There are no resources or financial impacts in amending the Council Rules of Procedure.

RECOMMENDATION

Staff recommends that Council adopt proposed Resolution No. 470.

ATTACHMENTS

Attachment A: Proposed Resolution No. 470

Attachment A, Exhibit A: Amended Council Rules of Procedure

RESOLUTION NO. 470

**A RESOLUTION OF THE CITY OF SHORELINE, WASHINGTON,
AMENDING COUNCIL RULES OF PROCEDURE RELATING TO
THE ORDER OF BUSINESS FOR REGULAR MEETINGS, AND
OTHER HOUSEKEEPING ITEMS.**

WHEREAS, Chapter 35A.12.120 RCW gives the City Council of each code city the power to set rules for conducting its business within the provisions of Title 35A RCW; and

WHEREAS, the City Council has amended its Rules of Procedure multiple times, most recently on September 9, 2019 by Council Resolution No. 445; and

WHEREAS, the City Council has reviewed its Rules of Procedure and desires to amend provisions of the Rules so as to provide for more efficient meetings, reflect current practices, and provide clarity and consistency;

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

Section 1. Amendments. The Council Rules of Procedure are amended as set forth in Exhibit A attached hereto.

Section 2. Effective Date. This Resolution shall go into effect upon its passage by the City Council.

PASSED BY THE CITY COUNCIL ON MARCH 15, 2021

Mayor Will Hall

ATTEST:

Jessica Simulcik Smith, City Clerk

RULES OF PROCEDURE

Resolution No. 183

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Section 1. Authority.

- 1.1 These rules constitute the official rules of procedure for the Shoreline City Council. In all decisions arising from points of order, the Council shall be governed by the current edition of Robert's Rules of Order, a copy of which is maintained in the office of the Shoreline City Clerk.
- 1.2 These rules of procedure are adopted for the sole benefit of the members of the City Council to assist in the orderly conduct of Council business. These rules of procedure do not grant rights or privileges to members of the public or third parties. Failure of the City Council to adhere to these rules shall not result in any liability to the City, its officers, agents, and employees, nor shall failure to adhere to these rules result in invalidation of any Council act.

Section 2. Council Organization.

- 2.1 New Councilmembers shall be sworn in by a judge or the City Clerk.
- 2.2 Election of Mayor and Deputy Mayor.
 - A. The Council shall elect a Mayor and Deputy Mayor for a term of two years.
 - B. The motion to elect the Mayor and Deputy Mayor will be placed on the agenda of the first meeting of even-numbered years.
 - C. In the event the Mayor is unable to serve the remainder of the term, a new ~~mayor~~ Mayor shall be elected at the next meeting. In the event the Deputy Mayor is unable to serve the remainder of the term, a new Deputy Mayor shall be elected at the next meeting.
 - D. The election of the Mayor shall be conducted by the City Clerk. No one Councilmember may nominate more than one person for a given office until every member wishing to nominate a candidate has an opportunity to do so. Nominations do not require a second. The Clerk will repeat each nomination until all nominations have been made. When it appears that no one else wishes to make any further nominations, the Clerk will ask again for further nominations and if there are none, the Clerk will declare the nominations closed. A motion to close the nominations is not necessary. After nominations have been closed, voting for Mayor takes place in the order nominations were made. Only affirmative votes for Mayor shall be given and Councilmembers will be asked to vote by a raise of hands. As soon as one of the nominees receives a majority vote (four affirmative votes), the Clerk will declare that nominee elected. No votes will be taken on the remaining nominees. If none of the nominees receives a majority vote, the Clerk will call for nominations again and repeat the process until a single candidate receives a majority vote. Upon election, the Mayor will

conduct the election for Deputy Mayor following the same process.

- E. A super majority vote (five votes) shall be required to approve a motion to remove the Mayor or Deputy Mayor from office for cause.

2.3 Duties of Officers.

- A. The Mayor, or in the Mayor's absence, the Deputy Mayor, shall be the Presiding Officer of the Council and perform the duties and responsibilities with regard to conduct of meetings and emergency business. In the absence of both the Mayor and the Deputy Mayor, the Council shall elect one of the members to the Council to act as a temporary Presiding Officer.
- B. It shall be the duty of the Presiding Officer to:
 - 1. Call the meeting to order.
 - 2. Keep the meeting to its order of business.
 - 3. Control discussion in an orderly manner.
 - a. ~~Give~~ Recognize every Councilmember who wishes to have an opportunity to speak ~~when recognized by the chair.~~
 - b. Permit audience participation at the appropriate times.
 - c. Require all speakers to speak to the question and to observe the rules of order.
 - 4. State each motion before it is discussed and before it is voted upon.
 - 5. Put motions to a vote and announce the outcome.
- C. The Presiding Officer shall decide all questions of order, subject to the right of appeal to the Council by any member.
- D. The Presiding Officer may at their discretion call the Deputy Mayor or any Councilmember to take over as the Chair so the Presiding Officer so they may make a motion or for other good cause yield the Chair.
- E. The Mayor shall appoint Councilmembers to boards and committees that are not otherwise specified by the National League of Cities, Association of Washington Cities, or King County/Sound Cities Association.
- F. The Mayor shall appoint Councilmembers to ~~Ad~~ ad hoc City Council subcommittees such as interview panels. Prior to appointment, the Mayor shall solicit interest from Councilmembers for their preferred appointments. The appointment list may be referred to the full Council pursuant to Rule 3.2(A) or (B).

2.4 Appointments to Boards and Commissions.

The Council will use the following process in managing the appointment of

individuals to Boards and Commissions.

- A. In closed session, the ad hoc subcommittee of Councilmembers gathers and reviews the applications, and determines which applicants will be interviewed.
- B. Subcommittee members inform the City Manager which applicants they plan to interview so that the City Manager can inform the other Councilmembers. If any Councilmember feels strongly that someone not on the interview list should be interviewed, that Councilmember may make this known to the City Manager to relay to the subcommittee.
- C. “Notice” is then given to the public that the subcommittee shall conduct interviews of the “finalists.”
- D. In open public meetings, the subcommittee interviews the “finalists.” Ground rules will govern the conduct of the meetings and be communicated to all participants. These ground rules will notify audience members that they will not be asked to comment during the meeting, and must not do or say anything that creates the impression that they support or oppose any candidate.
- E. In a closed meeting the subcommittee members review the findings from the interviews and reach consensus on whom to recommend that the full Council appoint.
- F. In a regular public meeting of the Council, the subcommittee’s recommendations are made an agenda item and discussed by the Council. Each Councilmember will have the ability to support, oppose, or amend the list of candidates proposed by the ad hoc committee. The recommendations will not be part of the “consent agenda” to ensure a full and thorough vetting of the subcommittee’s recommendations. The Council will vote to appoint new members to the board or commission.

2.5 Filling a Council Vacancy.

- A. If a vacancy occurs in the office of Councilmember, the Council will follow the procedures outlined in RCW 42.12.070. In order to fill the vacancy with the most qualified person available until an election is held, the Council will widely distribute and publish a notice of the vacancy, the procedure by which the vacancy will be filled, and an application form.
- B. The ~~Council~~ City Manager’s Office will draw up an application form to aid the Council's selection of the new Councilmember.
- C. Those candidates selected by Council will be interviewed by the Council

during a regular or special Council meeting open to the public. The order of the interviews will be determined by drawing the names; in order to make the interviews fair, applicants will be asked to remain outside the Council Chambers while other applicants are being interviewed. Applicants will be asked to answer questions posed by each Councilmember during the interview process. The interview process will be designed to be fair and consistent. Each candidate will then be allowed two (2) minutes for closing comments. Since this is not a campaign, comments and responses about other applicants will not be allowed.

- D. The Council may recess into Executive Session to discuss the qualifications of all candidates. Nominations, voting and selection of a person to fill the vacancy will be conducted during an open public meeting.

Section 3. Agenda Preparation.

- 3.1 Upon direction by the City Manager, the City Clerk will prepare an agenda for each Council Meeting specifying the time and place of the meeting and setting forth a brief general description of each item to be considered by the Council. The agenda is subject to review by the Presiding Officer.
- 3.2 An item for a Council meeting may be placed on the agenda by any of the following methods:
 - A. Majority vote or consensus of the Council.
 - B. By any two Councilmembers, in writing to the City Manager or City Clerk ~~or with phone confirmation, with signatures by fax allowed for confirmation of support,~~ no later than 12:00 p.m. five (5) days prior to the meeting. The names of the requesting Councilmembers shall be set forth ~~on~~ in the staff report supporting the agenda item.
 - C. By the City Manager.
 - D. By the Mayor, or Deputy Mayor when acting in the absence of the Mayor.
- 3.3 Staff reports shall be in a standard format approved by the City Council.
- 3.4 Agenda items will be prioritized in the following order of importance: 1) items scheduled for statutory compliance; 2) advertised public hearings; 3) continued items from a prior meeting and 4) items scheduled for convenience.
- 3.5 Ordinances scheduled for Council action will generally receive three readings (with the exception of items that have had a public hearing before the Planning Commission).

- A. The first reading will be the scheduling of the item on the Council Agenda Planner by title or subject. If reasonably possible the item should be listed on the Agenda Planner at least two weeks prior to the second reading. The Mayor or City Manager may authorize exceptions for items of an emergency or unexpected nature requiring immediate action.
- B. The second reading will be scheduled for review and discussion by the City Council. Items of a routine nature may bypass this meeting and be scheduled directly to a Consent Calendar. In such cases Council shall, by motion, waive the second reading as part of the adopting motion.
- C. The third reading will be Council review and action at a subsequent meeting.

Section 4. Consent Calendar.

- 4.1 The City Manager, in consultation with the Presiding Officer, shall place matters on the Consent Calendar which: (a) have been previously discussed by the Council, or (b) based on the information delivered to ~~members of the Council~~ Councilmembers, by the administration, can be reviewed by a Councilmember without further explanation, or (c) are so routine or technical in nature that passage is likely.
- 4.2 The motion to adopt the Consent Calendar shall be non-debatable and have the effect of moving to adopt all items on the Consent Calendar.
- 4.3 Since adoption of any item on the Consent Calendar implies unanimous consent, any member of the Council shall have the right to remove any item from the Consent Calendar. Councilmembers are given an opportunity to remove items from the Consent Calendar after the motion is made and seconded to approve the agenda. If any matter is withdrawn, the Presiding Officer shall place the item at an appropriate place on the agenda for deliberation at the current or future Council Meeting.

Section 5. Council Meetings.

- 5.1 All Council Meetings shall comply with the requirements of the Open Meetings Act (RCW Section 42.30). All Regular Meetings, Special Meetings, and Workshop Dinner Meetings of the Council shall be open to the public.
- 5.2 Any Council Meeting may be canceled by a majority vote or consensus of the Council. The Mayor or Deputy Mayor may cancel a Council Meeting for lack of agenda items.
- 5.3 The Council shall hold **Regular Meetings** on Mondays of each week at 7:00 p.m. in the Council Chamber of the Shoreline City Hall, located at 17500 Midvale

Avenue N, Shoreline, Washington. Should any meeting date occur on a legal holiday, the meeting shall be canceled. There will be no Regular Meetings between December 15th and the end of the year.

- A. Order of Business for Regular Meetings. The order of business shall be as follows:

Regular Meeting (7:00 p.m.)

1. Call to Order
2. Flag Salute, Roll Call
3. Approval of the Agenda
- ~~34.~~ Report of the City Manager
- ~~45.~~ Council Reports
- ~~56.~~ Public Comment, as set forth in Section 6.1(A)
- ~~6.~~ Approval of the Agenda
7. Consent Calendar
8. Action Items: The following procedures shall be used:
 - a. Introduction of item by Clerk staff
 - b. Presentation by staff
 - c. Public Hearings, if any noticed
 - d. Council motion to move adoption of legislation
 - e. Council discussion and possible action
9. Study Items: The following procedure shall be used:
 - a. Staff reports
 - b. Council discussion
10. Executive Session, if needed
11. Adjournment

5.4. The Council shall make available at one meeting of each month, a **Community Group Presentation**. The order of business shall omit Council Reports and include Community Presentations following the Consent Calendar. The intent of the presentations is to provide a means for non-profit organizations to inform the Council, staff and public about their initiatives or efforts in the community to address a specific problem or need. The presentations are available to individuals who are affiliated with a registered non-profit organization. In order to schedule the presentation, two Councilmembers under Rule 3.2(B) must sponsor the request. The presentations shall be limited to 30 minutes, with approximately 15 minutes for the presentation and 15 minutes for questions. Guidelines for presentations include:

- A. Each organization or agency may complete a request form and submit it to the ~~Shoreline~~-City Manager's Office. The blank form shall be available on the City's website and from the City Clerk's Office.
- B. For planning purposes, the presentation must be scheduled on the agenda planner at least four (4) weeks in advance of the meeting date

requested.

- C. Information and sources used in the presentation should be available in hard copy or electronically for reference.
- D. Up to three (3) members of the organization are invited to participate.
- E. The presentation must support the adopted position/policy of the organization.
- F. The presentation should be more than a general promotion of the organization. The information presented should be about specific initiatives/programs or planning that the organization is doing which is relevant to Shoreline ~~citizens~~ residents and government.
- G. Presentations shall not include:
 - 1. Discussion of ballot measures or candidates.
 - 2. Issues of a partisan or religious nature.
 - 3. Negative statements or information about other organizations, agencies or individuals.
 - 4. Commercial solicitations or endorsements.

~~H. Organizations which may have alternative, controversial positions or information will be scheduled at the next available Regular Meeting.~~

5.5 The Council shall hold **Workshop Dinner Meetings** on the second and fourth Monday of each month at 5:45 p.m. in Conference Room 303 of Shoreline City Hall, located at 17500 Midvale Avenue N, Shoreline, Washington. Should any meeting occur on a legal holiday, the meeting shall be canceled. There will be no Workshop Dinner Meetings between December 15 and the end of the year.

- A. Workshop Dinner Meetings will be informal meetings for the purpose of meeting with other governmental agencies and officials such as the School District, utility districts, Fire District, neighboring city officials, regional organizations, Shoreline-Lake Forest Park Arts Council, Transit, etc., and other agencies and topics as deemed appropriate by the City Council or City Manager. Workshop Dinner Meetings may also be used by the Council to conduct Executive Sessions.
- B. No final votes may take place at Workshop Dinner Meetings, however, the Council may provide administrative direction to staff by consensus or vote. The agenda for these meetings will be appended to the Regular Meeting agenda and posted and distributed in the same manner as the Regular Meeting agenda.

5.6 The Council may hold Executive Sessions from which the public may be

excluded, for those purposes set forth in RCW 42.30.110 and RCW 42.30.140. Before convening an Executive Session, the Presiding Officer shall announce the purpose of the Session and the anticipated time when the Session will be concluded. Should the Session require more time, a public announcement shall be made that the Session is being extended. Any final action by Council must be taken at an open session.

- 5.7 **Special Meetings** may be held by the Council subject to notice requirements prescribed by State law. Special Meetings may be called by the Mayor, Deputy Mayor, or any four Councilmembers of the City Council by written notice delivered to each member of the Council at least twenty-four hours before the time specified for the proposed meeting. The notice of such Special Meetings shall state the subjects to be considered, and no subject other than those specified in the notice shall be considered. The order of business for Special Meetings may follow Section 5.3(A). Public comment for Action Items will follow the procedure found in Section 6.1.
- 5.8 An **Emergency Meeting** is a special Council meeting called without the 24-hour notice. It deals with an emergency involving injury or damage to persons or property or the likelihood of such injury or damage, when time requirements of a 24-hour notice would make notice impractical and increase the likelihood of such injury or damage. Emergency meetings may be called by the City Manager or the Mayor with the consent of a majority of Councilmembers. The minutes will indicate the reason for the emergency.
- 5.9 **Special Meetings and Emergency Meetings** will be at a time and place as Council directs.
- 5.10 The City shall comply with the provisions of RCW 35A.12.160. The public shall receive notice of upcoming public hearings through publication of such notice in the City's official newspaper at least ten (10) days prior to the hearing.
- 5.11 At all Council Meetings, a majority of the Council (four members) shall constitute a quorum for the transaction of business. In the absence of a quorum, the members present may adjourn that meeting to a later date.
- 5.12 ~~Members~~ A Councilmember of the Council may be excused from attending a City Council meeting by contacting the Mayor prior to the meeting and stating the reason for their inability to attend. If the Councilmember is unable to contact the Mayor, the Councilmember shall contact the City Manager, who shall convey the message to the Mayor. Following roll call, the Presiding Officer shall inform the Council of the member's absence, state the reason for such absence, and inquire if there is a motion to excuse the member. This motion shall be nondebatable. Upon passage of such motion by a majority of Councilmembers present, the absent Councilmember shall be considered excused and the Clerk will make an appropriate notation in the minutes. Councilmembers who do not follow the

above process will be considered unexcused and it shall be so noted in the minutes. A motion to excuse a Councilmember may be made retroactively at the next meeting.

5.13 General Decorum.

- A. While the Council is in session, the Councilmembers must preserve order and decorum. A Councilmember shall neither, by conversation or otherwise, delay or interrupt the proceedings or the peace of the Council, nor disrupt any member while speaking nor refuse to obey the orders of the Council or the ~~Mayor~~ Presiding Officer, except as otherwise provided in these Rules.
- B. Any person making disruptive, impertinent, or slanderous remarks while addressing the Council shall be asked to leave by the Presiding Officer and barred from further audience before the Council for that meeting.

5.14 At all **Regular Meetings**, the Mayor shall be addressed as "Mayor (surname)", the Deputy Mayor shall be addressed as "Deputy Mayor (surname)", and members of the Council shall be addressed as "Councilmember (surname)."

5.15 At all Council Meetings except Workshop Dinner Meetings, the Mayor shall sit at the center of the Council, and the Deputy Mayor shall sit at the right hand of the Mayor. Other Councilmembers are to be seated in a manner acceptable to Council. If there is a dispute, seating shall be in position order.

5.16 Any Councilmember shall have the right to express dissent from or protest against any ordinance or resolution of the Council and have the reason therefore entered in the minutes.

5.17 Motions shall be reduced to writing when required by the Presiding Officer ~~of the Council~~ or any ~~member of the Council~~ member. All resolutions and ordinances shall be in writing.

5.18 Councilmembers should keep confidential all written materials and verbal information provided to them during Executive Sessions, to ensure that the City's position is not compromised. Confidentiality also includes information provided to Councilmembers outside of Executive Sessions when the information is considered to be exempt from disclosure under the Revised Code of Washington. If a Councilmember unintentionally discloses Executive Session discussion with another party, that Councilmember shall make full disclosure to the City Manager and/or the City Council in a timely manner.

5.19 Prior to commencement of discussion of a quasi-judicial item, the ~~Chair~~ Presiding Officer will ask if any Councilmember has a conflict of interest or Appearance of Fairness Doctrine concern which could prohibit the Councilmember from

participating in the decision-making process. If it is deemed by the Councilmember, in consultation with the City Attorney, that it is warranted, the Councilmember should step down and not participate in the Council discussion or vote on the matter. The Councilmember shall leave the Council Chambers while the matter is under consideration.

- 5.20 Council meetings shall adjourn no later than 10:00 p.m. The adjournment time established thereunder may be extended to a later time certain upon approval of a motion by a majority of the Council. Any Councilmember may call for a "Point of Order" to review agenda priorities.
- 5.21 The City Clerk or an authorized Deputy City Clerk shall attend all Council meetings. If the Clerk and the Deputy Clerk are absent from any Council meeting, the City Manager shall appoint a Clerk Pro Tempore. The minutes of the proceedings of the Council shall be kept by the City Clerk and shall constitute the official record of the Council.
- 5.22 Any City officer or employee shall have the duty when requested by the Council to attend Council Meetings and shall remain for such time as the Council may direct.

Section 6. Public Testimony.

6.1 Regular Meetings.

- A. Members of the public may address the City Council at the beginning of any Regular Meeting under "Public Comment." During the "Public Comment" portion of the meeting, individuals may speak to agenda items or any other topic except those scheduled for a Public Hearing. Individuals may speak for three (3) minutes or less, depending on the number of people wishing to speak. If more than 10 people are signed up to speak each speaker will be allocated two (2) minutes. The total public comment period under Agenda Item 65 (Public Comment) will be no more than 30 minutes. Individuals will be required 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.
- B. If during a Regular Meeting an Action Item is before the Council for the first time and is not part of the consent agenda, public comment for that item will follow the staff report but precede Council review. Individuals may speak for three (3) minutes or less, depending on the number of people wishing to speak. If more than 10 people are signed up to speak each

speaker will be allocated two (2) minutes. The total public comment period for the agenda item will be no more than 30 minutes.

6.2 Public Hearings.

The following rules shall be observed during any Public Hearing:

- A. Individuals will be allowed three (3) minutes to speak.
- B. The Presiding Officer may allow additional time for receipt of written testimony when needed.
- C. Prior to closing the hearing the ~~Mayor or Deputy Mayor~~ Presiding Officer shall inquire if there are any additional speakers other than those that have signed up and previously spoken, and if there are they shall be allowed to testify.

6.3 When large numbers of people are signed up to speak on the same topic, the ~~Mayor~~ Presiding Officer may request that the group(s) select a limited number of speakers to cover their view and then ask all those who agree with that position to stand at the conclusion of each presentation.

6.4 Public testimony authorized in Section 6.1 may not include comments or information on any quasi-judicial matter pending before the City Council, or on any topic for which Council has closed the public record. During election season, which starts when a candidate officially files their candidacy with the State or a county election office and runs through the election, no person may use public comment to promote or oppose any candidate for public office. Promoting a candidate for public office includes announcing a candidacy for public office, mentioning a specific campaign, or wearing a visible campaign button at the speaker's podium.

6.5 No person shall be allowed to address the Council while it is in session without the recognition of the Presiding Officer.

6.6 Persons testifying shall identify themselves for the record as to name, city of residence and any organization represented.

6.7 An instruction notice for speakers will be ~~available at the meeting~~ provided. Speakers will be advised by the Presiding Officer that their testimony is being recorded.

6.8 The Clerk shall be the timekeeper for all public testimony. Time cannot be donated by one speaker to another.

6.9 Printed forms shall be made available at all Council Meetings to allow for written

testimony to Council.

- 6.10 Speakers will not be permitted to present testimony via electronic methods (e.g. PowerPoint). Speakers may utilize visual aids. Hardcopies of all materials may be submitted to the City Clerk to distribute to the Council.

Section 7. Motions.

- 7.1 Unless otherwise provided for by statute, ordinance, resolution, or these Rules of Procedure, all votes shall be taken by voice, except that at the request of any Councilmember, a random roll call vote shall be taken by the City Clerk.
- 7.2 Prior to discussion of an Action Item, a Councilmember should make a motion, which is seconded by another Councilmember, on the topic under discussion. If the motion is not seconded, it dies. Some motions do not require a second: nominations, withdrawal of a motion, request for a roll call vote, and point of order.
- 7.3 In case of a tie vote on any motion, the motion shall be considered lost.
- 7.4 Motions shall be clear and concise and not include arguments for the motion.
- 7.5 After a motion has been made and seconded, Councilmembers may discuss their opinions on the issue prior to the vote. If they wish to do so, they may state why they will vote for or against the motion.
- 7.6 When the Council concurs or agrees with an item that does not require a formal motion, the ~~Mayer~~ Presiding Officer will summarize the Council's consensus at the conclusion of the discussion.
- 7.7 A motion may be withdrawn by the maker of the motion, at any time, without the consent of the Council.
- 7.8 A motion to table is nondebatable. It requires a majority to pass. If the motion to table prevails, the matter may be "taken from the table" only by adding it to the agenda of a future meeting, at which time discussion can continue. If an item is tabled, it cannot be reconsidered at the same meeting.
- 7.9 A motion to postpone to a specific time is debatable, is amendable, and may be reconsidered at the same meeting. It requires a majority to pass. The motion being postponed must be considered at a later time in the same meeting or a specific future meeting.
- 7.10 A motion to postpone indefinitely is debatable, is not amendable, and may be reconsidered at the same meeting. It requires a majority to pass. The merits of the main motion may be debated.

- 7.11 A motion to call for the question shall close debate on the main motion and is nondebatable. This motion must receive a second and fails without a two-thirds (2/3) vote. Debate is reopened if the motion fails.
- 7.12 A motion to amend is defined as amending a motion that is on the floor and has been seconded, by inserting or adding, striking out, striking out and inserting, or substituting.
- 7.13 When the discussion is concluded, the motion maker, ~~Mayor~~Presiding Officer, or City Clerk, shall repeat the motion prior to voting.
- 7.14 The City Council votes on the motion as restated. If the vote is unanimous, the ~~Mayor~~Presiding Officer shall state that the motion has been passed unanimously according to the number of Councilmembers present, such as "7-0" or "6-0." If the vote is not unanimous, the ~~Mayor~~Presiding Officer shall state the number of Councilmembers voting in the affirmative and the number voting in the negative and whether the motion passes or fails.
- 7.15 If a Councilmember has a conflict of interest or an appearance of fairness question under Sstate law, the Councilmember may recuse themselves from the issue and shall leave the Council Cehambers during discussion and voting on the issue. That Councilmember shall be considered absent when voting occurs.
- 7.16 If a Councilmember ~~of the Council~~ is silent on a vote, it shall be recorded as an affirmative vote. If a Councilmember ~~of the Council~~ abstains, it shall be recorded as an abstention and not included in the vote tally.
- 7.17 No vote may be cast by proxy.
- 7.18 Once the vote has been taken, the discussion is closed. It is not necessary for Councilmembers to justify or explain their vote. If they wish to make their positions known, this should happen during the discussion preceding the vote.
- 7.19 After the question has been decided, any Councilmember who voted in the majority may move for a reconsideration of the motion. The motion for reconsideration must be made at the same or next regular meeting.
- 7.20 The City Attorney, in consultation with the City Clerk, shall decide all questions of interpretations of these policies and procedures and other questions of a parliamentary nature which may arise at a Council meeting. All cases not provided for in these policies and procedures shall be governed by the current edition of Robert's Rules of Order. In the event of a conflict, these Council rules of procedures shall prevail.

Section 8. Items Requiring Four Votes.

The passage of any ordinance, grant or revocation of franchise or license, any resolution for the payment of money, any approval of warrants, and any resolution for the removal of the City Manager shall require the affirmative vote of at least a majority of the whole membership of the Council (four votes) [RCW 35A 13.170 and 35A.4213.1204].

Section 9. Council Representation.

- 9.1 Councilmembers who meet with, speak to, or otherwise appear before a community group or another governmental agency or representative must clearly state if their statement reflects their personal opinion or if it is the official stance of the City, or if this is the majority or minority opinion of the Council.
- 9.2 When Councilmembers represent the City or attend meetings in an official capacity as Councilmember, they must support and advocate the official City position on an issue, not a personal viewpoint.
- 9.3 Once the City Council has taken a position on an issue, all official City correspondence regarding the issue will reflect the Council's adopted position.
- 9.4 City letterhead shall not be used for correspondence of Councilmembers representing a dissenting point of view from an official Council position.
- 9.5 As a matter of courtesy, letters to the editor, or other communication of a controversial nature, which do not express the majority opinion of the Council, shall be distributed to the full Council so that Councilmembers may be made aware of the impending publication.
- 9.6 If the Council, in Executive Session, ~~has given~~gives direction or consensus to City staff on proposed terms and conditions for any type of issue, all contact with the other party shall be done by the designated City staff representative handling the issue.

Section 10. Suspension and Amendment of Rules.

- 10.1 Any provision of these rules not governed by State law or City ordinance may be temporarily suspended by a majority vote of the Council.
- 10.2 It is the intent of the City Council that the rules of procedure be periodically reviewed as needed. These rules may be amended, or new rules adopted, by a majority vote of the Council, provided that the proposed amendments or new rules shall have been distributed to Council at least one week prior to such action.

Amended by Resolution No. 196
Amended by Resolution No. 205
Amended by Resolution No. 224
Amended by Resolution No. 244
Amended by Resolution No. 255
Amended by Motion, Dec. 7, 2009
Amended by Resolution No. 295
Amended by Resolution No. 296
Amended by Resolution No. 298
Amended by Resolution No. 299
Amended by Resolution No. 306
Amended by Resolution No. 310
Amended by Resolution No. 326
Amended by Resolution No. 334
Amended by Resolution No. 344
Amended by Resolution No. 380
Amended by Resolution No. 381
Amended by Resolution No. 422
Amended by Resolution No. 445
Amended by Resolution No. 470

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Discussing the 2021 Federal Legislative Priorities
DEPARTMENT:	City Manager's Office
PRESENTED BY:	Jim Hammond, Intergovernmental Program Manager
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:

This staff report discusses the City's proposed 2021 Federal Legislative Priorities ("Priorities"). For 2021, staff proposes a focus on COVID-19 relief and continued advocacy for transportation funding policies that support station area investments that connect to light rail, including non-motorized access projects and the 145th Street Corridor. The City has long prioritized the success of light rail station area improvements to fully leverage the value of Lynnwood Link, which is scheduled to open in 2024.

These identified federal priorities are complementary with state and regional priorities, ensuring that the City's key messages are clear and consistent across all audiences. In addition, the proposed priorities encourage Congress to tackle pressing federal challenges that line up with Shoreline's values, such as sustainability, addressing climate change, the enhancement of community and economic development, and other important social goals.

Tonight, Council is scheduled to discuss the proposed 2021 Federal Legislative Priorities. The proposed Priorities are scheduled to be brought back to Council for adoption on March 29, 2021.

RESOURCES/FINANCIAL IMPACT:

This item has no direct financial impact.

RECOMMENDATION

No action is required tonight; this item is for discussion purposes only. Staff recommends that the City Council move to adopt the 2021 Federal Legislative Priorities when this item is brought back to Council for adoption on March 29, 2021.

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

BACKGROUND

This staff report discusses the City's proposed 2021 Federal Legislative Priorities ("Priorities"). For 2021, staff proposes a focus on COVID-19 relief and continued advocacy for transportation funding policies that support station area investments that connect to light rail, including non-motorized access projects and the 145th Street Corridor. The City has long prioritized the success of light rail station area improvements to fully leverage the value of Lynnwood Link, which is scheduled to open in 2024.

These identified federal priorities are complementary with state and regional priorities, ensuring that the City's key messages are clear and consistent across all audiences. In addition, the proposed priorities encourage Congress to tackle pressing federal challenges that line up with the community's values, such as sustainability, addressing climate change, the enhancement of community and economic development, and other important social goals.

This staff report outlines a proposed strategy for the City to pursue in 2021 that addresses the identified priorities and builds the relationships necessary for success. The Mayor, City Manager, Intergovernmental Program Manager, and the City's federal lobbyist will be advocating with the City's Federal Legislative Delegation later in 2021, to promote these priorities.

DISCUSSION

Staff proposes the attached draft 2021 Federal Legislative Priorities ("Priorities", Attachment A) for Council for review and potential approval. While these issues constitute the defined recommended federal agenda for the City of Shoreline, staff and consultants will respond to any opportunities as they arise from Congress. These issues could include COVID-related relief, a transportation and infrastructure bill, a Water Resources Development Reauthorization bill or a tax reform bill, among others.

Additionally, staff follow the work being done by partner agencies and organizations and will levy support when and where appropriate. Some of these organizations include the Association of Washington Cities, Sound Cities Association, the Puget Sound Regional Council, and King County, among others.

The items listed below generally track the summarized Priorities and provide additional information and context:

COVID-19 Relief

Congress may have passed a \$1.9 trillion COVID relief package by the time of this Council meeting. The City of Shoreline needs to prioritize both adoption and execution of COVID relief that includes ongoing support for both economic and public health recovery, extension of unemployment and housing supports, and direct funding to cities for COVID response costs, economic recovery, and lost revenue.

Restoring general fund revenue to the City is a top priority in 2021, as it allows the City the greatest flexibility in the use of federal funds to meet its priorities at a local level.

Staff will be developing a plan for the distribution of COVID relief funding if a package is approved by the federal government.

Transportation

Currently, there are a lack of federal funding programs available to the City for its transportation and infrastructure needs. To make investments in local infrastructure in this environment, the City should pursue targeted requests of its federal delegation and support broader efforts to define more opportunities at a federal level.

Congress is expected to take up an infrastructure bill in 2021 with the support of the Biden Administration. The bill is expected to be modeled after the House-passed reauthorization bill from mid-2020 that was not considered in the Senate. This bill had a number of positive developments for the City of Shoreline but notably did not include the medium sized city set aside that the City has been championing (see below) in partnership with other municipalities. This bill is a priority for Congress and the Biden Administration and is expected to play a stimulus role for the national economy as our country emerges from the COVID crisis.

Finally, congressionally directed spending, also known as earmarks, is likely to make a comeback for public agencies in this transportation bill.

Each of these opportunities defines some policy and funding priorities for the City.

a. Medium Sized City Set Aside

Most federal infrastructure spending has a rural set aside which is critical for smaller communities to be able to access federal dollars. There is no comparable medium sized city set aside. Instead, medium sized cities compete against large cities like Seattle, Portland and Los Angeles for limited resources. Medium sized cities need a defined pool to compete within so as to make federal funds available in a way that simply aren't in their current status.

As Congress debates a new Transportation bill and considers the continued funding of the BUILD Program (formerly known as the Transportation Investment Generating Economic Recovery, or TIGER, discretionary grant program), the City should lobby for a portion of federal infrastructure dollars be set aside for medium sized cities. This policy position is consistent with the work the City has been doing for years and is supported broadly by similar sized cities throughout the state.

For the past several years, Shoreline has been working with Representative Larsen to designate a portion of BUILD program funding for cities between 10,000 and 75,000 in population size. The City led a coalition of 16 cities in Washington State in support of

this effort, drafted two amendments to accomplish this goal and generated support from Representatives Jayapal, DelBene, Schrier, Kilmer and Heck as cosponsors of this effort.

Regrettably, this strategy was not successful in 2020. For 2021, staff is working with Representative Larsen on an alternative approach to create a new transportation program targeted specifically to medium sized cities. This work is the City's top transportation priority and will be the focus of our efforts in this area in 2021.

b. Funding for Non-Motorized Infrastructure

For decades, Congress has debated the amount of funding from the federal gas tax revenues that should go towards projects that are not directly highway related. These projects include transit systems and non-motorized projects like sidewalks, trails and other programs.

The share of federal dollars being made available to non-motorized projects has diminished over the past few transportation bills and there has been a concerted effort by House and Senate Republicans to eliminate funding for transit and non-motorized access all together.

As Congress debates a new Transportation bill and considers the continued funding of the BUILD Program (formerly known as the Transportation Investment Generating Economic Recovery, or TIGER, discretionary grant program), the City should continue to lobby for a portion of federal infrastructure dollars be allocated for transit and non-motorized projects.

c. Funding for Metropolitan Planning Organizations

Federal transportation funding is generally distributed in Washington State via the State Department of Transportation (DOT) or via a Metropolitan Planning Organization (MPO) like the Puget Sound Regional Council (PSRC). In the most recent Transportation bill from 2016, Congress changed the allocation of funds from 50%-50% between DOTs and MPOs to 55%-45% with MPOs gaining the larger amount.

As Congress starts to consider the next Transportation bill, the City should support increasing the share direct to MPOs and oppose any attempt to preclude the formation of new MPOs to meet regional needs. This will dovetail with the City's work at PSRC to enhance the value of cities with new light rail infrastructure in competitive funding pools.

d. Facilitating Light Rail Stations at 148th and 185th

The City has advanced a number of specific projects connected to the light rail stations at 145th and 185th. Some of these projects include a rebuilt interchange at 145th, a reconstructed road with transit access and pedestrian improvements to the West of I-5 on 145th and a pedestrian access bridge spanning I-5 and connecting to the North end

of the light rail station at 148th, among others. Other related projects include an East-West bicycle and pedestrian connection between the Interurban Trail and the Burke Gilman Trail, infrastructure requirements to enhance increased housing density and other transit station access improvements.

As Congress starts to consider the next Transportation bill, staff will look for funding opportunities via earmarks and other program criteria changes to support the City's priorities in partnership with regional partners and build support for future requests to continue to build connectivity for the light rail network.

Community and Economic Development Programs

a. Restoration of Congressionally Directed Spending

Congress has begun to restore Congressionally directed spending (earmarking authority) to the legislative branch. The previous Administration did not fund many obligations as directed by Congress, and many elected officials want more authority over how funds are allocated.

The City should support the ongoing restoration of this spending with the following criteria:

- Only available to public agencies;
- Fully transparent process for requests;
- Used for one-time costs and not for programmatic support that can't be sustained in the absence of the earmark, and;
- Limited to economic development, infrastructure, transportation and human services funding programs.

Of note, Representative Derek Kilmer (WA) chaired a bipartisan committee to modernize Congress – especially during a pandemic. Of the more than 100 reforms suggested by the committee, restoring earmarking authority to Congress was one of the top recommendations. Further, staff are seeing bipartisan and bicameral support for restoring the power of the purse to congress after many instances of misuse of federal funds by the previous administration.

Staff will be working with the federal delegation to identify candidates and secure support for earmarks as this renewed process evolves.

b. Community Development Block Grants (CDBG) and the Home Investment Partnership Program (HOME)

The City of Shoreline uses Community Development Block Grant (CDBG) and Home Investment Partnership Program (HOME) funding to support local initiatives that benefit the City's vulnerable population. Funding in the CDBG program increased by 30% in 2018 after falling to a decade low in 2017 and has been holding steady at that rate since

then. The City should support the CDBG and HOME program at the federal level and lobby for increased funding that could be put to use in Shoreline immediately.

c. Support Municipal Tax Policy

Congress has adjusted various tax policies that have a direct impact on the City of Shoreline, including the New Markets Tax Credit, the Affordable Housing Tax Credit and the State and Local Sales Tax Deduction. These policies, in addition to policies that would negatively value municipal bonding authority, remain under debate in Congress in 2021 and the City should advocate for strong municipal authority and tax credits that facilitate economic development and meet our region's critical housing needs.

Support the Green Stormwater Infrastructure Initiatives

Representatives Derek Kilmer and Denny Heck have developed a long-term strategy to modify federal laws, funding opportunities and programs to benefit the Puget Sound ecosystem. This effort has multiple policy components:

- Add green stormwater treatment as a scoring criteria for federal transportation awards. This would advantage projects seeking federal funds that include a stormwater management component.
- Create a tax credit program for stormwater retrofits and new development. If enacted, this program would provide a 50% tax credit for individuals and developers that incorporate stormwater projects such as rain gardens, bioswales and similar projects.
Create a new federal program to fund culvert replacement, fish passage improvements and habitat restoration in municipal streams and creeks.

Those efforts have been stalled over the past few years with a lack of support from the previous Administration. Rep. Kilmer is looking to push this agenda again in 2021 with the Biden Administration and in partnership with Congresswoman-elect Strickland. The City should support this effort and look for ways to bring new partnerships and funding opportunities to the Puget Sound community. While short term success on this effort in 2021 might be too much to expect, having the City support this effort and play a role in its development will be a key strategy.

City Support for Other Key Policy Challenges

The City of Shoreline has a deep interest in an array of other federal policy issue areas that are in alignment with the City's core values. Key priority policy areas include:

- *Climate change.* Shoreline supports immediate action to reduce the impact of climate change, including legislation that moves our country to a carbon-neutral future.
- *Funding for salmon recovery and watershed restoration.* Policy ideas being examined include federal funding for culvert replacement, adding green stormwater treatment as a criterion for federal transportation funding, and federal tax credits for private property owners who undertake stormwater management.

Staff continue to build partnerships with local federal representatives, including the US Army Corps of Engineers.

- *Support for marginalized communities.* Shoreline values all members of its community and works to prevent discrimination against anyone.
- *Gun safety.* Shoreline supports passage of universal background checks and other measures to enhance the safety of our community.

RESOURCES/FINANCIAL IMPACT

This item has no direct financial impact.

RECOMMENDATION

No action is required tonight; this item is for discussion purposes only. Staff recommends that the City Council move to adopt the 2021 Federal Legislative Priorities when this item is brought back to Council for adoption on March 29, 2021.

ATTACHMENTS

Attachment A: Draft 2021 Federal Legislative Priorities



2021 Shoreline Federal Legislative Priorities

Shoreline-specific local needs:

COVID-19 Relief

- Continued support for both economic and public health recovery from the pandemic.
- Direct funding to the City of Shoreline for COVID-19 costs, lost revenue and economic recovery.
- Extension of unemployment benefits throughout the pandemic.
- Extension of housing assistance and stabilization funding throughout the pandemic.

Transportation

- Development of a new transportation funding program targeted at medium-sized cities with populations between 10,000 and 75,000 in population size.
- Expansion of funding for non-motorized projects and transit in a Federal Infrastructure bill
- Increased funding allocation to Metropolitan Planning Organizations like the Puget Sound Regional Council in a federal transportation bill.
- Direct appropriations and funding criteria changes that support the City's work on connecting communities to light rail, e.g., N 145th corridor and interchange improvements, N 148th non-motorized bridge, east-west bicycle and pedestrian connections, and station-area sidewalk networks.

Community and economic development

- Restoration of Congressionally directed spending, using a fully transparent process, that would allow public agencies to attain one-time funding for economic development, transportation, infrastructure, and human services programs.
- Increased funding for Community Development Block Grants and the Home Investment Partnership Program
- Development of municipal tax policies that support strong municipal authority, including tax credits that facilitate economic development and meet critical local housing needs and preservation of municipal authority over tax authority and local public revenue streams.

Environment and sustainability

- Passage of Green Stormwater infrastructure initiatives, including adding green stormwater treatment as scoring criteria for transportation and infrastructure projects and a tax credit program for retrofits and new development that incorporates green stormwater projects.
- Creation of a new federal program to fund culvert replacement, fish passage improvements and habitat restoration in municipal streams and creeks.
- Funding for salmon recovery and watershed restoration.

The City of Shoreline also urges Congress to tackle the pressing policy challenges that are aligned with the City's values, including the following:

- Immediate federal action to curtail the impact of climate change, including legislation to meet carbon reduction goals and transition our economy to a carbon-neutral future.
- Passage of the EQUALITY Act to protect LGBTQ+ citizens in all communities from discrimination
- Opposing any policies that would prevent our community from being a safe, inviting and equitable community for everyone without regard to immigration status
- Passage of significant gun control legislation to enhance the safety of our community, including universal background checks and Red Flag laws

DRAFT

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Discussion of the 2021 Comprehensive Plan Amendment Docket		
DEPARTMENT:	Planning & Community Development		
PRESENTED BY:	Steven Szafran, AICP, Senior Planner Rachael Markle, AICP, 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:

The City is limited by state law and the City’s adopted procedures to processing Comprehensive Plan amendments once a year, with exceptions only in limited situations. Proposed amendments are collected throughout the previous year with a deadline of December 1st for public and staff submissions of suggested amendments to be considered in the following year. Shoreline Municipal Code (SMC) Section 20.30.340(C)(2)(b) permits the Council to submit an amendment to the Docket at any time before the final Docket is set.

The Docket establishes the amendments that will be reviewed and studied during the year by staff and the Planning Commission prior to their recommendation to the City Council for final approval to amend the Comprehensive Plan by the end of the following year. In addition, the Docket ensures that all the proposed amendments are considered concurrently so that the cumulative effect of the various proposals can be ascertained when the City Council is making its final decision, as required by RCW 36.70A.130(2)(b).

This year’s Preliminary 2021 Docket was presented to the Planning Commission on February 4, 2021 and contained one (1) privately-initiated amendment. Ultimately, the Planning Commission recommended that the 2021 Docket (**Attachment A**) include the proposed amendment.

Tonight, Council is scheduled to discuss the proposed 2021 Final Comprehensive Plan Amendment Docket. The 2021 Final Comprehensive Plan Amendment Docket is scheduled to be brought back to Council for action on March 29, 2021.

RESOURCE/FINANCIAL IMPACT:

Proposed Comprehensive Plan Amendment No. 1 - Amend the Comprehensive Plan Land Use Map Designation from Public Facility to High Density Residential and change the Zoning from Residential, 18 units/acre (R-18) to Residential 48 units/acre (R-48) – will require additional staff analysis, a public hearing at the Hearing Examiner, Planning Commission recommendation, and City Council discussion and action for both the

rezone and the Comprehensive Plan Map Amendment. Rezoning to R-48 may allow more units adding to the City's tax base.

RECOMMENDATION

No action is required by the Council tonight as this is a Discussion Item only. The Planning Commission recommends that the City Council approve the Preliminary 2021 Comprehensive Plan Amendment Docket. Council is scheduled to take final action on the 2021 Docket on March 29, 2021.

Approved By: City Manager ***DT*** City Attorney ***JA-T***

BACKGROUND

The State Growth Management Act, Chapter 36.70A RCW, limits consideration of proposed Comprehensive Plan amendments to no more than once a year. To ensure that the public can view the proposals within a concurrent, citywide context, the Growth Management Act directs cities to create a Docket that lists the amendments to be considered in this “once a year” review process.

Proposed amendments are collected throughout the previous year with a deadline of December 1st for public and staff submissions of suggested amendments to be considered in the following year. SMC Section 20.30.340(C)(2)(b) permits the Council to submit an amendment to the Docket at any time before the final Docket is set. The Docket establishes the amendments that will be reviewed and studied during the year by staff and the Planning Commission prior to their recommendation to the City Council for final approval to amend the Comprehensive Plan by the end of the following year.

Comprehensive Plan amendments usually take two forms: Privately-initiated amendments and City-initiated amendments. This year, the Planning Commission was presented with one privately-initiated amendment.

The Planning Commission has recommended the Preliminary 2021 Docket (**Attachment A**) and the City Council is now tasked with establishing the Final 2021 Docket which will direct staff’s preparation of an amendment that will be considered for adoption later this year.

DISCUSSION

The Planning Commission considered the Preliminary 2021 Comprehensive Plan Docket on February 4, 2021 and voted to forward the recommended Preliminary 2021 Docket to the City Council for its consideration in establishing the Final 2021 Docket. The staff report for this Planning Commission meeting can be reviewed at the following link: <https://www.shorelinewa.gov/home/showpublisheddocument?id=50764>.

The Planning Commission meeting minutes from the February 4, 2021 meeting are included as **Attachment B** to this staff report.

A description and the Planning Commission’s recommendation for the proposed Comprehensive Plan Amendment is shown below:

Amendment #1

Amend the Comprehensive Plan Land Use Map Designation from Public Facility to High Density Residential and change the Zoning from Residential, 18 units/acre (R-18) to Residential, 48 units/acre (R-48).

Analysis:

This amendment is a privately initiated amendment to change the Comprehensive Plan Land Use Map designation of one parcel from Public Facilities to High-Density Residential (**Attachment C**) and to concurrently rezone the parcel from R-18 to R-48 (**Attachment D**). The request will allow the applicant to construct 17 single-family

attached dwelling units (townhomes). The applicant's proposed site plan is included as **Attachment E**.

The parcel in question was once owned by the State of Washington for the development of the King County Metro Park and Ride Lot on the corner of Aurora Avenue N and N 192nd Street. The land was sold by the State to the applicant in 2014. The parcel was never developed as part of the park and ride lot and has remained vacant and undeveloped. The southern portion of the parcel is vegetated with trees, shrubs and brush and the northern portion of the parcel has been cleared of vegetation.

This site and the park and ride directly east was once a wetland where drainage from development west of the site along Firlands Way N would drain into the area that is now Aurora Avenue, the park and ride, the Echo Lake Apartments, and Echo Lake. The construction of Aurora Avenue directed that water into drainage facilities and channelized it, making development possible along the Aurora Corridor.

This amendment to the Comprehensive Plan Land Use Map and zoning map will provide increased density in a location that is directly adjacent to the King County Park and Ride Lot and in close proximity to the King County Metro E-Line, King County Metro bus routes, retail, restaurants, and other commercial and personal services.

Planning Commission Recommendation:

The Planning Commission recommends that this amendment be placed on the Final 2021 Comprehensive Plan Docket.

RESOURCE/FINANCIAL IMPACT

Proposed Comprehensive Plan Amendment No. 1 - Amend the Comprehensive Plan Land Use Map Designation from Public Facility to High Density Residential and change the Zoning from Residential, 18 units/acre (R-18) to Residential 48 units/acre (R-48) – will require additional staff analysis, a public hearing at the Hearing Examiner, Planning Commission recommendation, and City Council discussion and action for both the rezone and the Comprehensive Plan Map Amendment. Rezoning to R-48 may allow more units adding to the City's tax base.

RECOMMENDATION

No action is required by the Council tonight as this is a Discussion Item only. The Planning Commission recommends that the City Council approve the Preliminary 2021 Comprehensive Plan Amendment Docket. Council is scheduled to take final action on the 2021 Docket on March 29, 2021.

ATTACHMENTS

- Attachment A – Planning Commission Recommended 2021 Comprehensive Plan Amendment Docket
- Attachment B – February 4, 2021 Planning Commission Meeting Minutes
- Attachment C – Comprehensive Plan Land Use Map

Attachment D – Zoning Map
Attachment E – Site Plan



City of Shoreline

DRAFT 2021 COMPREHENSIVE PLAN AMENDMENT DOCKET

The State Growth Management Act generally limits the City to amending its Comprehensive Plan once a year and requires that it create a Docket (or list) of the amendments to be reviewed.

DRAFT 2021 Comprehensive Plan Amendments

1. Amend the Comprehensive Plan Land Use Map Designation from Public Facility to High Density Residential and change the Zoning from Residential, 18 units/acre (R-18) to Residential, 48 units/acre (R-48).

Estimated timeframe for Council review/adoption: September 2021.

CITY OF SHORELINE

SHORELINE PLANNING COMMISSION MINUTES OF REGULAR MEETING (Via Zoom)

February 4, 2021
7:00 P.M.

Commissioners Present

Chair Mork
Vice Chair Malek
Commissioner Callahan
Commissioner Lin
Commissioner Rwamashongye
Commissioner Sager

Commissioners Absent

Commissioner Galuska

Staff Present

Rachael Markle, Planning Director
Nora Gierloff, Planning Manager
Steve Szafran, Senior Planner
Carla Hoekzema, Planning Commission Clerk

Guest Present

Kirsten Larsen, Senior Planner, Growth Management
Services, Washington State Department of Commerce

CALL TO ORDER

Chair Mork called the regular meeting of the Shoreline Planning Commission to order at 7:00 p.m.

ROLL CALL

Upon roll call by Ms. Hoekzema the following Commissioners were present: Chair Mork, Vice Chair Malek, and Commissioners Callahan, Lin, Rwamashongye and Sager. Commissioner Galuska was absent with notice.

APPROVAL OF AGENDA

The agenda was accepted as presented.

APPROVAL OF MINUTES

The minutes of January 21, 2021 were accepted as presented.

GENERAL PUBLIC COMMENT

There were no general public comments.

STUDY ITEM: WASHINGTON STATE DEPARTMENT OF COMMERCE GROWTH MANAGEMENT ACT (GMA) BRIEFING

Kirsten Larsen, Senior Planner, Washington State Department of Commerce, explained that the Department of Commerce works with local governments, providing technical assistance, as well as advising on transportation policies. Their core mission is to strengthen Washington communities. It operates a multitude of programs aimed at helping communities reach their potential in all areas that are important to them.

Ms. Larsen advised that her presentation is part of a Short Course on Local Planning, and the entire course is available on their website, with a very concise video guide. The website also provides links to a full-length guide book and Open Public Meetings Training. She also encouraged Board Members to check out the Municipal Research and Services Center (MRSC) Website, which provides resources on a wide-range of topics for local governments that are easily accessible.

Ms. Larsen shared a list of reasons why it is important to plan. She observed that planning results in more effective and efficient outcomes. The public expects fairness and transparency, and the GMA establishes a framework for planning that provides a public decision-making process and offers predictability to the public that, once decisions are made, development will be reviewed consistent with those decisions.

Ms. Larsen advised that, according to data provided by the Office of Financial Management, Washington State's population grew from 4.1 million to 6.7 million in the 20-year period between 1990 and 2010. The state is expected to exceed 9 million by 2040. With its natural beauty, recreational opportunities and other desirable attributes, the state will continue to grow. They must plan to maintain quality of life while accommodating that growth.

Ms. Larsen reviewed that the legislature adopted the GMA in 1990 in response to concerns that uncoordinated and unplanned growth, together with a lack of common goals expressing the public's interest in conservation and wise use of lands, posed a threat to the environment, sustainable economic development and the health, safety and high quality of life that is enjoyed by the residents of the state. The GMA provides a statewide planning framework that addresses these concerns and requires local planning that is guided by state law and is regionally enforced.

Ms. Larsen advised that only the state's largest counties and cities are required to fully plan under GMA. This includes those in the Central Puget Sound region. Counties and cities fully planning under GMA are required to meet all of the acts, goals and requirements. This means they must agree on countywide planning policies and develop detailed comprehensive plans. She provided a map of the 39 counties in the state, noting that 18 are required to fully plan under GMA and 10 others chose to do so because they saw the value in the planning framework. The 11 smallest and slowest growing counties and cities only need to plan for resource lands and critical areas.

Ms. Larsen very briefly shared the GMA's 14 goals to guide the development and adoption of comprehensive plans and development regulations and emphasized that all of the goals should be looked at to compliment and reinforce each another.

Ms. Larsen said the first thing counties had to do when GMA was passed was designate and conserve natural resource lands and designate and protect environmentally critical areas. Natural resource lands of long-term commercial significance are designated and conserved based on specific criteria that looks at parcel size, soil and proximity to markets. All counties and cities are required to designate and protect environmental critical areas against risk to human life and investment and to protect the important functions and values that are provided by wetlands, critical aquifer recharge areas and fish and wildlife habitat. Local governments must use the best available science (BAS) and adopt regulations to protect functions and values of the five critical areas. Counties and cities may use information that local, state or federal natural resource agencies have determined represent BAS or scientific information can be produced through a valid process. She noted that Washington Administrative Code (WAC) 365-195-900 through 925 provides guidelines related to BAS.

Ms. Larsen explained that science is used to identify land that is prone to flooding and steep slopes that may be vulnerable to landslides. These measures protect humans from harm and are more important as weather patterns and landscapes change with the impacts of climate change. Critical aquifer recharge areas are particularly porous areas that fill underwater resources for drinking water and must be protected from uses that may introduce hazardous substances to ground water. Areas adjacent to well heads with a direct link to underground water must also be protected from impervious surfaces that may limit ground water recharge. She said science is also applied to determine the type of buffers that are needed between development and sensitive areas that provide important and often irreplaceable biological services.

Ms. Larsen shared a graphic provided by King County to illustrate how the GMA is implemented through the various levels of planning, noting that the GMA requires the adoption of multi-county planning policies for the central Puget Sound Region. These policies provide for coordination and consistency among the metropolitan counties that share common borders and related regional issues. The Puget Sound Regional Council (PSRC) is the regional planning authority for the Puget Sound, and its members include King, Kitsap, Pierce and Snohomish Counties. She advised that the PSRC adopted Vision 2050 in October of 2020. In addition to studying the multi-county planning policies, it includes actions and regional growth strategies to guide how and where the region grows through 2050. It informs updates to the Regional Transportation Plan and Regional Economic Strategy and sets the stage for updates to the countywide planning policies and local comprehensive plans done by the cities and counties. The multi-county planning policies of Vision 2050 are guided by the following: provide opportunities for all, increase housing choices and affordability, sustain a strong economy, significantly reduce greenhouse gas emissions, keep the region moving, restore health of Puget Sound, protect a network of open space, and grow in centers and near transit.

Ms. Larsen explained that the countywide planning policies help ensure that plans within the county are consistent with one another and that they work together to manage growth. The policies may include a means to allocate the Office of Financial Management's forecast 20-year countywide population targets for incorporation into each city's comprehensive plan. Some counties have chosen to also allocate employment targets using the 20-year employment projections. The policies can also be a mechanism for a county to designate urban growth areas (UGAs). UGAs are drawn by counties and cities to accommodate growth in a collaborative process using a land-capacity analysis.

Ms. Larsen advised that policies that address the siting of public facilities of a countywide or statewide nature may include policies that address the need for affordable housing and other locally-important regional issues. The policies should be supported by financially-realistic plans to provide adequate public facilities. She noted that King County is in the process of updating its Countywide Planning Policies and expects to adopt them by the end of 2021 in advance of the 2024 periodic update of local comprehensive plans to reflect a number of changes to the regional policy framework. She pointed out that changes to the vision and framework chapters set the context for the topic-specific chapters and reflect the guiding principles, which include: establish focus scope for review based on the 2012 baseline; consistent with the local annual comprehensive plan amendment review process and the scope of Vision 2050; center on social equity and health; ensure that comprehensive plans enable equitable health and quality of life outcomes for all; integrate regional policy and legislative changes that have occurred since 2012; provide clear actionable direction for comprehensive plans through specific policies; and implement a regional growth strategy with 2044 growth targets that quantify land use, infrastructure and other needs to be addressed in the periodic comprehensive plan updates.

Ms. Larsen explained the county receives a population growth projection from the Office of Financial Management, and a generally-cooperative countywide process allocates population growth to cities and unincorporated urban and rural areas. The PSRC has provided guidance for the Puget Sound Region based on regional geography, allocating larger populations to cities and centers. Cities decide how to plan for the allocated growth. Several counties are subject to the Buildable Lands Program, which requires jurisdictions to measure growth and compare actual development to planned densities within specific time periods. The program looks back to determine whether a county and its cities are achieving urban densities within UGAs as planned and looks forward by asking if there is sufficient capacity for residential and employment growth for the next 20 years. If there is not, the city must identify reasonable measures, other than adjusting the UGA boundary, to correct inconsistencies between actual and planned growth. The next Buildable Lands Report is due in June of 2021.

Ms. Larsen explained that there are five required elements of a GMA Comprehensive Plan for cities. The GMA and WAC 365-196 provide specific direction on the elements that must be included. The Land Use Element provides a layout for the community's future growth, and the Transportation, Housing, Utilities and Capital Facilities Elements all must include an inventory of what is existing and identify what is needed now and in the future to accommodate growth. Only counties are required to include a Rural Element.

Ms. Larsen emphasized that comprehensive plans must be both externally and internally consistent. Plans must also be consistent with multi-county planning policies and countywide planning policies and should be coordinated with plans of adjacent cities and counties. All elements must be based on the same future land use plan map and population projections. Each jurisdiction's development regulations, planning activities and capital budget decisions must be consistent with and implement the plan.

Ms. Larsen reviewed that elected officials (city councils) are the legislative body of a city and have the authority to adopt plans and regulations. Elected officials also make decisions about how to fund capital facilities and where to focus staff effort. They appoint advisory bodies, such as a planning commission, to represent the broad interest of the community. Planning commissions serve as a sounding board for new ideas, promote community interest in planning, and provide leadership in citizen participation

programs. Planning commissions are advisory rather than regulatory bodies, and their role is to review plans and regulations and generally make recommendations to their elected officials.

Ms. Larsen advised that the GMA requires public outreach early and often when updating a comprehensive plan. When the public is engaged in the planning process, community decisions better reflect the shared values of the community as a whole. The draft comprehensive plan amendments are reviewed by the planning commission through workshops and public meetings. Because the State Environmental Policy Act (SEPA) is required for comprehensive plans, the environmental review will be done before final adoption. Cities are also required to submit proposed comprehensive plan amendments to the Department of Commerce for a 60-day review, and this acts as notice to other state agencies. The City Council must formally adopt the update.

Ms. Larsen emphasized that the Department of Commerce does not certify comprehensive plans, and they are presumed valid upon adoption. The Transportation Element is certified by the regional transportation organization, which is the PSRC. Comprehensive plans can only be amended once per year but must be updated every eight years. Amendments are appealable within 60 days to the Growth Management Hearings Board.

Ms. Larsen advised that Capital Improvement Plans (CIP) set priorities for infrastructure investments. CIPs inventory existing facilities, establish LOS, prioritize project needs and plan for financing of the projects. If revenues cannot pay for the needed facilities over the life of the plan, the Land Use Element must be reassessed. Development reviews must have a concurrency program to establish that adequate public facilities are available when the impacts of the development occur without decreasing the established minimum LOS. Concurrency is required for transportation within 6 years from the time of development and is optional for other services. If it is determined that a development would lower the LOS, the application must be denied unless the developer provides the improvements or the LOS is reassessed.

Ms. Larsen said comprehensive plans are implemented through development standards, which is done via zoning. Traditional zoning looks at density, lot size and uses, and a form-based code looks at the design of development. Critical area regulations set buffers and restrictions in critical areas, and subdivision regulations address drainage and other requirements when land is divided into smaller parcels. Public works standards specify the size, material, location and configuration of streets, sidewalks, drainage and utility improvements.

Ms. Larsen advised that comprehensive plans must be updated every eight years, and the City's next periodic update is due in 2024. The first step in the process is a detailed review of the existing plan and regulations. She noted that few counties and cities will be able to adopt a finding of GMA consistency without first making some revisions to their plans and regulations because ensuring consistency requires consideration of updated population projections, amendments to the GMA statutes, Growth Management Hearing Board important interpretations of GMA regulations, and changes in the community. Jurisdictions failing to complete the update are ineligible for a number of grant and loan programs.

Ms. Larsen summarized that good planning is timeless and centers on human-scale development that cities have been creating throughout the centuries or "complete neighborhoods." Does the neighborhood

provide for daily needs and are non-drivers able to be independent? Can you access your most basic day-to-day needs within a 20-minute walk from your home? She said having jobs and housing in more compact, walkable and transit-served locations will help reduce environmental impacts, lessen congestion and improve outcomes. Communities are achieving this through form-based codes, allowing for the “missing middle” housing, transit station planning and complete streets programs.

Ms. Larsen announced that the Next Short Course on Local Planning (via Zoom) is scheduled for February 18th. Interested Commissioners can register on the Department of Commerce website. She provided her contact information to the Commissioners and invited them to contact her with their future questions.

STUDY ITEM: 2021 COMPREHENSIVE PLAN AMENDMENT DOCKET

Mr. Szafran reminded the Commission that the Growth Management Act (GMA) only allows cities to amend comprehensive plans once a year. To ensure the public can see the amendments, it requires cities to create a docket or list of proposed amendments that are submitted every year. Anyone can propose an amendment to the Comprehensive Plan, but only one was proposed in 2020 for consideration on the 2021 Docket. The proposed amendment has not been thoroughly evaluated by staff. At this time, the Commission is not being asked to recommend whether the comprehensive plan amendment should be adopted or not. Instead, they are being asked to recommend whether or not the proposed amendment should be on the 2021 Docket for further study.

Mr. Szafran advised that the proposed amendment would change the Comprehensive Plan Land Use Map of one parcel from Public Facility (PF) to High-Density Residential (HDR). He noted that the two parcels shown on the map were combined into one parcel that is currently designated as both PF and HDR. The amendment would change the designation of the northern parcel that fronts on N 192nd Street to HDR. Concurrently, the applicant is asking for a rezone for the entire property from R-18 to R-48. If the amendment is added to the docket, it will go through the Planning Commission to the City Council. The rezone portion will go to the Hearing Examiner and meet back up with the Comprehensive Plan amendment at the City Council level so both actions can be considered together.

Mr. Szafran shared a variety of photos of the site and explained that the parcel in question is an undeveloped lot that is directly adjacent to the park and ride and Aurora Avenue North, with single-family uses to the west and north. The site is currently fenced and was cleared of understory about two years ago. His understanding is that no trees were moved from the site.

Mr. Szafran presented some preliminary sketches of the proposed development that were submitted by the applicant. However, he cautioned that it is important to keep in mind that once the Comprehensive Plan is changed and the property is rezoned, any type of development could occur on the site if it is consistent with the zoning that is in place. The sketch provides an example of the type of development that could happen, but it is not likely that exact product will be developed. The applicant has indicated a desire to construct townhomes on the property.

Mr. Szafran said the Commission is being asked to make a recommendation to the City Council to either include or not include the amendment on the docket for future study. Staff is recommending that it be included on the final 2021 Docket.

Commissioner Lin asked how many units the current zoning would allow on the subject properties. Mr. Szafran answered that the current R-18 zoning would allow up to 10 units to be developed on the site. If the property is rezoned to R-48, up to 26 units could be constructed. Commissioner Lin asked if there are critical areas on the site, and Mr. Szafran said that a critical area report would be required to map the slope before a rezone could be granted. Commissioner Lin asked if a clearing permit was required before clearing the understory. Mr. Szafran explained that a concerned citizen called into the Code Enforcement Department when the clearing occurred. He studied the code enforcement case and found that no permit was required because no trees were removed.

Vice Chair Malek asked if the R-48 zone has the same townhome design standards as the MUR-35' and MUR-45' zones. Mr. Szafran answered that the single-family attached design standards would apply anywhere that the housing type is developed. Vice Chair Malek asked if the rezone could be linked to a townhome project or if the project could change and become an enhanced shelter, which is allowed in the R-48 zone. Mr. Szafran said the City will be working on code amendments for enhanced shelters, and he doesn't believe the use would be allowed in the R-48 zone. Again, he cautioned that although the applicant is showing a townhome site plan, the property could be developed into anything allowed in the R-48 zone if the rezone is approved. Vice Chair Malek pointed out that the property is adjacent to the park and ride.

Vice Chair Malek asked if the applicant would be required to do a study to confirm concurrency with stormwater and other city services. Mr. Szafran said the study would take place when the rezone is being evaluated.

Chair Mork asked what would happen if the Comprehensive Plan amendment is approved and the rezone application is denied. Mr. Szafran advised that the City Council will consider the recommendations from both the Commission (Comprehensive Plan amendment) and Hearing Examiner (rezone). If the Commission recommends denial and the Hearing Examiner recommends approval, the City Council will have to make the final decision on both actions.

Chair Mork asked if the City Council could overrule a recommendation by the Commission to not include the amendment on the 2021 Docket. Mr. Szafran answered affirmatively.

Commissioner Callahan asked how the properties came to be owned by a private developer. Vice Chair Malek answered that the King County Transit Authority sold the property in 2014. Commissioner Callahan said property sales of this type are important to understand as the City considers future opportunities for affordable housing development.

John Houghton, Shoreline, said he lives near the subject property so the amendment and rezone would directly impact him. When he purchased his home, he carefully studied the zoning map and learned that the subject parcel was an exempted zone. He assumed it would stay that way for the foreseeable future, and he probably wouldn't have purchased his home if he thought there was a chance that an apartment or condominium complex would be developed on the site. He noted that, currently, there is a band of mature trees that buffer his home from the park and ride and Aurora Avenue North. He said he was disappointed to learn that what he thought was an exempt zone was purchased from the County by a developer without any notice. He noted that a sewer easement runs through the subject parcel.

Ameer Dixit, Shoreline, said he has lived just south of the subject parcel for 11 years, and the trees and green spaces are part of the community's charm. They are already having to deal with a lot of construction, with a very large apartment complex being developed across the parking lot from his property. The trees provide a buffer between the residential homes and Aurora Avenue North, and they add a lot to their enjoyment. Allowing a higher density would result in a loss of green space and foliage. He noted that there are other locations that do not have trees where high-density residential development could occur, including the Mattress Factory property across the street. He asked the Commission to consider how the amendment would impact their neighborhood.

Janet Way, Shoreline, said she represents the Shoreline Preservation Society and presented written comments prior to the meeting. She said the society is concerned about the potential impacts of the proposed amendment. She recalled the earlier presentation by Ms. Larsen from the Washington State Department of Commerce regarding the Growth Management Act and comprehensive plans. Ms. Larsen stressed the importance of planning in order to protect good things about the community. Trees are good things, as are critical areas and open spaces. She commented that the photographs provided by staff only showed the far north section of the lot and not the area where the trees are located. She also commented that it is unclear, from the map, which lots would be impacted by the proposed change. The geotechnical report identifies the property as an erosion hazard zone so the proposal fails to meet Rezone Criteria 2.b. The rezone will affect the health, safety and general welfare of both nearby and downstream residents because the project will require the removal of dozens of significant trees. A townhome development will not provide the same level of buffer as the trees currently provide.

Ms. Way referred to Rezone Criteria 2.c and 2.d, and said the proposal represents a serious threat to the adjacent R-6 zones because the existing buffer (urban forest greenbelt) would be destroyed. As mentioned in the Critical Area Report, those homes would be severely exposed to pollution and noise from the park and ride and Aurora Avenue North. In addition to air hazard, climate change is also a significant concern. The easiest way to stop climate change is to protect existing trees, and the proposed development would remove another huge swath of trees after thousands have already been lost to accommodate light rail and other development. She summarized that the society asks the Commission to not recommend the amendment for the 2021 Docket. Above anything else, science should be considered when analyzing the proposed amendment.

Jodi Dixit, Shoreline, agreed with Ms. Way that the photographs provided in the Staff Report misrepresented the number of trees that are currently on the subject property and the impact their removal would have on the adjacent neighborhood and Shoreline in general. She encouraged the Commissioners to take a second look at the subject parcel and note how large the trees are. Many trees in the area have already been removed, and there are other parcels that could be developed. There is no reason for the rezone, and it is critical that it remain in its current state. She asked them not to include the proposed amendment on the 2021 Docket. She also referred to Ms. Larsen's presentation regarding the GMA where she emphasized that public outreach must occur early and often. However, they just found out about the proposed amendment two days ago.

There were no other public comments.

Chair Mork explained that the objective of the meeting is for the Commission to either recommend or not recommend that the proposed amendment be included on the 2021 Docket for further study. Mr. Szafran said that, if the proposed amendment is added to the docket, staff would study it further and bring back a recommendation to the Planning Commission at a later date. Following a study session and public hearing, the Planning Commission would then be asked to forward a recommendation of approval or denial to the City Council.

Commissioner Callahan asked Mr. Szafran to explain staff's rationale for recommending that the proposed Comprehensive Plan amendment be studied further. Mr. Szafran said staff felt the proposal was a worthy candidate for further study on whether the property should or should not be up zoned because of its location. He noted that there aren't a lot of parcels in the City that are designated as Public Facility, and this parcel is unique because it was sold to a private developer who wants to change the designation. The City doesn't deal with this type of land use issue often.

At the request of Chair Mork, Mr. Szafran displayed an aerial photograph and pointed out the location of the existing trees on the subject parcel. He advised that the treed portion is where the map reads "Firlands Way." Chair Mork asked about the dimension of the subject parcel, but Mr. Szafran was unable to answer that question. He said the entire portion outlined in red on the map is 23,662 square feet.

Commissioner Sager noted that, although a lot-line elimination was done on the property, it still has two land use designations. She asked how that occurred. Mr. Szafran explained that the Comprehensive Plan Land Use Map and Zoning Map are not always amended when parcels change boundaries or merge together, and it is possible to have multiple land use designations and/or zoning districts.

Chair Mork asked if the Rat City Roller Property is under the same ownership as the subject parcel, and Mr. Szafran answered no.

Mr. Szafran noted that a lot of questions have been raised about the trees. He explained that development in the R-18 zone is subject to the City's standards for tree retention and replacement, and the same standards would apply if the property were rezoned to R-48. He acknowledged that R-48 zoning would allow greater density, but lot coverage would only increase from 85% to 90% impervious surface.

Chair Mork observed that the developer would still be allowed to develop the lot that is zoned R-18 even if the Comprehensive Plan amendment and rezone are denied.

Vice Chair Malek summarized that the amendment was submitted by a developer who has a plan in mind. He asked if it is possible to up zone all of the properties adjacent to the park and ride to R-48 as part of this same process or if someone would have to request the change as a separate amendment. He noted that there is so little property in the City that is available for transit-oriented development, and these properties are in close proximity to Highway 99. Mr. Szafran said that land use map changes are usually submitted by property owners. The City Council could also initiate a Comprehensive Plan redesignation and/or rezone, but it is usually done on a larger scale, such as what occurred with the light rail station areas. He emphasized that, if the proposed amendment is added to the docket, the process of rezoning and changing the Comprehensive Plan will involve public notice and a lot of opportunities for public comment.

Because the Commission is only being asked at this point to make a recommendation on whether or not the amendment should be studied further, staff did not do a widespread notice.

Chair Mork commented that, if the Commission recommends to City Council that the amendment be added to the 2021 Docket for further study, it is important to emphasize how deeply the citizens, including the Commissioners, care about trees and critical lands in Shoreline and that the rules are followed. By recommending further study, the Commission is not suggesting they would recommend approval of the amendment.

Vice Chair Malek commented that, when the subject parcel was put up for sale in 2014 by the King County Transit Authority, Shoreline would have had the ability to purchase it. Although rare and unusual, they could also have pursued the property through eminent domain. He said the county originally thought the property would be needed for stormwater and other utilities, and it became a catch-all for years for trash. The current owner has been clearing the property little-by-little. Vice Chair Malek disclosed that a few years ago he approached several owners along that strip for a group of single-family homes, but they couldn't agree to sell all at once and the builder abandoned the project.

Commissioner Lin asked if the former Benjamin Moore Paint Store property could be developed under R-18 or R-48 zoning. Vice Chair Malek answered that the site is zoned commercial and is located along Highway 99. The current proposal is a high-rise development with a few hundred residential units. He added that the owner of the Rat City Roller property is trying to lease the building. He noted that many of the projects along Highway 99 and elsewhere were paused due to the pandemic. Mr. Szafran said that the owner previously submitted an application for a high-rise development with a large number of residential units.

The Commissioners agreed to recommend to City Council that the proposed Comprehensive Plan amendment be added to the 2021 Docket for further study.

UNFINISHED BUSINESS

There was no unfinished business.

NEW BUSINESS

There was no new business.

REPORTS OF COMMITTEES AND COMMISSIONER ANNOUNCEMENTS

Vice Chair Malek reported that the Snohomish County Hearing Examiner issued a decision on the Point Wells Project. The decision was to deny Blue Squares Real Estate the right to move the project forward. Both their vesting status and building plans were denied. Parties of record have until February 8th to either support or challenge the Hearing Examiner's decision, and Blue Square Real Estate has until February 12th to appeal the decision directly to the Snohomish County Council. He referred to an excellent article that was published in *THE EVERETT HERALD* that posts the Hearing Examiner's decision. The Hearing Examiner determined that the applicant hadn't used their opportunity to resubmit an application that was compliant. There weren't a lot of fundamental changes to the original request, and the applicant felt justified in their rationale for vesting status and a request for deviation. A good article was also published in *THE SHORELINE AREA NEWS*.

Chair Mork encouraged Commissioners to take advantage of the Short Course on Local Planning that is offered by the Washington Department of Commerce. She asked if Commissioners are required to be trained on the Open Public Meetings Act. Ms. Gierloff answered affirmatively and advised that it can be done as part of the short course or as a separate session. After completing the training, Commissioners should advise Ms. Hoekzema.

AGENDA FOR NEXT MEETING

Ms. Gierloff said the February 18th meeting agenda will include an update on the Oaks site, which is being purchased by King County to establish an enhanced homeless shelter. The property is currently zoned R-48, and in order to accommodate the commerce grant that would fund the shelter, the City adopted an interim ordinance to allow enhanced shelters in the R-48 zone. The ordinance expires in April, and a permanent ordinance must be adopted if the City wants to continue allowing that use. The City has chosen to pursue a rezone from R-48 to Mixed Business (MB) to match the surrounding properties along Aurora Avenue North. There will also be a concurrent zoning code amendment to insert enhanced shelters as a permitted use in the MB zone subject to indexed criteria. On February 18th at 6:00 p.m., prior to the Commission's next meeting, Mr. Szafran will be leading a neighborhood meeting for the rezone. The Commission will discuss the enhanced shelter code amendment at their meeting.

Ms. Gierloff advised that the draft Housing Action Plan will be presented to the Commission for a public hearing on March 4th. Some of the batch of Development Code amendments will also be presented on March 4th.

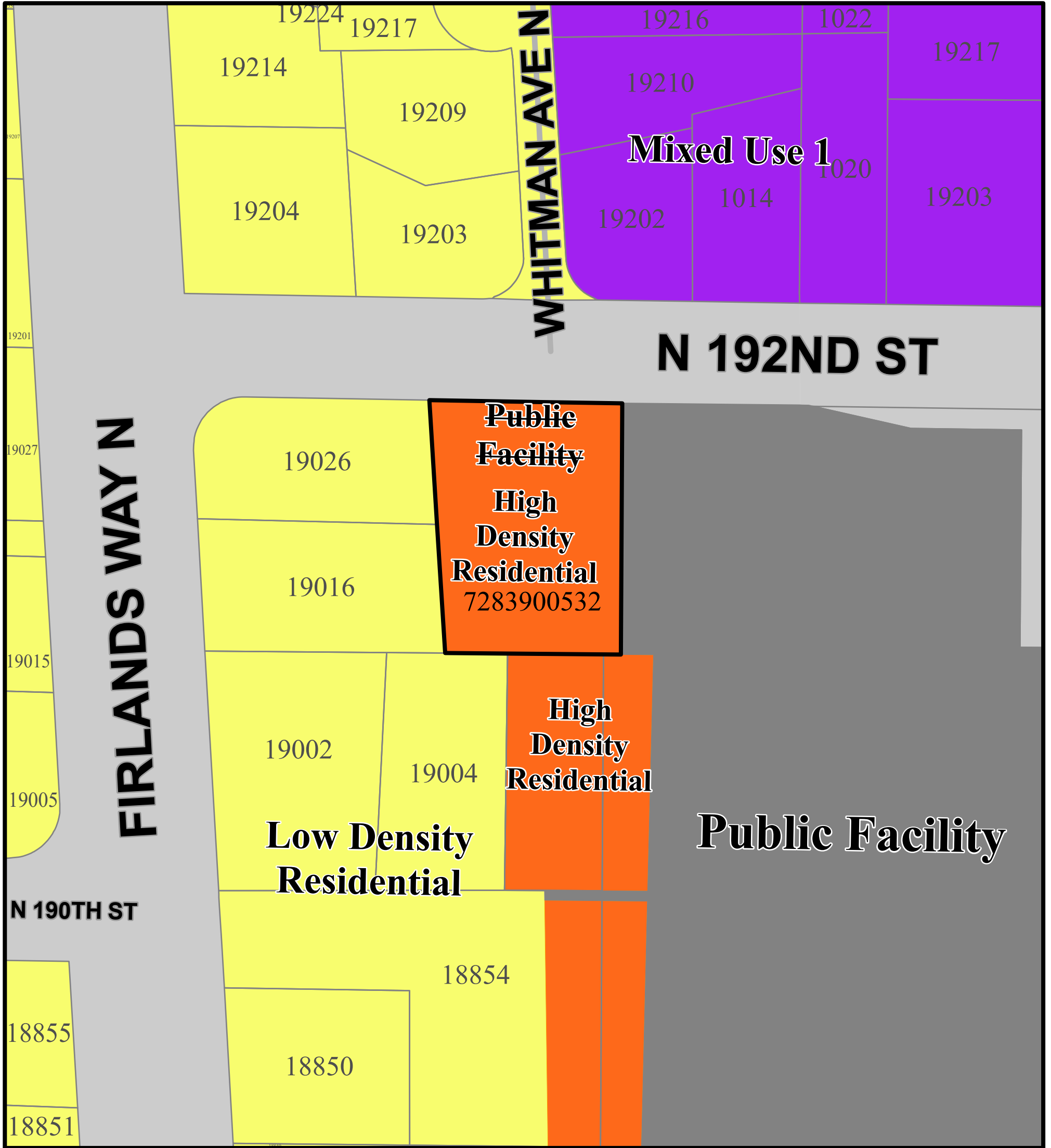
ADJOURNMENT

The meeting was adjourned at 8:35 p.m.

Laura Mork
Chair, Planning Commission

Carla Hoekzema
Clerk, Planning Commission

Comp Plan Update: N 192nd St & Whitman Ave N



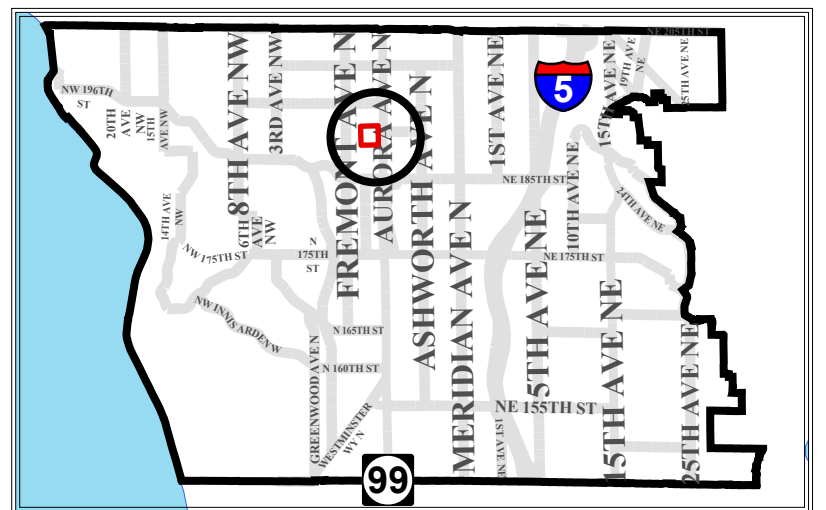
N 192nd St & Whitman Ave N Comprehensive Plan Amendment Public Facility to High Density Residential

Land Use Legend

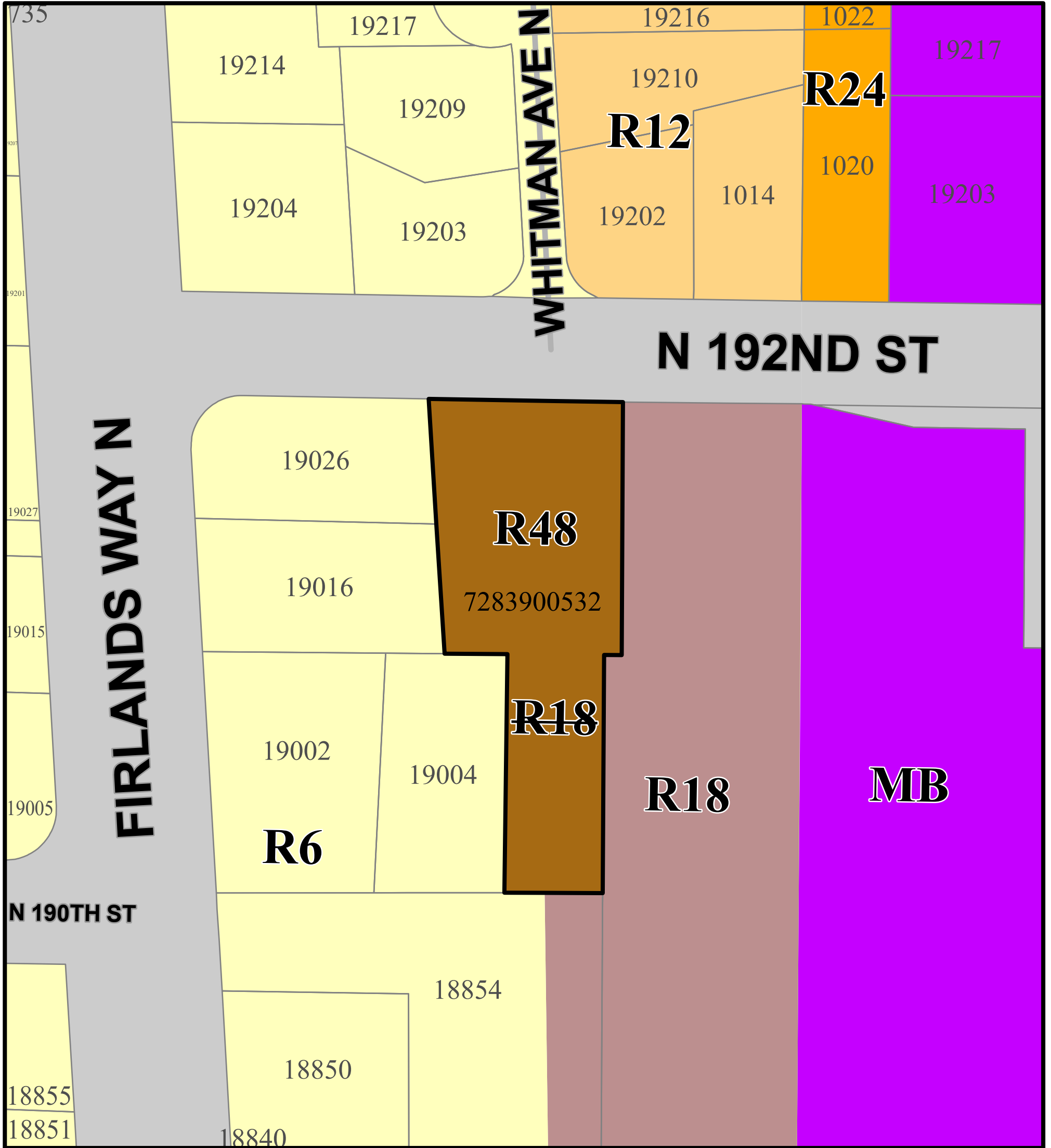
- | | |
|----------------------------|----------------------|
| Station Area 1 | Mixed Use 2 |
| Station Area 2 | Mixed Use 1 |
| Station Area 3 | Town Center District |
| Low Density Residential | Public Facility |
| Medium Density Residential | Public Open Space |
| High Density Residential | Private Open Space |
| Institution/Campus | - Parcel Line |
| Planned Area 3 | |

Feature Legend

- | | |
|-----------------|--------------------|
| - Parcel Change | - Unclassified ROW |
| - City Boundary | - Parcel Line |



Zoning Update: N 192nd St & Whitman Ave N



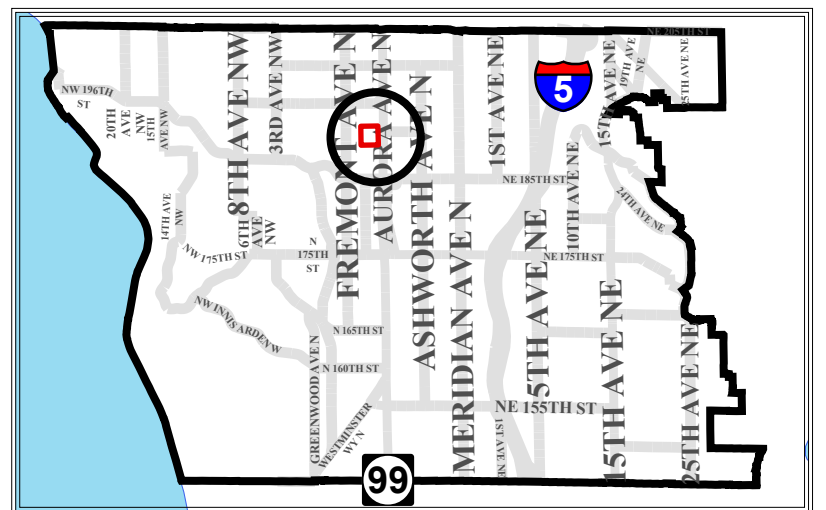
N 192nd St & Whitman Ave N Zoning Update R-18 to R-48

Land Use Legend

	Station Area 1		Planned Area 3
	Station Area 2		Mixed Use 2
	Station Area 3		Mixed Use 1
	Low Density Residential		Town Center District
	Medium Density Residential		Public Facility
	High Density Residential		Public Open Space
	Institution/Campus		Private Open Space

Feature Legend

	- Parcel Change		- Unclassified ROW
	- City Boundary		- Parcel Line

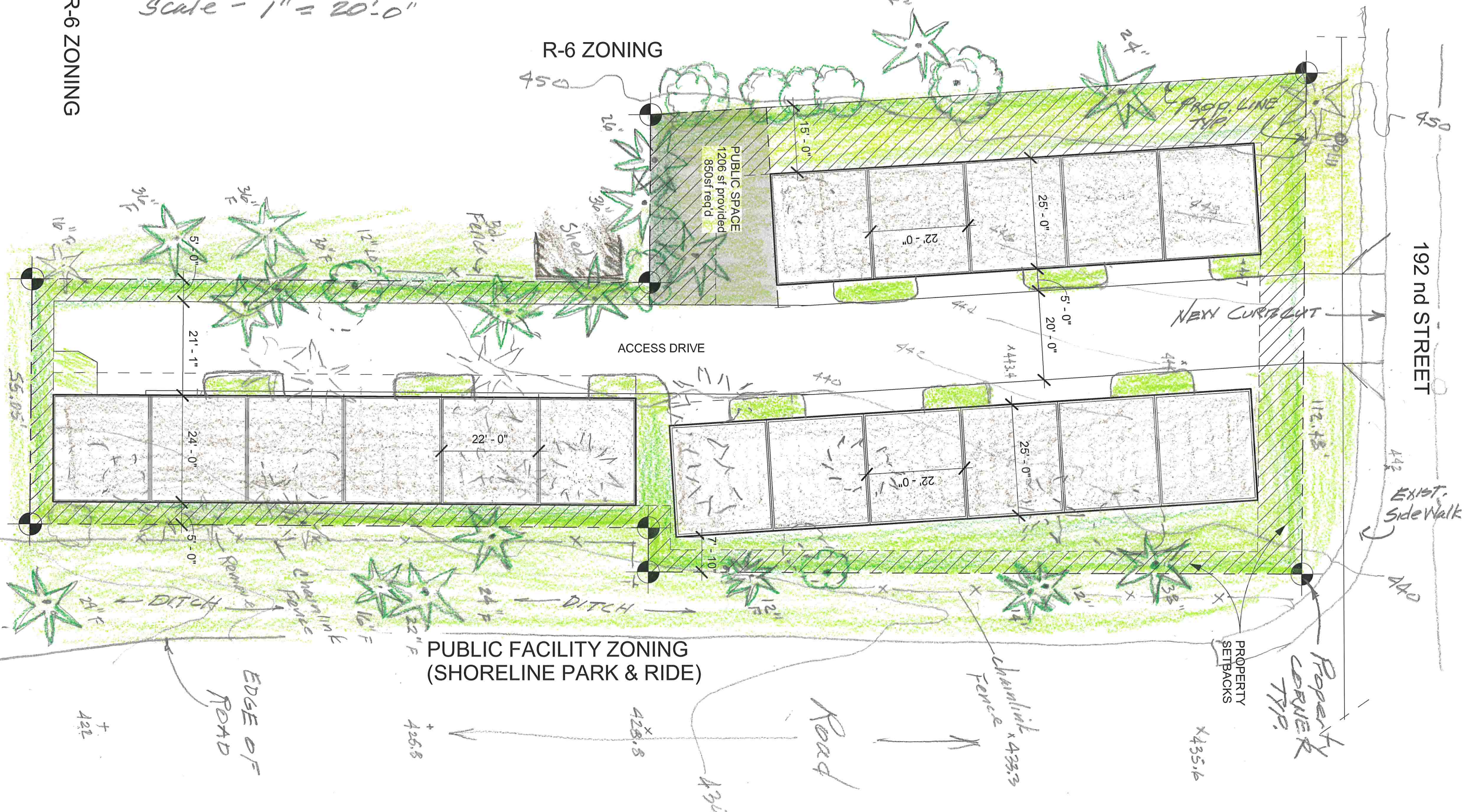


PROPOSED SITE PLAN

Scale - 1" = 20'-0"

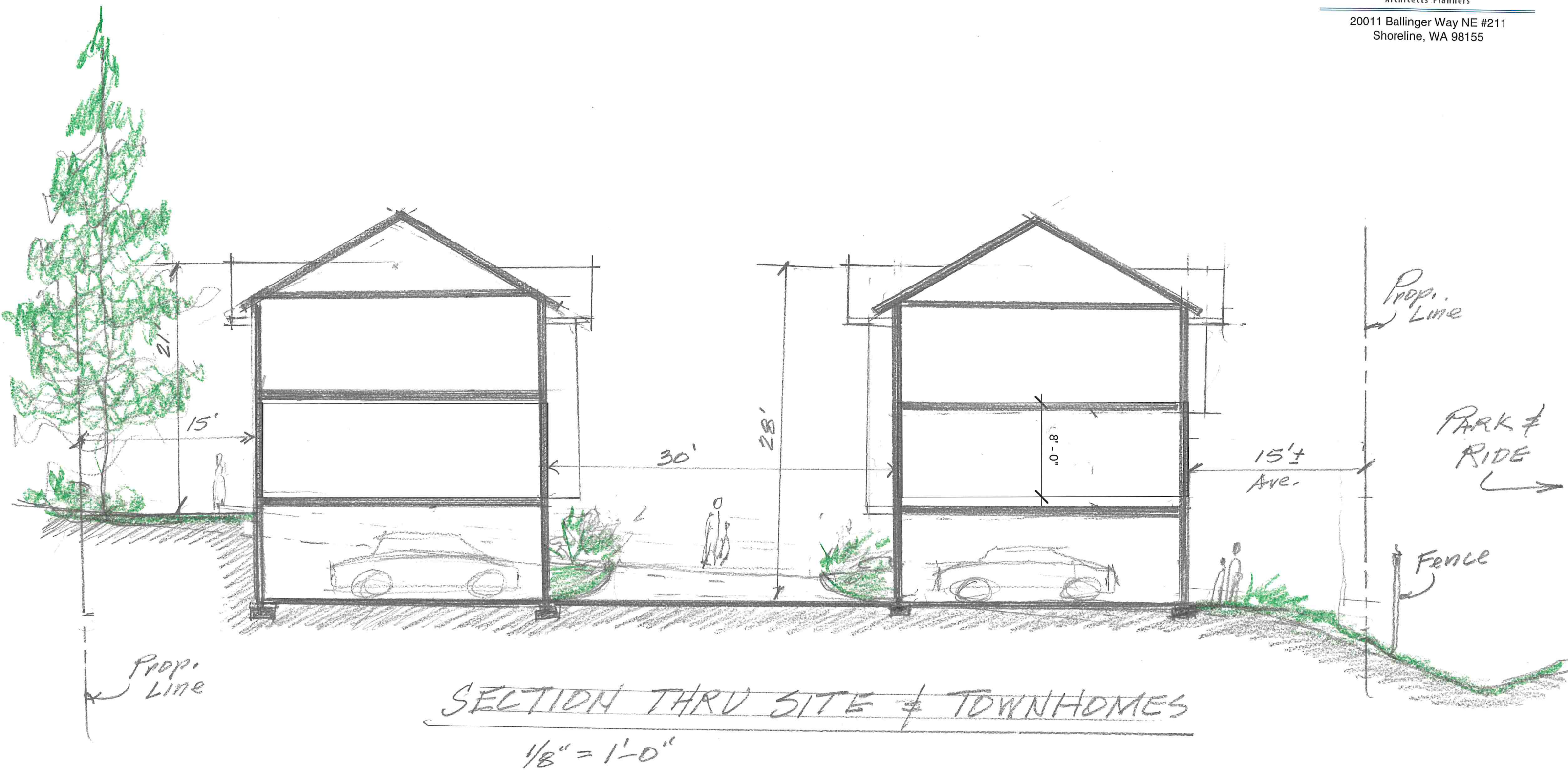
R-6 ZONING

R-6 ZONING



192 nd STREET

PUBLIC FACILITY ZONING
(SHORELINE PARK & RIDE)



CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Discussion of Ordinance No. 926 - Limited Tax General Obligation Bond 2021 – Vehicle License Fee Supported Transportation Improvement Projects
DEPARTMENT:	Administrative Services Department
PRESENTED BY:	Sara Lane, Administrative Services 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:

RCW chapter 36.73 enables cities and counties to create transportation benefit districts to finance and carry out transportation improvements necessitated by economic development and to improve the performance of transportation systems. In 2009, the City imposed a \$20 vehicle license fee (VLF) to support the City’s Annual Road Surface Maintenance (ARSM) Program. In 2018, City Council adopted Ordinance No. 822 imposing an additional \$20 vehicle license fee for the purpose of preserving, maintaining and operating the transportation infrastructure of the City, including to assist in the funding of multi-modal improvements such as curbs, gutters and sidewalk (the “Projects”).

The City has dedicated this additional revenue stream to support the Sidewalk Rehabilitation Programs. Traditionally, the City has programmed both the ARSM and Sidewalk Rehabilitation work on a “pay-as-you-go” basis. Given the current favorable bond market and a desire to speed delivery of this work, staff recommend issuing one or more series of debt that would be supported by a pledge of the VLF revenue.

Tonight, Council will discuss proposed Ordinance No. 926, which provides for this Bond debt issuance. Proposed Ordinance No. 926 is currently scheduled to be brought back to Council for potential action on March 29, 2021.

RESOURCE/FINANCIAL IMPACT:

Proposed Ordinance No. 926 authorizes the issuance of Bonds up to \$8.35 million to facilitate the delivery of sidewalk rehabilitation, annual road surface maintenance or other transportation improvement projects authorized to be supported by VLF revenue. True interest cost on the Bonds will not exceed 4.0%. Staff anticipates VLF revenue estimated at \$1.5 million per year will be sufficient to fully satisfy the debt service payments that are estimated at \$64,500 per year per million of debt for a 20-year term, or \$516,000 for \$8.35 million. However, should there not be adequate VLF revenue to satisfy the debt service, the Bonds may be partly paid for with Real Estate Excise Tax

(REET), investment income deposited in the Roads Capital Fund, and/or monies from the City's General Fund, if needed.

The Bonds would be issued for a term no longer than 20 years. Should future initiatives or legislative actions impact the City's authority to levy the VLF, the City would have an impairment claim on the revenue for the life of the bonds.

If Council chooses to move forward with proposed Ordinance No. 926, the Mid-Biennial Budget Modification Amendment to be presented to Council later this year will include amendments to increase appropriations for the ARSM Program and Sidewalk Rehabilitation Program in the Roads Capital Fund and reflect the bond proceeds as the revenue source and reflect the debt service costs in the new Debt Service Fund.

RECOMMENDATION

No action is required tonight; this item is for discussion purposes only. Staff recommends that the City Council review the draft delegating Bond Authorization Ordinance and direct staff to return with Ordinance No. 926 for potential action on March 29, 2021. Staff further recommends that Council include appropriate budget amendments in the Mid-Biennial Budget Modification Amendment to be presented to Council later this year.

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

BACKGROUND

State law (RCW chapter 36.73) enables cities and counties to create transportation benefit districts to finance and carry out transportation improvements necessitated by economic development and to improve the performance of transportation systems. In 2009, the City imposed a \$20 vehicle license fee (VLF). Through the adoption of the Capital Improvement Program, Council has historically dedicated the VLF to support the City's Annual Road Surface Maintenance (ARSM) Program. In 2018, City Council adopted Ordinance No. 822 imposing an additional \$20 VLF for the purpose of preserving, maintaining and operating the transportation infrastructure of the City, including to assist in the funding of multi-modal improvements such as curbs, gutters and sidewalk (the "Projects").

Through adoption of the 2019-2020 Biennial Budget, Council dedicated the additional VLF to support the Sidewalk Rehabilitation Program. Traditionally, the City has programmed work on both the ARSM and Sidewalk Rehabilitation Program on a "pay-as-you-go" basis. Given the current favorable bond market and a desire to speed delivery of this work, staff recommends issuing one or more series of debt that would be supported by a pledge of the VLF revenue. The funds will be used to support faster delivery of priority street overlays and BST from 2021 pavement rating and sidewalk replacement/repairs from the existing list with specific projects to be determined.

DISCUSSION

Proposed Ordinance No. 926 (Attachment A) authorizes issuance of one or more series of limited tax general obligation bonds (Bonds) in a principal amount of not to exceed \$8.35 million, to fund transportation improvement projects supported by VLF, primarily ARSM and Sidewalk Improvement Programs and costs of issuance of the Bonds. The Bonds of each series will have a maximum 20-year maturity, with a true interest cost not to exceed 4.0%. The administrative costs to issue the Bonds are estimated to range from \$100,000 to \$160,000, depending on the method of sale/issuance.

Administrative issuance costs will be paid from Bond proceeds, thus the reason for authorizing \$8.35 million to allow for issuance costs and other contingencies to realize \$8 million in proceeds. The Bonds are payable from the pledge of VLF revenue. Once pledged, the revenue would be obligated to repayment of the debt for the life of the bonds. In the unlikely event that VLF revenue collections are not adequate to support debt service they would be payable by other City revenues including, Real Estate Excise Tax (REET), and/or General Fund sources as required to meet the obligations of the debt.

Approval of the proposed Ordinance No. 926 authorizes the City Manager (the "Designated Representative") to execute agreements necessary to pay these associated costs. Details on the potential debt issue are provided in Attachment B, which details potential administrative and debt service costs for two potential debt issue scenarios. Actual costs will be based upon the debt issuance option selected.

Staff's current forecast anticipates that forecasted VLF revenue of \$1.5 million per year will be more than enough VLF revenue collections to cover the full costs of debt service

and support either additional debt issues and/or continue to support pay-as-you-go work. Depending on the terms of the final issue, staff may also be able to retire the debt early. In the future, should additional debt funding be desired beyond the initial \$8.35 million, staff will return to Council to seek approval to issue additional tranches of debt. Funding recommendations will be focused on maximizing the availability of funds to speed delivery of projects while minimizing interest and debt issuance costs.

As noted above, Attachment B (Funding Scenarios) provides estimates of the potential debt service for the \$8.35 million dollar issue and “excess revenue” beyond the forecasted VLF revenue. It also provides a scenario that shows future tranches at \$5 million every three years for illustration purposes only, and a \$1 million dollar debt service estimate for scalability if the City chose to issue less than \$8.35 million. The actual amount of debt issued initially and in each tranche of debt would be determined based on the amount of work that could reasonably be accomplished in the three-year period.

Method of Sale

Proposed Ordinance No. 926 authorizes the issuance of debt using either the direct placement method or a public offering accomplished either by negotiated sale or competitive bid. Approval of these alternative options provide the City with the flexibility to select a placement method which meets both required timing needs and cost and interest rate optimization goals. The direct placement alternative involves issuing a competitive RFP and evaluating proposals to maintain competition and ensure the lowest cost for the City. A public offering requires use of bond rating agencies and ongoing disclosure that raise the costs associated with issuing and managing the debt. The public offering could be accomplished with either a negotiated sale to a selected underwriter or a competitive bid issuance. The City’s financial advisor would provide representation and advice to the City regarding optimal means of sale and transaction assistance with whichever method is selected.

Method of Debt Authorization

As is noted above, proposed Ordinance No. 926 is considered a “delegation ordinance” because it delegates the authority to a “designated representative” (which in this case is the City Manager), to approve the final terms of the Bonds subject to the parameters established by the City Council in the Ordinance. The parameters include:

- Maximum principal amount,
- Maximum interest rate,
- Minimum purchase price, and
- Term of financing.

So long as the parameters can be met with in the time frame approved by Council and contained in the Ordinance (one year from the effective date of the Ordinance), approval of the Note Authorizing Ordinance will be the only official action taken by Council to authorize the Bonds. If the Bonds cannot be sold within these parameters or within one year from the effective date of the Bond Authorizing Ordinance, the authority to issue the Bonds will lapse and the authorization will need to be brought back to Council for consideration.

Tonight's Discussion

Tonight, Council is scheduled to discuss proposed Ordinance No. 926, which provides for this Bond debt issuance. Proposed Ordinance No. 926 is currently scheduled to be brought back to Council for potential action on March 29, 2021.

COUNCIL GOAL(S) ADDRESSED

This item addresses City Council Goal 2 - Continue to deliver highly-valued public services through management of the City's infrastructure and stewardship of the natural environment, Action Step 1 - Implement the new Sidewalk Construction Program.

RESOURCE/FINANCIAL IMPACT

Proposed Ordinance No. 926 authorizes the issuance of Bonds up to \$8.35 million to facilitate the delivery of sidewalk rehabilitation, annual road surface maintenance or other transportation improvement projects authorized to be supported by VLF revenue. True interest cost on the Bonds will not exceed 4.0%. Staff anticipates VLF revenue estimated at \$1.5 million per year will be sufficient to fully satisfy the debt service payments that are estimated at \$64,500 per year per million of debt for a 20-year term, or \$516,000 for \$8.35 million. However, should there not be adequate VLF revenue to satisfy the debt service, the Bonds may be partly paid for with Real Estate Excise Tax (REET), investment income deposited in the Roads Capital Fund, and/or monies from the City's General Fund, if needed.

The Bonds would be issued for a term no longer than 20 years. Should future initiatives or legislative actions impact the City's authority to levy the VLF, the City would have an impairment claim on the revenue for the life of the bonds.

If Council chooses to move forward with proposed Ordinance No. 926, the Mid-Biennial Budget Modification Amendment to be presented to Council later this year will include amendments to increase appropriations for the ARSM Program and Sidewalk Rehabilitation Program in the Roads Capital Fund and reflect the bond proceeds as the revenue source and reflect the debt service costs in the new Debt Service Fund.

RECOMMENDATION

No action is required tonight; this item is for discussion purposes only. Staff recommends that the City Council review the draft delegating Bond Authorization Ordinance and direct staff to return with Ordinance No. 926 for potential action on March 29, 2021. Staff further recommends that Council include appropriate budget amendments in the Mid-Biennial Budget Modification Amendment to be presented to Council later this year.

ATTACHMENTS

Attachment A – Proposed Ordinance No. 926
Attachment B – Funding Scenarios

ORDINANCE NO. 926

AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON, AUTHORIZING THE ISSUANCE OF ONE OR MORE SERIES OF LIMITED TAX GENERAL OBLIGATION BONDS IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED \$8,350,000 TO FINANCE COSTS RELATED TO TRANSPORTATION IMPROVEMENT PROJECTS AND TO PAY COSTS OF ISSUING EACH SERIES OF BONDS; PROVIDING THE FORM, TERMS AND COVENANTS OF THE BONDS; AND PROVIDING FOR OTHER MATTERS RELATING THERETO.

WHEREAS, chapter 36.73 RCW enables cities and counties to create transportation benefit districts to finance and carry out transportation improvements necessitated by economic development and to improve the performance of transportation systems; and

WHEREAS, pursuant to chapter 36.73 RCW, on June 25, 2009 the Shoreline City Council (the “Council” or the “City Council”) approved Ordinance No. 550 creating the Shoreline Transportation Benefit District (the “District”) with boundaries coterminous with the City of Shoreline, Washington (the “City”); and

WHEREAS, the District was originally organized as a legally separate municipal entity and taxing authority from the City; and

WHEREAS, on October 22, 2015, the City Council approved Ordinance No. 726, whereby the Council assumed the rights, powers, immunities, functions and obligations of the District, as allowed by Second Engrossed Substitute Senate Bill 5987, Section 302 (July 15, 2015), and as a result, the District was absorbed into the City and is no longer considered a legally separate entity; and

WHEREAS, chapter 36.73 RCW permits the City (acting through its assumed powers of the District) to impose various fees and charges with and without a public vote, including vehicle licensing fees and sales and use taxes; and

WHEREAS, pursuant to Ordinance No. 822 passed by the City Council on June 12, 2018, the City increased its vehicle license fee to a current amount of \$40.00 (the “Vehicle License Fee” or “VLF”) for the purpose of preserving, maintaining and operating the transportation infrastructure of the City, including to assist in the funding of multi-modal improvements such as curbs, gutters and sidewalk (the “Projects”); and

WHEREAS, after due consideration the Council has further determined that it is in the best interest of the City to authorize the issuance and sale from time to time of one or more series of limited tax general obligation bonds (as further defined herein, the “Bonds”) to pay a portion of the costs of the Projects and related costs of issuance; and

WHEREAS, the Bonds authorized herein shall be payable from and secured by, among other sources of funds, transportation benefit district revenue received by the City (acting through its assumed powers of the District) under chapter 36.73 RCW from the Vehicle License Fees; and

WHEREAS, the City Council wishes to delegate authority to the City Manager and designee (the “Designated Representative”), for a limited time, to select the method of sale for the Bonds authorized hereunder that is in the best interest of the City and to approve the interest rates, maturity dates, redemption terms and principal maturities for the Bonds within the parameters set by this Ordinance; and

WHEREAS, the City Council now desires to authorize the issuance of one or more series of Bonds, which shall be sold by either a private placement or be underwritten, all as set forth herein;

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

Section 1. Definitions. As used in this Ordinance, the following words and terms shall have the following meanings, unless the context or use indicates another or different meaning or intent. Unless the context indicates otherwise, words importing the singular number shall include the plural number and vice versa.

Administrative Services Director means the City’s Administrative Services Director or the successor to such officer.

Beneficial Owner means any person that has or shares the power, directly or indirectly, to make investment decisions concerning ownership of any Underwritten Bonds (including persons holding Underwritten Bonds through nominees, depositories or other intermediaries).

Bond Counsel means Pacifica Law Group LLP or an attorney at law or a firm of attorneys, selected by the City, of nationally recognized standing in matters pertaining to the tax-exempt nature of interest on bonds issued by states and their political subdivisions.

Bond Purchase Contract means one or more contracts, if any, for the purchase of any Underwritten Bonds sold by negotiated sale to the initial purchaser, executed pursuant to Section 12.

Bond Register means the registration books showing the name, address and tax identification number of each Registered Owner of a series of Bonds, maintained for the Bonds in the manner required pursuant to Section 149(a) of the Code.

Bond Registrar means (a) for any Underwritten Bonds, initially, the fiscal agent of the State, and (b) for any Direct Purchase Bonds, the Administrative Services Director of the City or the fiscal agent of the State.

Bonds mean the limited tax general obligation bonds authorized to be issued from time to time in one or more series pursuant to this Ordinance in the aggregate principal amount of not to exceed \$8,350,000.

Certificate of Award means one or more certificates, if any, for the purchase of any Underwritten Bonds sold by competitive sale awarding the Bonds of a series to the bidder as set forth in Section 12 of this Ordinance.

City means the City of Shoreline, Washington, a municipal corporation duly organized and existing by virtue of the laws of the State.

City Attorney means the duly appointed and acting City Attorney of the City, including anyone acting in such capacity for the position, or the successor to the duties of that office.

City Clerk means the duly appointed and acting City Clerk of the City or the successor to the duties of that office.

City Manager means the duly appointed and acting City Manager of the City or the successor to the duties of such office.

City Mayor or **Mayor** means the duly elected and acting Mayor of the City or the successor to the duties of such office.

Closing means the date of issuance and delivery of a series of Bonds to the applicable Underwriter or Direct Purchaser.

Code means the Internal Revenue Code of 1986 as in effect on the date of issuance of the Tax-Exempt Bonds or (except as otherwise referenced herein) as it may be amended to apply to obligations issued on the date of issuance of the Tax-Exempt Bonds, together with applicable proposed, temporary and final regulations promulgated, and applicable official public guidance published, under the Code.

Commission means the United States Securities and Exchange Commission.

Continuing Disclosure Certificate means one or more written undertakings for the benefit of the owners and Beneficial Owners of any Underwritten Bonds as required by Section (b)(5) of the Rule.

Council or **City Council** means the Shoreline City Council, as the general legislative body of the City, as the same is duly and regularly constituted from time to time.

Debt Service Fund means one or more funds or accounts created pursuant to this Ordinance for the purpose of paying debt service on a series of Bonds.

Designated Representative means the City Manager of the City, or his or her written designee.

Direct Purchase Bonds means any Bond or Bonds sold to a Direct Purchaser pursuant to Section 12 of this Ordinance.

Direct Purchaser means any bank or other financial institution selected to purchase one or more Direct Purchase Bonds (or to accept delivery of one or more Direct Purchase Bonds to evidence the City's obligations under a Loan Agreement) pursuant to Section 12 of this Ordinance.

District means the Shoreline Transportation Benefit District established by the City pursuant to chapter 36.73 RCW and Ordinance No. 550 of the City Council, as the same may be amended from time to time.

DTC means The Depository Trust Company, New York, New York, a limited purpose trust company organized under the laws of the State of New York, as depository for any Underwritten Bonds pursuant to this Ordinance.

Fair Market Value means the price at which a willing buyer would purchase an investment from a willing seller in a bona fide, arm's-length transaction, except for specified investments as described in Treasury Regulation § 1.148-5(d)(6), including United States Treasury obligations, certificates of deposit, guaranteed investment contracts, and investments for yield restricted defeasance escrows. Fair Market Value is generally determined on the date on which a contract to purchase or sell an investment becomes binding, and, to the extent required by the applicable regulations under the Code, the term "investment" will include a hedge.

Federal Tax Certificate means one or more certificates of the City pertaining to the tax-exemption of interest on a series of Tax-Exempt Bonds, and any attachments thereto.

Government Obligations means those obligations now or hereafter defined as such in chapter 39.53 RCW constituting direct obligations of, or obligations the principal of and interest on which are unconditionally guaranteed by, the United States of America, as such chapter may be hereafter amended or restated.

Letter of Representations means the Blanket Issuer Letter of Representations given by the City to DTC, as amended from time to time.

Loan Agreement means one or more loan or purchase agreements, if any, between the City and a Direct Purchaser under which the Direct Purchaser will make a loan to the City, evidenced by a Direct Purchase Bond, or under which the Direct Purchaser will purchase the Direct Purchase Bond.

MSRB means the Municipal Securities Rulemaking Board or any successors to its functions.

Official Statement means the disclosure documents prepared and delivered in connection with the issuance of any Underwritten Bonds.

Project Fund means the fund or account created pursuant to Section 8 of this Ordinance.

Projects mean the transportation improvement projects that are eligible transportation benefit district projects as described in chapter 36.73 RCW and contained in the City's Transportation Plan, as it may be amended from time to time.

Record Date means the Bond Registrar's close of business on the 15th day of the month preceding an interest payment date. With respect to redemption of a Bond prior to its maturity, the Record Date shall mean the Bond Registrar's close of business on the date on which the Bond Registrar sends the notice of redemption in accordance with this Ordinance.

Registered Owner means the person named as the registered owner of a Bond in the Bond Register. For so long as the Bonds of a series are held in book-entry only form, DTC or its nominee shall be deemed to be the sole Registered Owner.

Rule means the Commission's Rule 15c2-12 under the Securities Exchange Act of 1934, as the same may be amended from time to time.

Sale Document means the Bond Purchase Contract, Certificate of Award or Loan Agreement, if any, executed by a Designated Representative in connection with the sale of a series of Bonds pursuant to Section 12 of this Ordinance.

State means the State of Washington.

Taxable Bonds means any Bonds determined to be issued on a taxable basis pursuant to Section 12.

Tax-Exempt Bonds mean any Bonds determined to be issued on a tax-exempt basis under the Code pursuant to Section 12.

Underwriter means any underwriter, in the case of a negotiated sale, or initial purchaser, in the case of a competitive sale, for a series of Bonds selected pursuant to Section 12.

Underwritten Bonds means Bonds of a series, if any, sold pursuant to a negotiated or a competitive sale by the City to an Underwriter pursuant to Section 12 of this Ordinance.

VLF Revenue means revenue remitted to the City from the Vehicle License Fees.

Vehicle License Fees or **VLF** means the vehicle license fees imposed by the City (acting through its assumed powers of the District) on qualifying vehicles accordance with chapter 36.73 RCW and RCW 82.80.140, as each may be amended from time to time, and currently imposed in the amount of \$40.00.

Section 2. Authorization of the Projects. The Council hereby approves the construction, maintenance, rehabilitation, repair and/or preservation of the Projects, as such Projects are to be more fully described in the plans and specifications prepared by and filed with the City.

The cost of all necessary appraisals, negotiation, closing, architectural, engineering, financial, legal and other consulting services, inspection and testing, demolition, administrative and relocation expenses and other costs incurred in connection with the foregoing capital improvements shall be deemed a part of the capital costs of such Projects. Such Projects shall be complete with all necessary equipment and appurtenances.

The City will determine the exact specifications for the Projects, and the components thereof, as well as the timing, order and manner of completing the components of the Projects. The City may alter, make substitutions to, and amend the Projects as it determines are in the best interests of the City and consistent with the general descriptions provided herein.

Section 3. Authorization and Description of Bonds. For the purpose of paying and/or reimbursing the City for costs of the Projects and paying costs of issuance, the City is hereby authorized to issue and sell from time to time one or more series of limited tax general obligation bonds in an aggregate principal amount not to exceed \$8,350,000 (the “Bonds”).

The Bonds of each series shall be general obligations of the City and shall be designated “City of Shoreline, Washington, Limited Tax General Obligation Bond(s),” with the year and any applicable series or other designation as set forth in the applicable Sale Document. The Bonds of each series shall be fully registered as to both principal and interest and shall be numbered separately in such manner and with any additional designation as the Bond Registrar deems necessary for purposes of identification. The Bonds of each series shall be dated as of the date of Closing for such series of Bonds and shall mature on the date or dates and in the principal amounts, bear interest at the rates and payable on such dates, be subject to redemption and/or purchase prior to maturity, and be subject to other terms as set forth in the applicable Sale Document. The Bonds of each series shall be sold as either Direct Purchase Bonds or Underwritten Bonds.

Section 4. Registration, Exchange and Payments.

(a) *Underwritten Bonds.* The terms of this Section 4(a) shall apply to any Underwritten Bonds unless otherwise provided for in the applicable Sale Document.

(1) Bond Details. Any Bonds of a series may be sold as Underwritten Bonds. Underwritten Bonds shall be issued in denominations of \$5,000 each, or any integral multiple thereof, within a series and maturity.

(2) Bond Registrar/Bond Register. The City hereby specifies and adopts the system of registration approved by the Washington State Finance Committee from time to time through the appointment of State fiscal agencies. The City shall cause the Bond Register to be maintained by the Bond Registrar. So long as any Underwritten Bonds of a series remain outstanding, the Bond Registrar shall make all necessary provisions to permit the exchange or registration or transfer of such Underwritten Bonds at its designated office. The Bond Registrar may be removed at any time at the option of the Administrative Services Director upon prior notice to the Bond Registrar and a successor Bond Registrar appointed by the Administrative Services Director. No resignation or removal of the Bond Registrar shall be effective until a successor shall have been appointed and until the successor Bond Registrar shall have accepted the duties of the Bond Registrar hereunder. The Bond Registrar is authorized, on behalf of the City, to authenticate and deliver Underwritten Bonds transferred or exchanged in accordance with the provisions of such Bonds and this Ordinance and to carry out all of the Bond Registrar’s powers and duties under this Ordinance. The Bond Registrar shall be responsible for its representations contained in the certificate of authentication on the Bonds.

(3) Registered Ownership. The City and the Bond Registrar, each in its discretion, may deem and treat the Registered Owner of each Underwritten Bond of a series as the absolute owner thereof for all purposes (except as provided in a Continuing Disclosure Certificate), and neither the City nor the Bond Registrar shall be affected by any notice to the contrary. Payment of any such Underwritten Bond shall be made only as described in Section 4(a)(8), but such Underwritten Bond may be transferred as herein provided. All such payments made as described

in Section 4(a)(8) shall be valid and shall satisfy and discharge the liability of the City upon such Underwritten Bond to the extent of the amount or amounts so paid.

(4) DTC Acceptance/Letters of Representations. The Underwritten Bonds of a series initially shall be held in fully immobilized form by DTC acting as depository. The City has executed and delivered to DTC the Letter of Representations. Neither the City nor the Bond Registrar shall have any responsibility or obligation to DTC participants or the persons for whom they act as nominees (or any successor depository) with respect to the Underwritten Bonds in respect of the accuracy of any records maintained by DTC (or any successor depository) or any DTC participant, the payment by DTC (or any successor depository) or any DTC participant of any amount in respect of the principal of or interest on Underwritten Bonds, any notice which is permitted or required to be given to Registered Owners under this Ordinance (except such notices as shall be required to be given by the City to the Bond Registrar or to DTC (or any successor depository)), or any consent given or other action taken by DTC (or any successor depository) as the Registered Owner. For so long as any Underwritten Bonds are held by a depository, DTC or its successor depository or its nominee shall be deemed to be the Registered Owner for all purposes hereunder, and all references herein to the Registered Owners shall mean DTC (or any successor depository) or its nominee and shall not mean the owners of any beneficial interest in such Underwritten Bonds.

(5) Use of Depository.

(A) The Underwritten Bonds of a series shall be registered initially in the name of “Cede & Co.”, as nominee of DTC, with one Underwritten Bond of each series maturing on each of the maturity dates for such Underwritten Bonds in a denomination corresponding to the total principal therein designated to mature on such date. Registered ownership of such Underwritten Bonds, or any portions thereof, may not thereafter be transferred except (i) to any successor of DTC or its nominee, provided that any such successor shall be qualified under any applicable laws to provide the service proposed to be provided by it; (ii) to any substitute depository appointed by the Administrative Services Director pursuant to subparagraph (B) below or such substitute depository’s successor; or (iii) to any person as provided in subparagraph (D) below.

(B) Upon the resignation of DTC or its successor (or any substitute depository or its successor) from its functions as depository or a determination by the Administrative Services Director to discontinue the system of book entry transfers through DTC or its successor (or any substitute depository or its successor), the Administrative Services Director may hereafter appoint a substitute depository. Any such substitute depository shall be qualified under any applicable laws to provide the services proposed to be provided by it.

(C) In the case of any transfer pursuant to clause (i) or (ii) of paragraph (A) above, the Bond Registrar shall, upon receipt of all outstanding Underwritten Bonds together with a written request on behalf of the Administrative Services Director, issue a single new Underwritten Bond for each maturity of that series then outstanding, registered in the name of such successor or such substitute depository, or their nominees, as the case may be, all as specified in such written request of the Administrative Services Director.

(D) In the event that (i) DTC or its successor (or substitute depository or its successor) resigns from its functions as depository, and no substitute depository can be obtained, or (ii) the Administrative Services Director determines that it is in the best interest of the Beneficial Owners of the Underwritten Bonds that such owners be able to obtain physical bond certificates, the ownership of such Underwritten Bonds may then be transferred to any person or entity as herein provided, and shall no longer be held by a depository. The Administrative Services Director shall deliver a written request to the Bond Registrar, together with a supply of physical bonds, to issue Underwritten Bonds as herein provided in any authorized denomination. Upon receipt by the Bond Registrar of all then outstanding Underwritten Bonds of a series together with a written request on behalf of the Administrative Services Director to the Bond Registrar, new Underwritten Bonds of such series shall be issued in the appropriate denominations and registered in the names of such persons as are requested in such written request.

(6) Registration of Transfer of Ownership or Exchange; Change in Denominations. The transfer of any Underwritten Bond may be registered and Underwritten Bonds may be exchanged, but no transfer of any such Underwritten Bond shall be valid unless it is surrendered to the Bond Registrar with the assignment form appearing on such Underwritten Bond duly executed by the Registered Owner or such Registered Owner's duly authorized agent in a manner satisfactory to the Bond Registrar. Upon such surrender, the Bond Registrar shall cancel the surrendered Underwritten Bond and shall authenticate and deliver, without charge to the Registered Owner or transferee therefor, a new Underwritten Bond (or Underwritten Bonds at the option of the new Registered Owner) of the same date, series, maturity, and interest rate and for the same aggregate principal amount in any authorized denomination, naming as Registered Owner the person or persons listed as the assignee on the assignment form appearing on the surrendered Underwritten Bond, in exchange for such surrendered and cancelled Underwritten Bond. Any Underwritten Bond may be surrendered to the Bond Registrar and exchanged, without charge, for an equal aggregate principal amount of Underwritten Bonds of the same date, series, maturity, and interest rate, in any authorized denomination. The Bond Registrar shall not be obligated to register the transfer of or to exchange any Underwritten Bond during the 15 days preceding any principal payment or redemption date.

(7) Bond Registrar's Ownership of Bonds. The Bond Registrar may become the Registered Owner of any Underwritten Bond with the same rights it would have if it were not the Bond Registrar, and to the extent permitted by law, may act as depository for and permit any of its officers or directors to act as a member of, or in any other capacity with respect to, any committee formed to protect the right of the Registered Owners or Beneficial Owners of Bonds.

(8) Place and Medium of Payment. Both principal of and interest on the Underwritten Bonds shall be payable in lawful money of the United States of America. Interest on the Underwritten Bonds shall be calculated on the basis of a year of 360 days and twelve 30-day months. For so long as all Underwritten Bonds are held by a depository, payments of principal thereof and interest thereon shall be made as provided in accordance with the operational arrangements of DTC referred to in the Letter of Representations. In the event that the Underwritten Bonds are no longer held by a depository, interest on the Underwritten Bonds shall be paid by check or draft mailed to the Registered Owners at the addresses for such Registered Owners appearing on the Bond Register on the Record Date, or upon the written request of a Registered Owner of more than \$1,000,000 of Underwritten Bonds (received by the Bond

Registrar at least by the Record Date), such payment shall be made by the Bond Registrar by wire transfer to the account within the United States designated by the Registered Owner. Principal of the Underwritten Bonds shall be payable upon presentation and surrender of such Underwritten Bonds by the Registered Owners at the designated office of the Bond Registrar.

If any Underwritten Bond is duly presented for payment and funds have not been provided by the City on the applicable payment date, then interest will continue to accrue thereafter on the unpaid principal thereof at the rate stated on the Underwritten Bond until the Underwritten Bond is paid.

(b) *Direct Purchase Bonds.* The terms of this Section 4(b) shall apply to any Direct Purchase Bonds unless otherwise provided for in the applicable Sale Document.

(1) Bond Details. Any Bonds of a series may be sold as Direct Purchase Bonds.

(2) Registrar/Bond Registrar. The Administrative Services Director or the fiscal agent of the State shall act as Bond Registrar for any Direct Purchase Bonds. The Bond Registrar is authorized, on behalf of the City, to authenticate and deliver the Direct Purchase Bonds if transferred or exchanged in accordance with the provisions of the Direct Purchase Bonds and this Ordinance and to carry out all of the Bond Registrar's powers and duties under this Ordinance with respect to Direct Purchase Bonds.

(3) Registered Ownership. The City and the Bond Registrar may deem and treat the Registered Owner of any Direct Purchase Bond as the absolute owner for all purposes, and neither the City nor the Bond Registrar shall be affected by any notice to the contrary.

(4) Transfer or Exchange of Registered Ownership. Direct Purchase Bonds shall not be transferrable without the consent of the City unless (i) the Direct Purchaser's corporate name is changed and the transfer is necessary to reflect such change, (ii) the transferee is a successor in interest of the Direct Purchaser by means of a corporate merger, an exchange of stock, or a sale of assets, or (iii) such transfer satisfies requirements set forth in the Sale Document relating to such Direct Purchase Bonds.

(5) Place and Medium of Payment. Both principal of and interest on Direct Purchase Bonds shall be payable in lawful money of the United States of America. Interest on Direct Purchase Bonds shall be calculated as provided in the applicable Sale Document relating to such Direct Purchase Bonds. Principal and interest on Direct Purchase Bonds shall be payable by check, warrant, ACH transfer or by other means mutually acceptable to the Direct Purchaser and the City.

Section 5. Redemption Prior to Maturity and Purchase of Bonds.

(a) *Redemption of Bonds.* The Bonds of each series shall be subject to mandatory redemption to the extent, if any, as set forth in the applicable Sale Document and as approved by the Designated Representative pursuant to Section 12. The Bonds of each series shall be subject to optional redemption and/or prepayment on the dates, at the prices and under the terms set forth in the applicable Sale Document approved by the Designated Representative pursuant to Section 12.

(b) *Purchase of Bonds.* The City reserves the right to purchase any or all the Bonds offered to it at any time at a price deemed reasonable by the Administrative Services Director plus accrued interest to the date of purchase.

(c) *Selection of Bonds for Redemption.* If the Underwritten Bonds of a series are held in book-entry only form, the selection of particular Underwritten Bonds within a series and maturity to be redeemed shall be made in accordance with the operational arrangements then in effect at DTC. If the Underwritten Bonds are no longer held by a depository, the selection of such Underwritten Bonds to be redeemed and the surrender and reissuance thereof, as applicable, shall be made as provided in the following provisions of this subsection (c). If the City redeems at any one time fewer than all of the Underwritten Bonds of a series having the same maturity date, the particular Underwritten Bonds or portions of Underwritten Bonds of such maturity to be redeemed shall be selected by lot (or in such manner determined by the Bond Registrar) in increments of \$5,000. In the case of an Underwritten Bond of a denomination greater than \$5,000, the City and the Bond Registrar shall treat each Underwritten Bond as representing such number of separate Underwritten Bonds each of the denomination of \$5,000 as is obtained by dividing the actual principal amount of such Underwritten Bond by \$5,000. In the event that only a portion of the principal sum of a Underwritten Bond is redeemed, upon surrender of such Underwritten Bond at the designated office of the Bond Registrar there shall be issued to the Registered Owner, without charge therefor, for the then unredeemed balance of the principal sum thereof, at the option of the Registered Owner, a Underwritten Bond or Bonds of like series, maturity and interest rate in any of the denominations herein authorized.

(d) *Notice of Redemption or Prepayment.*

(1) Official Notice. Notice of any prepayment of Direct Purchase Bonds shall be provided by the City to the Direct Purchaser as provided in the applicable Sale Document.

For so long as the Underwritten Bonds of a series are held by a depository, notice of redemption (which notice may be conditional) shall be given in accordance with the operational arrangements of DTC as then in effect, and neither the City nor the Bond Registrar will provide any notice of redemption to any Beneficial Owners. Unless waived by any Registered Owner of Underwritten Bonds to be redeemed, official notice of any such redemption shall be given by the Bond Registrar on behalf of the City by mailing a copy of an official redemption notice by first class mail at least 20 days and not more than 60 days prior to the date fixed for redemption to the Registered Owner of the Underwritten Bond or Bonds to be redeemed at the address shown on the Bond Register or at such other address as is furnished in writing by such Registered Owner to the Bond Registrar.

All official notices of redemption shall be dated and shall state: (A) the redemption date; (B) the redemption price; (C) if fewer than all outstanding Underwritten Bonds of such series are to be redeemed, the identification by maturity (and, in the case of partial redemption, the respective principal amounts) of the Bonds to be redeemed; (D) any conditions to redemption; (E) that (unless such notice is conditional) on the redemption date the redemption price will become due and payable upon each such Underwritten Bond or portion thereof called for redemption, and that interest thereon shall cease to accrue from and after said date; and (F) the place where such

Underwritten Bonds are to be surrendered for payment of the redemption price, which place of payment shall be the designated office of the Bond Registrar.

On or prior to any redemption date, unless any condition to such redemption has not been satisfied or waived or notice of such redemption has been rescinded, the City shall deposit with the Bond Registrar an amount of money sufficient to pay the redemption price of all the Underwritten Bonds or portions of Underwritten Bonds which are to be redeemed on that date. The City retains the right to rescind any redemption notice and the related optional redemption of Underwritten Bonds by giving notice of rescission to the affected Registered Owners at any time on or prior to the scheduled redemption date. Any notice of optional redemption that is so rescinded shall be of no effect, and the Underwritten Bonds for which the notice of optional redemption has been rescinded shall remain outstanding.

If notice of redemption has been given and not rescinded or revoked, or if the conditions set forth in a conditional notice of redemption have been satisfied or waived, the Underwritten Bonds or portions of Underwritten Bonds to be redeemed shall, on the redemption date, become due and payable at the redemption price therein specified, and, if the Bond Registrar then holds sufficient funds to pay such Underwritten Bonds at the redemption price, then from and after such date such Underwritten Bonds or portions of Underwritten Bonds shall cease to bear interest. Upon surrender of such Underwritten Bonds for redemption in accordance with said notice, such Underwritten Bonds shall be paid by the Bond Registrar at the redemption price. Installments of interest due on or prior to the redemption date shall be payable as herein provided for payment of interest. All Underwritten Bonds which have been redeemed shall be canceled by the Bond Registrar and shall not be reissued.

If addition to the foregoing notice, further notice shall be given by the City as set out below, but no defect in said further notice nor any failure to give all or any portion of such further notice shall in any manner defeat the effectiveness of a call for redemption if notice thereof is given as above prescribed. Each further notice of redemption given hereunder shall contain the information required above for an official notice of redemption plus (A) the CUSIP numbers of all Underwritten Bonds being redeemed; (B) the date of issue of the Underwritten Bonds as originally issued; (C) the rate of interest borne by each Underwritten Bond being redeemed; (D) the maturity date of each Underwritten Bond being redeemed; and (E) any other descriptive information needed to identify accurately the Underwritten Bonds being redeemed. Each further notice of redemption may be sent at least 20 days before the redemption date to each party entitled to receive notice pursuant to the Continuing Disclosure Certificate and with such additional information as the City shall deem appropriate, but such mailings shall not be a condition precedent to the redemption of such Underwritten Bonds.

The foregoing notice provisions of this Section 5, including but not limited to the information to be included in redemption notices and the persons designated to receive notices, may be amended by additions, deletions and changes in order to maintain compliance with duly promulgated regulations and recommendations regarding notices of redemption of municipal securities.

Section 6. Form of Bonds. The Bonds of each series shall be in substantially the form set forth in Exhibit A, which is incorporated herein by this reference.

Section 7. Execution of Bonds. The Bonds of each series shall be executed on behalf of the City by the facsimile or manual signature of the Mayor and shall be attested to by the facsimile or manual signature of the City Clerk, and shall have the seal of the City impressed or a facsimile thereof imprinted, or otherwise reproduced thereon.

In the event any officer who shall have signed or whose facsimile signatures appear on any of the Bonds shall cease to be such officer of the City before said Bonds shall have been authenticated or delivered by the Bond Registrar or issued by the City, such Bonds may nevertheless be authenticated, delivered and issued and, upon such authentication, delivery and issuance, shall be as binding upon the City as though said person had not ceased to be such officer. Any Bond may be signed and attested on behalf of the City by such persons who, at the actual date of execution of such Bond shall be the proper officer of the City, although at the original date of such Bond such persons were not such officers of the City.

Only such Bonds as shall bear thereon a certificate of authentication manually executed by an authorized representative of the Bond Registrar shall be valid or obligatory for any purpose or entitled to the benefits of this Ordinance. Such certificate of authentication shall be conclusive evidence that the Bonds so authenticated have been duly executed, authenticated and delivered hereunder and are entitled to the benefits of this Ordinance and the applicable Sale Document.

Section 8. Application of Bond Proceeds; Project Fund. The Administrative Services Director is hereby authorized to create a fund or account (the "Project Fund"), and subaccounts therein as necessary, for the purposes set forth in this section. A portion of the proceeds of each series of Bonds, net of any Direct Purchaser or Underwriter's discount and fees, shall be deposited in the Project Fund in the amounts specified in the closing memorandum prepared in connection with the issuance of such Bonds. Such proceeds shall be used to pay and/or reimburse the City for the costs of the Projects and, unless otherwise provided by the City, to pay costs of issuance of such Bonds.

The Administrative Services Director shall invest money in the Project Fund and the subaccounts contained therein in such obligations as may now or hereafter be permitted by law to cities of the State and which will mature prior to the date on which such money shall be needed, but only to the extent that the same are acquired, valued and disposed of at Fair Market Value. Upon completion of the Projects, any remaining Bond proceeds (including interest earnings thereon) may be used for other capital projects of the City or shall be transferred to the Debt Service Fund for the allocable series of Bonds.

Section 9. Tax Covenants. The City will take all actions necessary to assure the exclusion of interest on any Tax-Exempt Bonds from the gross income of the owners of such Tax-Exempt Bonds to the same extent as such interest is permitted to be excluded from gross income under the Code as in effect on the date of issuance of such Tax-Exempt Bonds, including but not limited to the following:

(a) *Private Activity Bond Limitation.* The City will assure that the proceeds of the Tax-Exempt Bonds are not so used as to cause the Tax-Exempt Bonds to satisfy the private business tests of Section 141(b) of the Code or the private loan financing test of Section 141(c) of the Code.

(b) *Limitations on Disposition of Projects.* The City will not sell or otherwise transfer or dispose of (i) any personal property components of the Projects other than in the ordinary course of an established government program under Treasury Regulation § 1.141-2(d)(4) or (ii) any real property components of the Projects, unless it has received an opinion of Bond Counsel to the effect that such disposition will not adversely affect the treatment of interest on the Tax-Exempt Bonds as excludable from gross income for federal income tax purposes.

(c) *Federal Guarantee Prohibition.* The City will not take any action or permit or suffer any action to be taken if the result of such action would be to cause any of the Tax-Exempt Bonds to be “federally guaranteed” within the meaning of Section 149(b) of the Code.

(d) *Rebate Requirement.* The City will take any and all actions necessary to assure compliance with Section 148(f) of the Code, relating to the rebate of excess investment earnings, if any, to the federal government, to the extent that such section is applicable to the Tax-Exempt Bonds.

(e) *No Arbitrage.* The City will not take, or permit or suffer to be taken, any action with respect to the proceeds of the Tax-Exempt Bonds which, if such action had been reasonably expected to have been taken, or had been deliberately and intentionally taken, on the date of issuance of the Tax-Exempt Bonds would have caused the Tax-Exempt Bonds to be “arbitrage bonds” within the meaning of Section 148 of the Code.

(f) *Registration Covenant.* The City will maintain a system for recording the ownership of each Tax-Exempt Bond that complies with the provisions of Section 149 of the Code until all Tax-Exempt Bonds have been surrendered and canceled.

(g) *Record Retention.* The City will retain its records of all accounting and monitoring it carries out with respect to the Tax-Exempt Bonds for at least three years after the Tax-Exempt Bonds mature or are redeemed (whichever is earlier); however, if the Tax-Exempt Bonds are redeemed and refunded, the City will retain its records of accounting and monitoring at least three years after the earlier of the maturity or redemption of the obligations that refunded the Tax-Exempt Bonds.

(h) *Compliance with Federal Tax Certificate.* The City will comply with the provisions of the Federal Tax Certificate with respect to a series of Tax-Exempt Bonds, which are incorporated herein as if fully set forth herein. The covenants of this Section will survive payment in full or defeasance of the Tax-Exempt Bonds.

(i) *Bank Qualification.* In the Federal Tax Certificate executed in connection with the issuance of each series of Tax-Exempt Bonds, the City may designate such Bonds as “qualified tax-exempt obligations” under Section 265(b)(3) of the Code for investment by financial institutions.

Section 10. Debt Service Fund and Provision for Tax Levy Payments. The City hereby authorizes the creation of one or more funds, and accounts held therein which may be one or more segregated accounts held within another fund, to be used for the payment of debt service on each series of Bonds, designated as the “Limited Tax General Obligation Bond Debt Service Fund” or other such designation selected by the City (the “Debt Service Fund”). No later than the date each

payment of principal of or interest on the Bonds becomes due, the City shall transmit sufficient funds, from the Debt Service Fund or from other legally available sources, to the Bond Registrar for the payment of such principal or interest. Money in the Debt Service Fund may be invested in legal investments for City funds, but only to the extent that the same are acquired, valued and disposed of at Fair Market Value. Any interest or profit from the investment of such money shall be deposited in the Debt Service Fund.

The City hereby irrevocably covenants and agrees for as long as any of the Bonds are outstanding and unpaid that each year it shall include in its budget and levy an *ad valorem* tax upon all the property within the City subject to taxation in an amount that will be sufficient, together with all other revenues and money of the City legally available for such purposes, to pay the principal of and interest on the Bonds as the same shall become due.

The City hereby irrevocably pledges that the annual tax provided for herein to be levied for the payment of such principal and interest shall be within and as a part of the property tax levy permitted to cities without a vote of the electorate, and that a sufficient portion of each annual levy to be levied and collected by the City prior to the full payment of the principal of and interest on the Bonds will be and is hereby irrevocably set aside, pledged and appropriated for the payment of the principal of and interest on the Bonds. The full faith, credit and resources of the City are hereby irrevocably pledged for the annual levy and collection of such taxes and for the prompt payment of the principal of and interest on the Bonds when due.

The City hereby further irrevocably pledges all VLF Revenues to the portion of each series of Bonds issued to finance the Projects and related costs of issuance. The City covenants to impose and collect Vehicle License Fees under chapter 36.73 RCW on qualifying vehicles as set forth in RCW 82.80.140 and chapter 36.73 RCW so long as the Bonds are outstanding.

Section 11. Defeasance. In the event that the City, in order to effect the payment, retirement or redemption of any Bond, sets aside in the Debt Service Fund or in another special account, cash or noncallable Government Obligations, or any combination of cash and/or noncallable Government Obligations, in amounts and maturities which, together with the known earned income therefrom, are sufficient to redeem or pay and retire such Bond in accordance with its terms and to pay when due the interest and redemption premium, if any, thereon, and such cash and/or noncallable Government Obligations are irrevocably set aside and pledged for such purpose, then no further payments need be made into the Debt Service Fund for the payment of the principal of and interest on such Bond. The owner of a Bond so provided for shall cease to be entitled to any lien, benefit or security of this Ordinance except the right to receive payment of principal, premium, if any, and interest from the Debt Service Fund or such special account, and such Bond shall be deemed to be not outstanding under this Ordinance. The City shall give written notice of defeasance of any Bonds of a series in accordance with the applicable Continuing Disclosure Certificate.

Section 12. Sale of Bonds; Sale Document.

(a) *Bond Sale.* The Council has determined that it would be in the best interest of the City to delegate to the Designated Representative for a limited time the authority to determine the method of sale for the Bonds in one or more series and to approve the final interest rates, maturity

dates, redemption terms and principal maturities for each series of Bonds. Bonds may be issued pursuant to this Ordinance at one time or from time to time as provided herein. The Designated Representative is hereby authorized to approve the issuance, from time to time, of one or more series of Bonds and to determine whether the Bonds of such series shall be sold in a private placement to a Direct Purchaser or to an Underwriter through a competitive public sale or a negotiated sale, as set forth below.

(b) *Direct Purchase.* If the Designated Representative determines that the Bonds of a series are to be sold by private placement, the Designated Representative shall select the Direct Purchaser that submits the proposal that is in the best interest of the City. Direct Purchase Bonds shall be sold to the Direct Purchaser pursuant to the terms of a Loan Agreement.

(c) *Negotiated Bond Sale.* If the Designated Representative determines that the Bonds of a series are to be sold by negotiated public sale, the Designated Representative shall select the Underwriter whose proposal the Designated Representative believes is in the best interest of the City. Such Bonds shall be sold to the Underwriter pursuant to the terms of a Bond Purchase Contract.

(d) *Competitive Sale.* If the Designated Representative determines that the Bonds of a series are to be sold at a competitive public sale, the Designated Representative shall: (1) establish the date of the public sale; (2) establish the criteria by which the successful bidder will be determined; (3) request that a good faith deposit in an amount not less than one percent of the principal amount of the offering accompany each bid; (4) cause notice of the public sale to be given; and (5) provide for such other matters pertaining to the public sale as such person deems necessary or desirable. The Designated Representative shall cause the notice of sale to be given and provide for such other matters pertaining to the public sale as he or she deems necessary or desirable. Such Bonds shall be sold to the Underwriter pursuant to the terms of a Certificate of Award.

(e) *Sale Parameters.* The Designated Representative is hereby authorized approve the method of sale and the final interest rates, aggregate principal amount, principal maturities, and redemption rights for each series of Bonds in the manner provided hereafter so long as:

- (1) the aggregate principal amount (face amount) of all Bonds issued pursuant to this Ordinance does not exceed \$8,350,000;
- (2) the final maturity date for each series of Bonds is no later than 20 years from the respective Closing date;
- (3) the true interest cost for each series of Bonds does not exceed 4.00%; and
- (4) the Bonds of each series are sold (in the aggregate) at a price not less than 98%.

Subject to the terms and conditions set forth in this section, the Designated Representative is hereby authorized to execute the applicable Sale Document for a series of Bonds. Following the execution of the applicable Sale Document, the Designated Representative shall provide a report

to the Council describing the final terms of the Bonds approved pursuant to the authority delegated in this section.

The authority granted to the Designated Representative by this Section 11 shall expire one year after the effective date of this Ordinance. If a Sale Document for the Bonds of a series has not been executed by such date, the authorization for the issuance of such series of Bonds shall be rescinded, and such Bonds shall not be issued nor their sale approved unless such Bonds shall have been re-authorized by ordinance of the Council.

(f) *Delivery of Bonds; Documentation.* The proper officials of the City, including the Administrative Services Director, the City Clerk, the City Mayor and the Designated Representative, are authorized and directed to undertake all action necessary for the prompt execution and delivery of the Bonds to the purchaser thereof and further to execute all closing certificates and documents required to effect the closing and delivery of the Bonds in accordance with the terms of the applicable Sale Document. Such documents may include, but are not limited to, documents related to a municipal Bond insurance policy delivered by an insurer to insure the payment when due of the principal of and interest on all or a portion of the Bonds as provided therein, if such insurance is determined by the Designated Representative to be in the best interest of the City.

Section 13. Preliminary and Final Official Statements. The Administrative Services Director and the City Manager are each hereby authorized to deem final the preliminary Official Statement(s) relating to any Underwritten Bonds for the purposes of the Rule. The Administrative Services Director and the City Manager are each further authorized to approve for purposes of the Rule, on behalf of the City, the final Official Statement(s) relating to the issuance and sale of any Underwritten Bonds and the distribution of the final Official Statement pursuant thereto with such changes, if any, as may be deemed to be appropriate.

Section 14. Undertaking to Provide Ongoing Disclosure; Covenants.

(a) The City covenants to execute and deliver at the time of Closing of any Underwritten Bonds a Continuing Disclosure Certificate. The Administrative Services Director and the City Manager are each hereby authorized to execute and deliver a Continuing Disclosure Certificate upon the issuance, delivery and sale of any Underwritten Bonds with such terms and provisions as such individuals shall deem appropriate and in the best interests of the City.

(b) The City may agree to provide the Direct Purchaser certain financial or other information and agree to such additional covenants as determined to be necessary by the Designated Representative and as set forth in the applicable Sale Document and approved by the Designated Representative.

Section 15. Lost, Stolen or Destroyed Bonds. In case any Bonds are lost, stolen or destroyed, the Bond Registrar may authenticate and deliver a new Bond or Bonds of like series, amount, date and tenor to the Registered Owner thereof if the Registered Owner pays the expenses and charges of the Bond Registrar and the City in connection therewith and files with the Bond Registrar and the City evidence satisfactory to both that such Bond or Bonds were actually lost,

stolen or destroyed and of his or her ownership thereof, and furnishes the City and the Bond Registrar with indemnity satisfactory to both.

Section 16. Severability; Ratification. If any one or more of the covenants or agreements provided in this Ordinance to be performed on the part of the City shall be declared by any court of competent jurisdiction to be contrary to law, then such covenant or covenants, agreement or agreements, shall be null and void and shall be deemed separable from the remaining covenants and agreements of this Ordinance and shall in no way affect the validity of the other provisions of this Ordinance or of the Bonds. All acts taken pursuant to the authority granted in this Ordinance but prior to its effective date are hereby ratified and confirmed.

Section 17. Corrections by Clerk. Upon approval of the City Attorney and Bond Counsel, the City Clerk is hereby authorized to make necessary corrections to this Ordinance, including but not limited to the correction of clerical errors; references to other local, state or federal laws, codes, rules, or regulations; ordinance numbering and section/subsection numbering; and other similar necessary corrections.

Section 18. Effective Date. This Ordinance shall take effect and be in force five (5) days from and after its passage, approval, and publication, as required by law. A summary of this Ordinance, consisting of the title, may be published in lieu of publishing this Ordinance in its entirety.

PASSED BY THE CITY COUNCIL ON MARCH 29, 2021.

Mayor Will Hall

ATTEST:

APPROVED AS TO FORM:

Jessica Simulcik Smith
City Clerk

Pacifica Law Group LLP
Bond Counsel

Date of Publication: _____, 2021

Effective Date: _____, 2021

EXHIBIT A

FORM OF BOND

[DTC LANGUAGE]

[TRANSFER RESTRICTIONS]

UNITED STATES OF AMERICA

NO. _____

\$ _____

STATE OF WASHINGTON

CITY OF SHORELINE

LIMITED TAX GENERAL OBLIGATION BOND, 20__[(Taxable)]

INTEREST RATE: ____%

MATURITY DATE:

CUSIP NO.:

REGISTERED OWNER: CEDE & CO.

PRINCIPAL AMOUNT:

The City of Shoreline, Washington (the “City”), hereby acknowledges itself to owe and for value received promises to pay to the Registered Owner identified above, or registered assigns, on the Maturity Date identified above, the Principal Amount indicated above and to pay interest thereon from _____, 20__, or the most recent date to which interest has been paid or duly provided for until payment of this bond at the Interest Rate set forth above, payable on _____ 1, 20__, and semiannually thereafter on the first days of each succeeding _____ and _____. Both principal of and interest on this bond are payable in lawful money of the United States of America. The fiscal agent of the State of Washington has been appointed by the City as the authenticating agent, paying agent and registrar for the bonds of this issue (the “Bond Registrar”). For so long as the bonds of this issue are held in fully immobilized form, payments of principal and interest thereon shall be made as provided in accordance with the operational arrangements of The Depository Trust Company (“DTC”) referred to in the Blanket Issuer Letter of Representations (the “Letter of Representations”) from the City to DTC.

The bonds of this issue are issued under and in accordance with the provisions of the Constitution and applicable statutes of the State of Washington and Ordinance No. 926 duly passed by the City Council on March 29, 2021 (the “Bond Ordinance”). Capitalized terms used in this bond have the meanings given such terms in the Bond Ordinance.

This bond shall not be valid or become obligatory for any purpose or be entitled to any security or benefit under the Bond Ordinance until the Certificate of Authentication hereon shall have been manually signed by or on behalf of the Bond Registrar or its duly designated agent.

This bond is one of an authorized issue of bonds of like series, date, tenor, rate of interest and date of maturity, except as to number and amount in the aggregate principal amount of

\$ _____ and is issued pursuant to the Bond Ordinance to provide a portion of the funds necessary to pay the costs of certain transportation improvements and to pay costs of issuance.

The bonds of this issue are subject to [prepayment/redemption prior to their stated maturities] as provided in the [Bond Purchase Contract/Certificate of Award/Loan Agreement].

The City has irrevocably covenanted with the owner of this bond that it shall include in its annual budget and levy taxes annually, within and a part of the tax levy permitted to the City without a vote of the electorate, upon all the taxable property in the City in amounts sufficient, together with other money legally available therefor, to pay the principal of and interest on this bond when due. The full faith, credit and resources of the City are irrevocably pledged for the annual levy and collection of such taxes and the prompt payment of such principal and interest.

The City has further irrevocably pledged all VLF Revenues to the portion of the Bonds allocable to the Projects.

The pledge of tax levies for payment of principal of and interest on the bonds may be discharged prior to maturity of the bonds by making provision for the payment thereof on the terms and conditions set forth in the Bond Ordinance.

It is hereby certified that all acts, conditions and things required by the Constitution and statutes of the State of Washington to exist and to have happened, been done and performed precedent to and in the issuance of this bond exist and have happened, been done and performed and that the issuance of this bond and the bonds of this issue does not violate any constitutional, statutory or other limitation upon the amount of bonded indebtedness that the City may incur.

IN WITNESS WHEREOF, the City of Shoreline, Washington, has caused this bond to be executed by the manual or facsimile signatures of the Mayor and the City Clerk and the seal of the City to be imprinted, impressed or otherwise reproduced hereon as of this ____ day of _____, 20__.

[SEAL]

CITY OF SHORELINE, WASHINGTON

By _____
/s/ manual or facsimile
Mayor

ATTEST:

/s/ manual or facsimile
City Clerk

The Bond Registrar’s Certificate of Authentication on the Bonds shall be in substantially the following form:

CERTIFICATE OF AUTHENTICATION

Date of Authentication: _____

This bond is one of the bonds described in the within-mentioned Bond Ordinance and is one of the Limited Tax General Obligation Bonds, 20____, of the City of Shoreline, Washington, dated _____, 20____.

WASHINGTON STATE FISCAL AGENT,
as Bond Registrar

By _____

[FOR DIRECT PURCHASE BONDS]

CERTIFICATE OF AUTHENTICATION

Date of Authentication: _____

This Bond is the Limited Tax General Obligation Bonds, 20____, of the City of Shoreline, Washington, dated _____, 20____, described in the within-mentioned Bond Ordinance.

[_____] ,
as Bond Registrar

REGISTRATION CERTIFICATE

This Bond is registered in the name of the Registered Owner on the books of the City, in the office of the Administrative Services Director of the City, as to both principal and interest. All payments of principal of and interest on this Bond shall be made by the City as provided in the Bond Ordinance.

Date of Registration Name and Address of Registered Owner
_____ _____
_____, 20____

PAYMENT SCHEDULE

Principal and interest on this Bond shall be payable as set forth in the following schedule:

Date	Principal	Interest	Total Payment
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CERTIFICATE

I, the undersigned, City Clerk of the City Council of the City of Shoreline, Washington (the “City”), DO HEREBY CERTIFY:

1. The attached copy of Ordinance No. 926 (the “Ordinance”) is a full, true and correct copy of an ordinance duly passed at a regular meeting of the City Council of the City held at the regular meeting place thereof on March 29, 2021 as that Ordinance appears in the minute book of the City; and the Ordinance will be in full force and effect after its passage and publication as provided by law; and

2. That said meeting was duly convened and held in all respects in accordance with law, including but not limited to Washington State Governor Inslee’s emergency proclamation No. 20-28 issued on March 24, 2020, as amended and supplemented, temporarily suspending portions of the Open Public Meetings Act (chapter 42.30 RCW), and to the extent required by law, due and proper notice of such meeting was given; that a legal quorum was present throughout the meeting and a legally sufficient number of members of the Council voted in the proper manner for the passage of the Ordinance; that all other requirements and proceedings incident to the proper passage of the Ordinance have been duly fulfilled, carried out and otherwise observed; and that I am authorized to execute this certificate.

3. That Ordinance No. 926 has not been amended, supplemented or rescinded since its passage and is in full force and effect and that I am authorized to execute this certificate.

IN WITNESS WHEREOF, I have hereunto set my hand this 29th day of March, 2021.

City Clerk

City of Shoreline, Washington
Sidewalk Improvement Projects
\$8 Million Funding Scenarios

20-year Term			
Year	Principal	Interest	Total
2021	\$ -	\$ 160,375	\$ 160,375
2022	195,000	320,750	515,750
2023	205,000	311,000	516,000
2024	215,000	300,750	515,750
2025	225,000	290,000	515,000
2026	235,000	278,750	513,750
2027	245,000	267,000	512,000
2028	260,000	254,750	514,750
2029	275,000	241,750	516,750
2030	285,000	228,000	513,000
2031	300,000	213,750	513,750
2032	315,000	198,750	513,750
2033	330,000	183,000	513,000
2034	350,000	166,500	516,500
2035	365,000	149,000	514,000
2036	385,000	130,750	515,750
2037	405,000	111,500	516,500
2038	425,000	91,250	516,250
2039	445,000	70,000	515,000
2040	465,000	47,750	512,750
2041	490,000	24,500	514,500
	\$ 6,415,000	\$ 4,039,875	\$ 10,454,875

15-year Term			
Year	Principal	Interest	Total
2021	\$ -	\$ 161,375	\$ 161,375
2022	300,000	322,750	622,750
2023	315,000	307,750	622,750
2024	330,000	292,000	622,000
2025	345,000	275,500	620,500
2026	365,000	258,250	623,250
2027	380,000	240,000	620,000
2028	400,000	221,000	621,000
2029	420,000	201,000	621,000
2030	440,000	180,000	620,000
2031	465,000	158,000	623,000
2032	490,000	134,750	624,750
2033	510,000	110,250	620,250
2034	535,000	84,750	619,750
2035	565,000	58,000	623,000
2036	595,000	29,750	624,750
2037	-	-	-
2038	-	-	-
2039	-	-	-
2040	-	-	-
2041	-	-	-
	\$ 6,455,000	\$ 3,035,125	\$ 9,490,125

Estimated Sources and Uses of Funds

Sources	
Par Amount	\$ 6,415,000
Reoffering Premium	1,743,201
Total Sources	\$ 8,158,201
Uses	
Project Fund	\$ 8,000,000
Underwriter's Discount	38,490
Issuance Costs	119,711
Total Uses	\$ 8,158,201

Estimated Sources and Uses of Funds

Sources	
Par Amount	\$ 6,455,000
Reoffering Premium	1,700,424
Total Sources	\$ 8,155,424
Uses	
Project Fund	\$ 8,000,000
Underwriter's Discount	38,730
Issuance Costs	116,694
Total Uses	\$ 8,155,424

Key Statistics (Estimated)

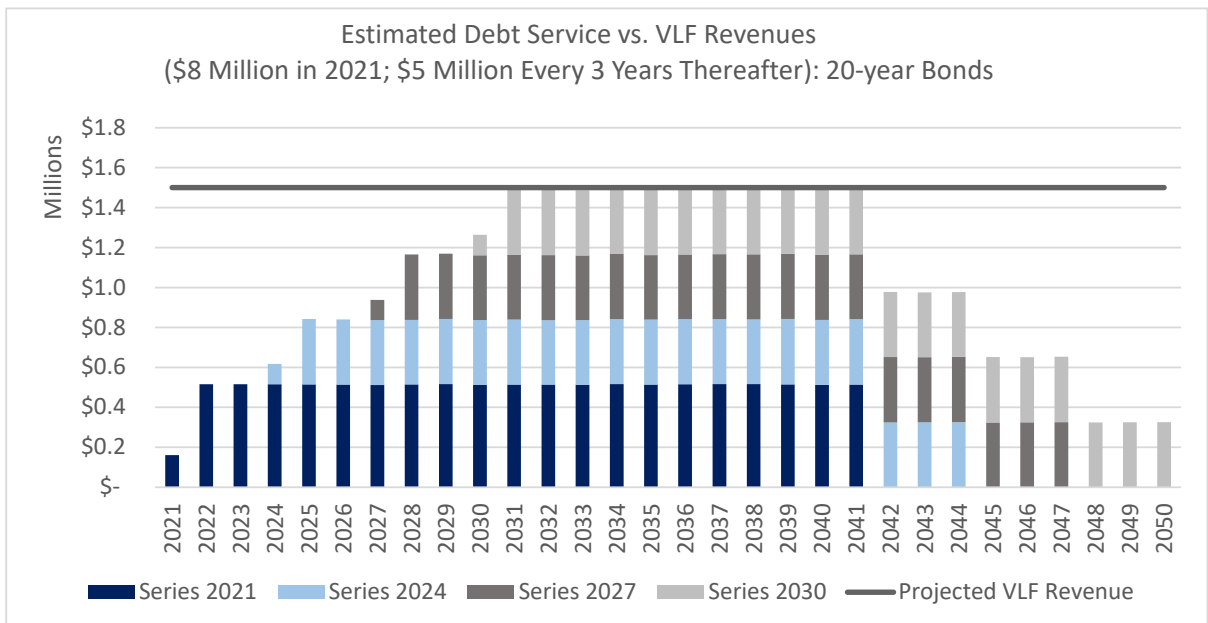
True Interest Cost (TIC):	2.47%
Total Debt Service:	\$10,454,875
Average Annual Debt Service:	\$514,725
Annual Debt Service per \$1 million:	\$64,341

Key Statistics (Estimated)

True Interest Cost (TIC):	1.94%
Total Debt Service:	\$9,490,125
Average Annual Debt Service:	\$621,917
Annual Debt Service per \$1 million:	\$77,740

Estimated Debt Service: Projected Future Issuances

20-year Term						
\$8 million in 2021; \$5 Million Every Three Years Thereafter						
Year	2021	2024	2027	2030	Total	Excess Revenue
2021	\$ 160,375	\$ -	\$ -	\$ -	\$ 160,375	\$ 1,339,625
2022	515,750	-	-	-	515,750	984,250
2023	516,000	-	-	-	516,000	984,000
2024	515,750	\$ 101,375	-	-	617,125	882,875
2025	515,000	327,750	-	-	842,750	657,250
2026	513,750	326,500	-	-	840,250	659,750
2027	512,000	325,000	\$ 101,375	-	938,375	561,625
2028	514,750	323,250	327,750	-	1,165,750	334,250
2029	516,750	326,250	326,500	-	1,169,500	330,500
2030	513,000	323,750	325,000	\$ 101,375	1,263,125	236,875
2031	513,750	326,000	323,250	327,750	1,490,750	9,250
2032	513,750	322,750	326,250	326,500	1,489,250	10,750
2033	513,000	324,250	323,750	325,000	1,486,000	14,000
2034	516,500	325,250	326,000	323,250	1,491,000	9,000
2035	514,000	325,750	322,750	326,250	1,488,750	11,250
2036	515,750	325,750	324,250	323,750	1,489,500	10,500
2037	516,500	325,250	325,250	326,000	1,493,000	7,000
2038	516,250	324,250	325,750	322,750	1,489,000	11,000
2039	515,000	327,750	325,750	324,250	1,492,750	7,250
2040	512,750	325,500	325,250	325,250	1,488,750	11,250
2041	514,500	327,750	324,250	325,750	1,492,250	7,750
2042		324,250	327,750	325,750	977,750	522,250
2043		325,250	325,500	325,250	976,000	524,000
2044		325,500	327,750	324,250	977,500	522,500
2045			324,250	327,750	652,000	848,000
2046			325,250	325,500	650,750	849,250
2047			325,500	327,750	653,250	846,750
2048				324,250	324,250	1,175,750
2049				325,250	325,250	1,174,750
2050				325,500	325,500	1,174,500
	\$ 10,454,875	\$ 6,609,125	\$ 6,609,125	\$ 6,609,125	\$ 30,282,250	\$ 14,717,750



Estimated Debt Service: Projected Future Issuances

15-year Term						
\$8 million in 2021; \$5 Million Every Three Years Thereafter						
Year	2021	2024	2027	2030	Total	Excess Revenue
2021	\$ 161,375	\$ -	\$ -	\$ -	\$ 161,375	\$ 1,338,625
2022	622,750	-	-	-	622,750	877,250
2023	622,750	-	-	-	622,750	877,250
2024	622,000	\$ 102,000	-	-	724,000	776,000
2025	620,500	394,000	-	-	1,014,500	485,500
2026	623,250	394,500	-	-	1,017,750	482,250
2027	620,000	394,500	\$ 102,000	-	1,116,500	383,500
2028	621,000	394,000	394,000	-	1,409,000	91,000
2029	621,000	393,000	394,500	-	1,408,500	91,500
2030	620,000	391,500	394,500	\$ 102,000	1,508,000	(8,000)
2031	623,000	394,500	394,000	394,000	1,805,500	(305,500)
2032	624,750	391,750	393,000	394,500	1,804,000	(304,000)
2033	620,250	393,500	391,500	394,500	1,799,750	(299,750)
2034	619,750	394,500	394,500	394,000	1,802,750	(302,750)
2035	623,000	389,750	391,750	393,000	1,797,500	(297,500)
2036	624,750	389,500	393,500	391,500	1,799,250	(299,250)
2037		393,500	394,500	394,500	1,182,500	317,500
2038		391,500	389,750	391,750	1,173,000	327,000
2039		393,750	389,500	393,500	1,176,750	323,250
2040			393,500	394,500	788,000	712,000
2041			391,500	389,750	781,250	718,750
2042			393,750	389,500	783,250	716,750
2043				393,500	393,500	1,106,500
2044				391,500	391,500	1,108,500
2045				393,750	393,750	1,106,250
2046					-	1,500,000
2047					-	1,500,000
2048					-	1,500,000
2049					-	1,500,000
2050					-	1,500,000
	\$ 9,490,125	\$ 5,995,750	\$ 5,995,750	\$ 5,995,750	\$ 27,477,375	\$ 17,522,625

